Private Investigation and You

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The BIG PI Debate

• I am new to digital forensics and started a company as a 3rd party contractor performing digital forensics acquisition and analysis for my clients. Should I become a licensed private investigator in my state even if my state does not have a specific law telling me to do so? Why or why not?
Well...

- If you can, do.
  - The license is an advertising plus
  - The license ends the whole issue
  - It does cost money and time
- It may not be possible
  - The license may simply not be obtainable in your locale (viz. MA)
Main Issues

• If the state requires it
  – TX, SC, etc. – well
    • Get it
    • Hire a PI for your staff

• If there is no requirement
  – CO, WY, etc. -- Who cares!

• If it’s not clear
  – Try and get it clarified by working with your legislators. Doug, Gary Kessler, Dave Kleiman have all done this.
Note

• Most states exclude working for an attorney
• Most states exclude internal matters
  – Be careful how this is defined
    • Is internal inside the building or is it within the organization?
• But you need to find out.
• Be careful not to advertise as “investigations” or “investigator”
Be Advised

• Don’t rely on hearsay
• Doug is not an attorney!
• AG’s change their opinions
• Work with your legislator and lobby to change these laws!