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LOOKING AT FRAUDULENT
CLAIMS AND SURVEILLANCE
INVESTIGATIONS IN 2022

COVID Issues: How PI's can find stability and minimize risk as the pandemic lingers into 2022

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Faced with potential business interruption, private investigators are adapting to take on new and different responsibilities. PIs are being asked to conduct COVID-19 contact tracing and in some cases are hired by employers to ensure employees are, in fact, working while at home. Other popular requests of PIs that show no signs of fading include extramarital affairs investigations, background checks for online dating profiles and watching parents for child custody cases.

Relying on traditional work types can negatively impact a PI's bottom line. Leaning into the pandemic to create new opportunities and advertise other specific surveillance skills can bring in new business during continued periods of public health and economic uncertainty. However, in a world still largely ruled by COVID-19, investigators face serious risks and challenges. It is important to understand such risks and challenges as well as to take steps necessary to minimize them.

SHIFTING SURVEILLANCE

Despite new services helping with business interruption, the PI industry has faced a significant challenge during the past two years. It is difficult to discretely follow people in emptier public spaces. Tracking the subject's movements and actions during mandatory quarantining when remote work and at-home policies keep people from their normal routines makes the work nearly impossible.

Nonetheless, an investigator has many tools they can lean on for surveillance that can be applied in some of these situations. Technologies such as drone and aerial surveillance, unmanned surveillance vehicles and facial recognition software can help track subjects when doing so in person may be difficult or impractical. It is important to understand and abide by all state and federal laws regarding such technologies.

In an ever-changing landscape, it is important to clearly communicate the change in surveillance, COVID-related restrictions and other

new limits to private investigation to any clients interested in surveillance jobs. With a clear understanding of the limitations in place, clients are likely to be more understanding if reports are less active or detailed than pre-pandemic.

Another option is to reschedule surveillance for the future. Rescheduling may not be an option for every case, some are more urgent than others, but where possible, this provides time for restrictions to ease and subjects to become active again.

Regardless of how a PI chooses to perform his or her work while COVID-19 remains a concern, the best way to minimize risk in a surveillance situation is to understand and follow all laws associated with surveillance work. This includes addressing the situation through contractual language and clear job orders from the outset. Taking these actions at the start will help ensure the job is successfully completed within the bounds of the law.

SECURITY ASSURED

Another opportunity revealed by the pandemic is for private investigators to advise on digital security. The nature of hiring a PI can make some think twice about their actions and who might be looking into them. Working from home with new systems, apps and devices, these clients may have questions about how to protect their data and their privacy.

Advising on Wi-Fi security and good password practices, teaching clients about resources such as webcam covers, and recommending the value and use of VPNs to reduce cyber threats can create a new consulting revenue stream and aid PIs in retaining clients when surveillance work may be in short supply.

The need for additional digital security is a two-way street. With more people working from home, the lack of proper equipment and understanding of how to properly secure information outside of traditional workplace environments has created a surge in cybersecurity crimes. When handling a client's confidential information, it is more important than ever to take the necessary steps to create secure communications channels.

Cloud-based systems such as Google Drive, DropBox or OneDrive are good for securely delivering reports. Apps like DocuSign or

Adobe Sign are helpful for safely gathering signatures from a remote location. These tools, paired with sound digital security practices, ensure client information stays secure and avoids dangerous and costly lawsuits.

STAYING SAFE AND SLOWING THE SPREAD

Like many others, an investigator is at increased risk for exposure to COVID-19 when performing regular job duties. Throughout the past two years, people have adapted and developed ways to continue business while still prioritizing their health and safety. Utilizing video technologies for client meetings, using secure data-sharing services, and offering new or novel services that account for potential COVID-19 considerations are all ways PIs can get creative.

Most important is having open and transparent conversations with potential clients. PIs must clearly outline all precautions being taken. If a potential client makes a request that causes discomfort or puts you at increased risk of your health or safety, discuss the issue further and look for possible compromise that does not put you in harm's way unnecessarily. The best way to ensure your health and safety, and your clients', is by following all local and state health and safety regulations and guidelines, masking up and maintaining social distancing when possible.

PIs can succeed and even grow their businesses in this environment while also minimizing their risk. The most effective risk mitigation practice is to work with an insurance specialist to find coverage that fits your specific needs. Particularly now, insurance coverage adds an additional layer of security that protects PIs and their business. **PI**



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