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Private Investigator

by

Glen Ehler, B.A.

A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfillment of
the requirements for the degree
Master of Arts
Department of Sociology and Anthropology

Carleton University

Ottawa, Ontario

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and Research acceptance of the thesis,

Private Investigator

submitted by Glen Ehler, B.A.
in partial fulfillment of the requirements for
the degree Master of Arts

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09 September 1997

Abstract

This thesis is an occupational case study of two private investigative companies in the Regional Municipality of Ottawa-Carleton. The work examines recruitment, the process of socialization into the industry, the nature of cases undertaken and the clients, and the function of the industry. Private investigation is defined as the occupational activity performed by a private investigator who spends the majority of his or her time occupied with seeking information for a client who pays for such services. Conceptions of the private sector have changed substantially from a state-centered view of "roaming private armies" which saw social control as a function of government to "private-public partnerships" to an industry providing both a service and a benefit which saw a "widening and deepening" of the social control net. This thesis offers a participant observational case study as to the nature of the occupation of the private investigator in an attempt to shed some light on the nature of the evolution of social control.

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1. The Private Investigative Industry

In a profession¹ which is concerned with the investigation of many different types of "crimes", there are very few restrictions in law on who may set up a business as a private investigative or private security firm.² Both the day-to-day activity and greater function of the modern private investigator³ has unfortunately not been the subject of intense sociological inquiry in Canada. This is not to say that there are no studies of private security or the private investigator. There are, but they are, on the whole, inadequate for the job we have to do. Very few studies tell us what a private investigator does in his or her daily round of activity and what he or she thinks about himself, society, and his activities. Studies of private policing are inadequate for theorizing mainly because there are not enough of them and those that exist are done from the perspective of outsiders.

Private investigation may be defined as the occupational activity performed by a *private investigator* who spends the majority of his or her time occupied with

¹ Masculine pronouns are used when referring to the private investigator because the subjects under study are entirely males.

² For actual requirements, please see the Private Investigators and Security Guards Act, March 1994.

seeking information for a client who pays for such services. According to the Private Investigators and Security Guard Act of the Province of Ontario:

"private investigator" means a person who investigates and furnishes information for hire or reward, including a person who,

(a) searches for and furnishes information as to the personal character or actions of a person, or the character or kind of business or occupation of a person,

(b) searches for offenders against the law, or

(c) searches for missing persons or property

source: (Private Investigators and Security Guard Act, March 1994, Chapter P.25)

Figure 1.1 illustrates the comparison of private investigators and private guards over a period of three decades in Canada. The number of private investigators falls significantly short when compared to the number of private guards in Canada.⁴

³ Most studies have focused on the private security industry as a whole, rather than on one specific occupation (private investigator).

⁴ The growth in private policing has been linked to socioeconomic changes that have demanded more specialized forms of social control (Foucault, 1977, Spitzer and Scull, 1977, Shearing and Stenning, 1982, 1983, as well as many others). Consequently, demands for more extensive and intensive surveillance are being met with new surveillance techniques and services. Investigation services, like security services, are designed to offer protection of valuable goods. These two services are generally performed by different individuals and involve very different

FIGURE 1.1: Number of Private Investigators and Private Guards, Canada, 1971, 1981, and 1991.

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

The term "private investigator" is one that is sure to evoke some sort of reaction in most people, mainly one of misunderstanding. Palmer (1974) neatly highlights a myth of the popular image of the private investigator which still holds true today. The private investigator, P.I., private detective, etc. is usually a former police officer (retired), is friendly with the local police service, is fairly economically "well-off", works on cases of a criminal nature, drives a flashy car, is independent, and works alone. For the most part, such generalizations have proven to be untrue.

activities. Private investigators are primarily engaged in gathering and interpreting information about a wide variety of activities; they investigate to produce information that

It is undoubtedly true that the private guard business sector operates on a far larger scale than that of private investigation and constitutes a modern and rapidly expanding industry. There is however, some degree of overlap between the security and investigative professions, with private investigative agencies beginning to expand into security services, and the smaller security firms offering investigations as well.⁵ One of the firms in which the researcher was employed issued him a dual license so that he may act as a private guard and a private investigator. It is also important to note that both private guard and private investigative firms face many common problems. Both are concerned with the question of control over the personnel employed in their respective industries. For the most part, this concern has been addressed by a compulsory licensing system for private investigators and private guards being combined in one statute.

This research does not purport to cover all aspects of the private investigative industry. What it does attempt to do is convey a picture of private investigation in this country, a picture formed not from within the industry

someone else will use; they are essentially information brokers.

⁵ Figure 3.2: Licensed Private Investigators, Ontario 1967 - 1974 and 1991 - 1995 illustrates the growth in dual licensed individuals.

itself, but from the point of view of a lay person looking (hopefully objectively) at the workings of an industry that has found its way into a significant part of society.

1.1. A History of Private Policing

This section will serve to clarify just what private "policing" / "security" is, not simply in the sense of what it does, but in terms of where it historically fits in with other agencies of social control. To do this, the historical nature of policing in general will be reviewed in terms of its effect on the formulation of a history of the private security industry.⁶

Histories of policing are dominated by what Johnston (1992) calls the "Anglo-American model" which equates the emergence of modern policing (public police forces) as a response to the problems of crime and disorder arising from capitalist industrialization and urbanization. On the other hand, a "British model" as represented in the works of Critchley (1978) explains the emergence of the new police in terms of the inability of a corrupt and inefficient system

⁶ Unfortunately the researcher was not able to uncover literature that focused on Canadian origins of private security. There remains very little work, aside for Shearing and Stenning's pioneering work on policy questions surrounding private justice in Canada. The lack of Canadian literature may be due to the early American involvement in the industry.

of justice to cope with the growing crime and public order problems brought on by urbanization and industrialization. With the formation of the public police in 1829, as the British model maintains, the public saw new standards of efficiency and rational organization that had previously been absent (Critchley, 1978). The solution emerged to provide a rational response to the order maintenance needs of an industrial society. This section will outline the general historical models of analysis used when looking at the private security industry as a whole.

There has been a lot of literature devoted to the analysis of historical patterns of social control in capitalist societies, much of it claiming to identify certain "master tendencies". Cohen (1985) situates some of these "master tendencies" under the following descriptives: the movement from arbitrary and decentralized control in the 18th century, to rational and state-centered control in the 19th century, to more recently, hybrid forms of statist decentralization. In his later works, Cohen (1989) argues that such "master tendencies" should be cautiously applied due to the fragmented nature of the phenomenon.

Johnston (1992) states that it is important to distinguish between the concepts of "police" and "policing", the former being a relatively modern concept, the latter an

older one. Prior to the eighteenth century, if the word "police" was used, reference was usually being made to the broad social function of policing. Policing was seen as a socio-political function (rather than merely a formal legal one) exercised in civil society (rather than merely within the confines of the state). It was in the mid-eighteenth century that the word "police" began to be used to refer to the specific functions of crime prevention and order maintenance. Johnston (1992) notes that the word was first used in this sense by John Fielding in 1758 and its first statutory use was in relation to the Thames River Police in 1800. After the formation of the new police in 1829, the equation of "police" with "personnel" was taken for granted (Johnston, 1992).

Johnston (1992) argues that over time the concepts of "police" and "policing" have been conflated with people thinking that the two mean the same thing. Steedman (1984) makes the observation that similar historical analysis has tried to apply modern definitions of the police to past practices when talking about the "Metropolitan version" of police history (the view that 1829 signaled the beginning of a steady process of centralization, co-ordination, and nationalization of policing in England). The problem, Steedman claims, is that half a century after the foundation

of the new police, municipal governments still defined policing in broad socio-political terms. At the local level, ratepayers still saw themselves as employing police as "poor law officers, inspectors of nuisances, market commissioners, impounders of stray cattle and inspectors of weights and measures" (Steedman, 1984: page 8). Steedman (1984) indicates that the range of such "police work" increased considerably after the 1856 County and Borough Police Act and the Local Government Act of 1858. For reasons of cost and convenience, a variety of social functions were grounded by empowering magistrates to require police to engage in work other than keeping the peace. The police undertook duties such as inspections of lodging houses, the inspection of weights and measures, the collection of the county rate, the surveying of roads and bridges, the supervision of market trading, the impounding of cattle, and the inspection of nuisances (Johnston, 1992). Some of these administrative duties were unpopular because officers were brought into conflict with the "non-criminal" middle class merchants, other duties, such as the policing of vagrancy, were seen as more in line with the "genuine" police role of dealing with the "criminal" populations.

It is certainly true that the formation of the new police forces after Sir Robert Peel's force in 1829 signaled

the change for a law enforcement system dependent on unpaid justices of the peace, parish constables and ad hoc watch forces, to one reliant on bureaucratic, uniformed, paid police forces. Yet such a generalization may obscure the extent to which private policing survived the formation of the public forces.

Johnston (1992) argues that the history, structure, and organization of criminal justice can be examined across three dimensions: the public and the private; the formal and the informal; the central and the local. Crime control in sixteenth and seventeenth century London developed in a fragmented way; there being various forms of accommodation between central state, local state, citizens, and the criminal fraternity, including patronage, nepotism, and private initiative (Johnston, 1992). During this period, law enforcement in England rested on local settlements and districts engaging in various forms of self-policing. In this context of law enforcement, policing and punishment were open to purchase and negotiation:

Policing, moreover, lacked any central command structure, and any attempt at central co-ordination met with local resistance. In consequence, disorganization, coupled with the corruption arising from a speculative market in police services, led the city to encourage self-policing on a greater scale. Citizens were encouraged to spy on each other for reward, and to inform on their accomplices when arrested, in return for pardons. Fundamental to this informal

economy of crime control was the principle of set a thief to catch a thief. ...Such practices, however, exerted a rudimentary degree of coordination and centralization over criminal justice, since the activities of informers and their takers were authorized by the state. Justices of the peace encouraged victims to seek out intermediaries to recover their property, and the state's trade in warrants and pardons linked the judiciary to the private thief-taking sector (Johnston, 1994: page 7-8).

What Johnston has described above, according to South (1987) is an early form of public-private partnership in crime control, or in effect, an early version of the commercial compromise of the state.

The justice system was becoming strained due to increasing problems such as the overwhelming burden of law that was being generated by the expanding state, much of which was aimed at the revocation of traditional rights, such as wood gathering. Other problems stemmed from the lack of control the central state had over certain parts of the realm. Some industrial areas were lawless. The system also showed signs of chronic corruption when some justices began to use their positions as a source of livelihood, gaining fees for the issuing of warrants and licenses. At the same time, the system of parish constables was breaking down. Sharpe (1984) argues that this was in part due to the ambiguous role of the constable as both law enforcement officer and member of the community. Sharpe (1984) claims

that the position had become increasingly problematical for the occupant, with the demands placed upon him by the legal apparatus.⁷

In English rural areas informal mechanisms of social regulation, such as dismissal or chastisement by an employer, pressure from a priest or landowner, arbitration, or ostracism, enabled the criminal justice system to be bypassed. Large landowners, who controlled the central government through parliament and local government through the magistracy, did not want a formalized or centralized system of criminal justice which would undermine their power base.

In response to this period of social transition in London and the U. S., two similar groups evolved. The first, the English felons associations, and the second, the American vigilante movements, both demonstrating that organized self-policing was driven by the need to produce cheap and speedy criminal justice. The existence of other public and private forms at the level of organized and uniformed forces could be seen as early as the sixteenth century. Draper (1978) traces the development of the first

⁷ Amateur constables, most of whom would have been tradesmen continuing to run their businesses on a daily basis, increasingly tried to escape office, either by paying a fine or by paying a deputy to perform their duties (Johnston, 1992).

organized forces arising from private initiatives when wealthy Londoners had paid young retainers to watch over their property.

Felons associations, which usually consisted of between twenty and sixty members, were primarily concerned with crimes against property. The associations were local and most were restricted to a geographical area of no more than 10 or 20 miles, and there was little co-ordination between different bodies (Johnston, 1992). The associations offered rewards for information leading to arrest and conviction, and they provided assistance to members in the prosecution process. Some also took on posse and patrol activities. Johnston (1992) considers these associations as representing a specifically private strain of social regulation. He notes that this strain was sometimes transformed into alternative private-regulatory forms.

While the felons associations acted as a private adjunct to the English criminal justice system, in America, during the same period, vigilantism offered an equivalent element of private prosecution. Johnston (1992) notes that the first American vigilante movement appeared in 1767, and from then, until about 1900, vigilantism was a constant factor in American life. Such groups possessed defined goals, rules, and regulations. Leaders were businessmen,

professionals and affluent farmers; the middle members were farmers, craftsmen, tradesmen, and teachers; the rank and file were the lower professionals. The economic motive for these groups was also related to sparse settlement, poor transportation, and inadequacies of the justice system itself. Examples of such movements are quite diverse, from class vigilantism directed against horse thieves, outlaws, and the rural lower classes to vigilantism directed at urban Catholics, Jews, Blacks, radicals, and labor leaders.

The private security sector was developing at the same time. The first burglar alarm was invented in the eighteenth century. The modern alarm was patented in 1852 by a Boston inventor. By the early twentieth century several companies were competing for domination of the New York alarms market. Within a short time both the American burglar and fire alarm business had become a closed industry. England, on the other hand, was slower in expanding its private security industry. However, private detectives had appeared in the eighteenth century with the biggest boost to their activity being the Matrimonial Causes Act in 1857, which enabled them to establish a role for themselves in divorce. Agencies such as Garnier's detective agency, established in 1901, was one of the first multi-purpose organizations to expand into infiltrating factories

and unions on behalf of employers. The guarding industry also began to emerge in the inter-war years. Some of the first organizations provided couriers to safeguard the passage of cash, bullion, and other valuables by road.

In the United States, private security had developed rapidly because of the delay between the establishment of settlements and the arrival of federal law enforcement. Weiss (1987) illustrates the case of the Ford automobile manufacturer where private police emerge to defend corporate capital against trade unionism. In addition to company police, other companies, such as Brinks Incorporated (1859) and the Pinkertons (1850) were emerging. The Pinkertons offered the first comprehensive detective agency with activities ranging from pursuing outlaws to political espionage.

1.2. Evolving Interpretations

Both American and British accounts see capitalism to be a major factor in generating the change in social control. The system of watch and parish constables was seen to be unable to deal with the tensions that capitalism caused; not because of any inherent inefficiency in that office, but because of the danger that civilian constables might show more loyalty to the local community than to the state. The

solution was the formation of a professional, bureaucratic police organization which guarantees consistent standards of policing under state jurisdiction. Silver (1967) points out that the fear of riots and disorder have also precipitated police development. Other research has pointed to the criminogenic effects of immigration and urbanization (Lane 1967; Richardson 1970). Monkkonen (1981) has focused on the role of rational bureaucratic administration in municipal affairs as it pertained to providing a public service.

Offering a different perspective, Spitzer and Scull (1977) argue that private policing has developed in three stages in the United States.⁸ They have concentrated on the structural contradictions of industrial capitalism in the development of modern policing. First, capitalist development was seen to have eroded the basis for more traditional forms of private control. Next, the capitalist state began to share in the cost of policing, since for individual capitalists, public law enforcement was seen to be more attractive than private arrangements from the point of view of both legitimacy and cost. It is here where large organizations such as Pinkerton and Brinks played a large

⁸ Spitzer and Scull (1977) argue that "the emergence and transformation of profit-orientated police services must be understood as part of a larger movement toward the extension of capitalist control over the labour process and the rationalization of productive activity" (1977: page 18).

role in supplying private police. Finally in the modern era, the fiscal crisis of the state on the one hand and the extension of corporate hegemony on the other, have set the stage for policing for profit (Spitzer and Scull, 1977). Spitzer and Scull claim that such contemporary varieties of private policing bear little resemblance to their eighteenth and nineteenth century ancestors (1977).

In Canada, Shearing and Stenning (1981; 1983) trace the history of private security to changes in capitalist property relations, arguing that the key feature of the contemporary period is the emergence of mass private property. In their opinion, where small individual holdings appear to be associated with public policing initiatives; large connected holdings of mass private property also lends to a shift toward private policing initiatives (Shearing and Stenning, 1981). Examples of mass private property holdings include shopping centers with hundreds of retail establishments, residential estates, large office, recreational, industrial and manufacturing complexes, and many university campuses. More public life now takes place on property which is privately owned, yet the policing needs of such places has not been met by the public police. Shearing and Stenning attribute this to one, the routine "beat" of the public police as being traditionally confined

to publicly owned property such as streets and parks and two, those who own and control mass private property have commonly preferred to retain and exercise control over policing of it, rather than calling upon the public police to perform this function (1983).

Other sociologists who have studied the modern development of private security (Becker, 1974; Kakalik and Wildhorn, 1977) have, with the exception of Spitzer and Scull (1977), treated private security as little more than an "add-on" to the public criminal justice system. Assumptions that private security is essentially a private form of public policing have allowed for analyses using the same variables and thus an attempt to understand private security in the same way as public policing.

The actual or perceived rise in political violence, crimes against business, and an increase in street crimes have generated demands for increased public police services. The expansion in public law enforcement has not satisfied all the demands for increased security. Many firms have turned to private police agencies for added protection. Much of the growth in private guard employment can be seen as supplementing the public police services. The Institute for the Study of Labor and Economic Crisis has noted other

factors that have also influenced the choice of private sector services:

- Private police devote all their attention to the protection of their client's property, whereas public police normally patrol a large area with many establishments.
- Private detectives are accountable to their clients exclusively, and thus never publicize any damaging or embarrassing data (e.g. disclosures of employee theft or wrongdoing) produced by their investigations. Public police, on the other hand, are officially obliged to divulge all data obtained in the course of their work.
- Private guards can be hired and fired at will in response to changing corporate needs, while public police employment is governed by strict civil service regulations.
- Private police services are much less expensive than public police services... (The Institute for the Study of Labor and Economic Crisis, 1982: page 151)

Private security personnel are employed when a firm wants plentiful, cheap, flexible and personalized security. Public police, on the other hand, have many law enforcement responsibilities and are expected to perform a wide variety of tasks. Growth rates are exceedingly difficult to estimate, because of the changes in definitions of statistical categories at different times, however it is safe to say that specialized private security has been growing more rapidly than the public police. See **Appendix A, Figure A.1** for a comparison of the number of police personnel, private investigators, and private guards in

Canada for the years 1971, 1981, and 1991. According to Statistics Canada there are presently more private security employees than police officers in Canada.

1.3. Summary

This chapter has provided the reader with a summary account of the history of policing in terms of the private security industry. It is important to note, however, that a historical analysis of policing and private security are invariably linked to wider conceptions of change in the structure of social control. Today, the most visible aspects of private security are the persons and equipment used to provide routine surveillance and control of access to residences and businesses. In addition to this patrol function, private security fulfills a great number of investigative functions, of which the most common is the investigation of customers and employees for offenses against institutional interests. The functions of private security are similar in scope to the functions performed by the public police. However, in performing these functions, the police and private security are guided by very different objectives; for while the public police are expected to act in the public interest, private security is expected to act in the private interests of its clients.

The next chapter will look at how this resurgence of privatization in policing and criminal justice fits into the debate on changing patterns of social control.

2. Theory and Method

Such historical interpretations outlined in the previous chapter offer useful insights into historical change. Shearing and Stenning (1983) indicate that "more and more public life now takes place in property which is privately owned" (1983: page 496). In assessing the impact of private security on social order, South (1984) argues that despite the private nature of private security, companies still function within the legal framework of the state. South continues to argue that the expansion of private security involves "a commercial compromise between the sovereignty of the state ... and those sections of society whose commercial interests are most benefited by the maintenance of the status quo" (1984: page 190). Johnston argues that the important point throughout the histories of private security in terms of using the concept of state is:

... the adoption of the nation state as unity invariably generates a functionalist conception of the police division of labour: private security functions to keep mass private property in order; the public police concentrate on dealing with public order and political challenge (1992: page 213).

Most historical analyses of policing and private security are linked to a wider conception of change in the structure of social control. Recent works surrounding the issue of

social control stem from histories of prisons, asylums, and other institutions as opposed to a history of policing itself. Within the context of these works, the researcher shall turn toward the debate on changing patterns of social control. One significant model of analysis that has been present throughout most debates surrounding social control, has been the public-private dichotomy.

2.1. Models of Analysis

By and large critical analysis has been slow to get off the ground in terms of comparing private and public means of social control. The possibility, under certain circumstances, that privatization might be beneficial in terms of providing social control has been approached with caution when it comes to be put into practice. Johnston (1992) claims that the main reason for this hesitation is due to a conceptual confusion about the public-private dichotomy. He explains why:

Invariably, these are taken as natural and self-evident distinctions. But in fact, the extent of their overlap makes simple opposition between them (and related oppositions between the state and the market, the formal and the informal) impossible to sustain. Furthermore, conceptions regularly deployed in the social control literature, such as blurring to the boundaries, do little more than confuse the issue, since they tacitly assume the existence of definable boundaries which can at some point be subjected to blurring (1992: page 215).

Most mainstream theories have been noted to take the public-private distinction for granted.⁹

Let us consider the issue of privatization¹⁰, in particular, the possibility of the private investigator being granted investigative powers when undertaking duties accorded to federal enforcement officers. When asking what may be privatized in terms of policing, the critics may answer, in Weberian terms, anything except those things requiring a capacity to exercise legitimate force. In constructing the reasoning behind such a statement, the following form may be used: (1) the state is defined (after Weber) as an apparatus possessing a monopoly of legitimate coercion in society, (2) the essence of law enforcement work consists of the possession of a legitimate capacity for

⁹ Two examples to the contrary, one from the Marxist left, and the other from mainstream political science (Gramsci). For Gramsci, traditional Marxian distinctions between the public and the private, the state and the market, the economic and the political, were flawed and, in particular, he rejected all attempts to explain the relationships between them in terms of base versus superstructure. He also maintains that social institutions may occupy more than one theoretical space at a time. This means that parts of the state apparatus such as the police (traditionally defined as part of the public sphere), or institutions such as the Church (normally seen as part of civil society/the private sphere) may breach their traditional boundaries, displaying characteristics which locate them in political and civil society simultaneously.

¹⁰ The researcher borrows the framework for this analysis from Johnson (1992) and reformulates it in terms of a private investigator and a federal enforcement officer.

exercising coercion, policing is, necessarily, a public (state) function, (3) ipso facto any individual possessing federal law enforcement powers is a public functionary. This includes a private investigator, occupying the office of federal officer, while engaged in federal law enforcement.

The solution, according to Johnston (1992) is simple: the existence of private agents with law enforcement powers raises no particular problems for the coherence of the public-private divide. Johnston (1992) claims that such a conclusion may be justified. However, he notes that the problem is that once private agents in the employ of commercial companies are granted powers, it is no longer possible to define the public (state) sphere in terms of its monopoly of legitimate force and the commercial (market) sector as something else. Johnston's intent in providing this example is to confirm the fragility of the public-private dichotomy: "more importantly, it exposes the inadequacy of conceptions of the state which have been accepted, without question, for generations" (1992: page 218).

Sociologists such as Wildeman (1988) already have begun to address the issue of privatization of the social control function. Wildeman (1988) contends that private policing

increases state control by reducing citizen's civil rights and liberties. Public and Private are seen as contradictory forces, each gaining power at the other's expense. Wildeman opts for the alternative that such a combination will lead to totalitarianism: "... contract policing reinforcing and extending the social control powers of the centralized state" (1988: page 11).

Policing needs have changed as increased specialization and reliance on other mechanisms of control have come to disperse responsibility for control. "Symbolic commodities" such as insurance policies are not easily monitored. Current private police practice, if anything, reflects an interesting dialectic between the trend towards increased specialization in social control functions. Cohen (1979) notes that one consequence of such a trend is likely to be a widening and deepening of the social control net. The growth and increased specialization of the private security industry, especially in the area of private investigations can be seen as supplementing the social control apparatus. Reichman warns us that such "apparent insignificance of individual private efforts, at least measured against state power, should not blind us to their potential strengths" (1987: page 261). Such "private" forms of policing (private investigations) alone seem less threatening and less

intrusive than larger "state" forms.¹¹ Reichman continues to argue that when private policing authorities are combined together they become even more powerful. All of which raise important questions for the nature of social control as we know it.

Johnston argues that "public and private spheres should not be seen as distinct places with inherent characteristics, but rather as strategic arenas where political arguments are deployed and where political conflict takes place" (1992: page 222). The boundaries of the public and the private are constituted in political discourse. In late capitalist welfare state societies, talk about people's needs is an important species of political discourse. Marx (1987) provides evidence for this hypothesis that there are areas where "public" and "private" police are functionally and organizationally linked, and in fact, even merge.

Marx (1987) presents data that illustrate five forms of interdependence between public and private police: (1) joint public / private investigations, (2) public agents hiring or

¹¹ Some private investigative firms have access to the records of public law enforcement agencies, even when local policy or legal requirements prohibit release of such records. Agencies can routinely obtain arrest and conviction records for use in their investigations for clients or the firm itself.

delegating authority to private police, (3) private interests hiring public police, (4) new organizational forms in which the distinction between police and private is blurred, and (5) the circulation of personnel between the public and private sector. Marx argues a need for increased public information about the extent to which state agents are in effect hired to carry out investigations on behalf of private agents. On the other hand, the fact that private agents are operating on private property and in contexts where persons appear voluntarily, are granted wide authority to carry out searches, to keep people under surveillance, and to collect and distribute extensive personal information should be questioned. The growth of private policing and its increased interdependence with public police, along with the increased use of undercover tactics and more sophisticated and penetrating surveillance techniques, means increased intrusion into private places and relationships.

2.2. Theoretical Orientation

Where the framework for this study has been shaped by the macro political economic views referred to previously, it essentially works out of a micro level with symbolic interaction. At the macro level, the occupation of private investigator has been situated in Canadian capitalist

society in terms of a variety of exploratory themes such as: being an "extension in the development of capitalism" and in terms of the "public versus private" dichotomy when critically examining the evolution of social control.¹² Such frameworks have served to provide a context for an overview of the industry and will aid in the formulation of a structural lens.

In order to understand the occupation of private investigator within a general context (private investigating in a capitalist economy), the researcher will introduce ethnographic data drawn from an in-depth case study. To fully understand the occupation and the industry of private investigation, the author has recorded and analyzed the

¹² The presence of modern private security guards and private investigators indicates that individuals and institutions are increasingly exercising their right to "self-help" in further developing formal systems of social control that are independent of the criminal justice system. Their organization, control, mandate, and central objective is to make profit (South, 1984). The extent to which such a move toward alternative forms of social control has occurred can be illustrated by the substantial number of persons who are employed as private security guards or private investigators. Spitzer and Scull (1977) argue that the emergence and transformation of profit-orientated police services must be understood as part of a larger movement toward the extension of capitalist control over the labour process and the rationalization of productive activity. Use of private investigative services is mainly undertaken by larger organizations who invest in such "policing" for the same reason they make other investments: to guarantee profits and to secure an environment for uninterrupted growth.

ongoing experiences of several private investigators (including himself) as fully and accurately as possible as they relate to an investigator's occupational framework.

All institutions of a society (a church, family, or some occupations) have power over the individual. The family, for example, provides a place for its members in society and raises its young within certain traditions. A church sanctions events by ceremony and some occupations shape the identities of their employees. Goffman (1961) argues that when any type of social institution begins to exercise total control over its population, that institution begins to display certain characteristics: communication between insider and outsider is rigidly controlled; those inside the institution are referred to as inmates or recruits and whose every movement is controlled or monitored by the institution's staff; an entirely separate social world comes into existence within the institution, which defines the inmate's social status, his relationship to all others, and his identity as a person.

Whether individuals voluntarily enter such institutions or not, and regardless of the reasons for which they were created, institutions which come to control their inhabitants' lives are remarkably similar. Goffman (1961) identifies several traits that are common to all

institutions. While such traits are basic to all institutions, their importance should not obscure the dynamics of the institution, dynamics such as how the same institution changes over time and how they come to display their totality in different ways at different times.

2.3. Symbolic Interactionism

The aim of this research on private investigators is to "investigate" the occupation of private investigator by examining the process whereby an individual is socialized into that occupational role, develops an occupational identity based on that role's demands, and contributes to the maintenance of its character.

This study is concerned with the way in which the private investigator in "ordinary work situations presents himself and his activity to others, the ways he guides and controls the impression they form of him, and the kinds of things he may and may not do while sustaining his performance before them" (Goffman, 1959: page 17).¹³ Social interaction is seen as a process in which the individual is alert to changes within different situations

¹³ In Goffman's terms, when an investigator plays a part he implicitly requests his observers to take seriously the impression that is fostered before them. In conducting surveillance or undercover jobs, the private investigator must delude his audience in order to "fit into his or her surroundings" at all times.

throughout daily encounters and changes one's responses while constantly evaluating the present situation. Within the occupation of private investigator, one may find a team of performers. The social establishment, according to Goffman, is characterized by a team of performers who cooperate to present to an audience a given definition of the situation. Access to such a region is controlled in order to prevent the audience from seeing backstage and to prevent outsiders from coming in to a performance that is not addressed to them. Goffman (1959) notes that among such members of a team, familiarity prevails, solidarity is likely to develop, and secrets that could give the show away are shared and kept. Goffman's framework is formal and abstract in the sense that it can be applied to any social establishment; it bears upon dynamic issues created by the motivation to sustain a definition of the situation that has been projected toward others (Goffman, 1959).

Similar to Goffman's "strategic interaction" approach, Blumer (1969) is interested in symbolic interaction which refers to the peculiar and distinctive character of interaction as it takes place between humans.

Symbolic interaction involves interpretation, or ascertaining the meaning of the actions or remarks of the other person, and definition, or conveying indications to another person as how he is to act. Human association consists of a process of such interpretation and definition. Through this

process, the participants fit their own acts to the ongoing acts of one another and guide others in doing so (Blumer, 1969, page 66).

Symbolic interaction requires a method that allows for intimate and extended observation of the subjects under study. One basic approach in sociology for collecting and analyzing data for the study of social interaction, even strategic interaction, is participant observation, which is aimed at understanding the overt behaviour of the subjects as well as their subjective experiences (what they were at the time). With this view of human interaction, the researcher's investigation of the private investigator was undertaken.

2.4. Participant Observation

Participant observation may be most profitably treated as a method of qualitative analysis that requires observer submersion in the data and entails a continuous movement between emerging conceptions of reality and empirical observations. As in the case with all methodologies, each method must be considered in terms of its availability to answer certain kinds of problems and it is not a method that should be adopted every time a sociologist goes into the field (Denzin, 1970).

Participant observation is a commitment to adopt the perspective of those studied by sharing in their day to day experiences. The intent is to record ongoing experiences of those observed through their symbolic world. Denzin (1970) notes that such a strategy implies a commitment, conscious or unconscious, by the observer to the basic theoretical principles of symbolic interaction. For the researcher to understand the social world, he or she must adopt the perspective of those studied. In doing this, Denzin (1970) states that one can avoid the fallacy of objectivism by analyzing social action through time and across situations. In this case, the investigator/researcher is forced to analyze events during and after his/her presence. Participant observation can be defined as a "field strategy that simultaneously combines document analysis, respondent and informant interviewing, direct participation and observation, and introspection" (Denzin, 1970: page 186).

Completeness of data requires intimate and extended observation of the subjects under study. In this case the author has chosen the role of participant-as-observer where he will participate fully with the group under study, making it clear that he is also undertaking research.¹⁴ Ultimately

¹⁴ It was the researcher's intent to study those matters in the field which seemed to be of importance to the people he worked with. For example, day-to-day problems in

anything that the author does or does not do will have some effect on what is being observed; it is simply inevitable. Field work requires not only general knowledge and background research to earn the respect of the interviewee, but also the flexibility and resourcefulness to take advantage of opportunities in the course of the interview, the ability to adapt to changing circumstances and different personalities, and to bring out the best in both. One of the special strengths of field research is its flexibility in the field. The answers evoked by the researcher's initial questions will undoubtedly shape his subsequent ones. One cannot simply ask pre-established questions and record the answers. The process of field research is to ask a question, hear the answer, interpret its meaning for one's general inquiry, form another question either to dig into the earlier answer in more depth or to redirect the person's attention to an area more relevant to one's inquiry.

Participant observation is deliberately unstructured in its research design in order to maximize the discovery and verification of different theoretical positions. The method

conducting surveillance, dealing with clients, dealing with each other, and completing difficult investigations. The researcher also studied those matters which seemed to be the occasion of conflict or tension between the individuals employed in the firm as well as other groups of persons that the investigators dealt with.

allows for continual revision and testing of emerging hypotheses. Thus, the evidence presented for the different hypotheses will be from a variety of sources such as interviews, discussions, self-recollections, document analysis, and through introspection. Participant observation is developmental in nature and is composed of several assumptions.

A key assumption of participant observation is that the investigator shares as intimately as possible in the life and activities of those he/she is studying. This will involve, as in the case of the author, applying and becoming a private investigator for an extended period of time. It was necessary for the researcher to partake in as many investigative activities as possible. Direct participation on the part of the researcher in the symbolic world of the private investigator is also involved. This involvement entails learning their language, habits, and work patterns.

A second assumption of participant observation is that during the process in which the researcher is learning and sharing the meanings inherent in another person's symbolic world, he or she may cease to think entirely as a sociologist and, instead, begin to adopt the perspective of those who he is studying. As one begins to make field contacts, attitudes may shift according to those who one is

studying. In attempt to guard against this shift in perspective, the researcher kept day to day field notes (where possible) on his own reactions and has attempted to record shifts in his own perspectives.

A third assumption of participant observation is the necessity for the field researcher to carve out a role for himself in the ongoing interactions he is observing. Denzin (1970) notes that cultures do not provide within their social structures a role called participant observer and thus carving out a role could be quite difficult. A general principle is summarized by Denzin (1970) in that the observer should not try to present himself as something he is not and he should use to advantage all the personal characteristics he possesses to enhance his observational role. Considering this advice, the researcher determined that it would be to his advantage if he carved out a role for himself other than that of "observer" at the beginning. Before discussion of the processes of the method, it would be useful to comment on the various participant observer roles that were available to the researcher: complete participant, participant as observer, observer as participant, and the complete observer. The researcher shall briefly discuss the characteristics of each in turn.

A complete participant role involves the complete concealment of the researcher whereby his scientific intents are not made known. The researcher attempts through the course of this research to become a full-fledged member of the group which he is studying. Such a position is employed when it is obvious that a study can not be conducted openly. In certain circumstances, whereby secrecy and characteristically-closed minded attitudes toward outsiders exist, it is clear that some research cannot be conducted with the full knowledge of the subject.

A second consideration when attempting to obtain data through such a covert method is the actual recording of the researcher's observations. It is understood that the researcher cannot make notes in the presence of others. For the purposes of this study, the researcher was compelled to take notes on investigative activities that he was involved in. At the beginning of this project, the researcher found that while taking notes that were related to the investigation, he could supplement such notes with as much detail as possible and then use such notes as a guide to write up specific observations that were made each day. This method of keeping track of data was not perfect, however it was improved due to the nature of the researcher's job.

Another problem with the complete participation position of the observer is the question over ethics. The unintended harm which could arise from such observation and perhaps the bad publicity which may occur has led some sociologists to reject all field observations that do not make the role of the investigator and the intent of his study known beforehand. It is this researcher's position that any investigation that does not deliberately damage the reputation of those studied is ethically justifiable. Although this issue will be discussed later, it is necessary to note that when private investigators conduct investigations, they do not approach their subjects and ask if they may follow them around for a week and video tape everything they do. One would soon find it quite difficult to stay in business.

The participant as observer is a second role that may be assumed by a researcher when conducting participant observation. In this case, the participant observer (the researcher) makes their presence as an investigator known and from there, proceeds to form a series of relationships with those under observation. This position allows the researcher to be relieved of ethical questions and covert data gathering. However an additional burden may sometimes be placed on the researcher in his attempt to constantly

"justify" his research, constant "misunderstandings" may arise as to the role of the researcher, and the usual treatment of the researcher as a stranger and outsider to the group under study all come into play.

The observer as participant role position is characterized by one visit with the subject. The nature of the contact is substantially reduced and is formalized through the use of questionnaires, there being no attempt on the side of the researcher to further develop a relationship with the respondent beyond the initial meeting. This position represents the fundamental intent of the survey, whether it be a census or a questionnaire. A final role and again a position where the researcher is even further removed from the field is that of complete observer. Such a role is undertaken in the case of laboratory-like studies whereby the researcher is interested in simple and direct observation. Such a method may be done behind a two-way mirror or mechanically.

The basic forms of participant observation prompt the researcher to carve out a role, learn the culture of the group, and maintain membership in that group in the setting under study until the research is complete (Denzin, 1970). It is here where the use of multiple methodologies come into play such as the use of documents, census data, interviews,

statistical and theoretical sampling, behavioral observations, and the development of causal propositions (Denzin, 1970).

2.5. Advantages of Participant Observation

Because of ethical and social scientific considerations, the researcher thought that the best role for him to undertake would be to participate fully with the group under study, while making it clear that he was also undertaking research upon his acceptance into the group. The author decided that the interests of social science would best be served by choosing the role of participant-as-observer in gathering data. It is also more advantageous if the researcher is to gather both reliable and valid data that he be accepted by the group as a private investigator who is doing research. To do this, the researcher had to "prove" both his investigative ability as well as his research ability. Advantages of such a method outweigh the disadvantages in the sense that it allows for the group to judge the researcher on "their own terms" which will lead to his acceptance, while on the other hand, it allows the researcher to gather more fruitful data than he would be able to get as being "just a researcher." Once the

researcher was accepted into the group, the fact that he was conducting research soon was forgotten by the subjects.

It is quite difficult to record events while one is both participating and observing. The researcher must rely primarily on memory and judgment when writing his daily log. Many other important events may also occur when the participant/observer is not working or involved in another assignment. All data that will be presented in this study will be filtered and experienced through the eyes of the researcher. There is also a danger that the researcher may become so immersed in the occupation of private investigator that he may fail to see what is sociologically meaningful. The researcher might become so involved with the subjects and the occupation under study (becoming one of them) that objectivity may be lost. This research, similar in intention to works of Kirkham (1976) and Vincent (1990) will involve almost total submergence into the occupation in order to understand the occupation. After each session with the private investigators, whether it be in training or working on surveillance, the events were written up by the researcher at home. Since the beginning of training, the researcher has kept an accurate account of all events and time spent training with the subject companies.

2.6. Disadvantages of Participant Observation

In the formulation of this project the author had contemplated being a complete participant in what he was intending to study, letting people see him as only a participant, not as a researcher. In order to avoid a rather lengthy debate over whether it is ethical to deceive the people you are studying in hopes that they would confide in you as they will not in an identified researcher, the researcher decided to eventually reveal his identity.¹⁵ Also related to this ethical consideration is a scientific one. Deception, while an important tool in the occupation in which the researcher is employed, should not be used when interacting with his or her subjects solely for the purpose of deception. Deception may be used in the belief that the data will be more reliable, that the subjects will be more natural if they do not know the researcher is doing research. Initially, the researcher feared that if the people being studied knew they were being studied, they might modify their behaviour in a number of ways. Another consideration if the researcher chooses to be a complete participant, is that he might affect what he intends to

¹⁵ The researcher revealed his identity to the manager of Company A prior to the completion of his training. The researcher revealed his identity to the manager of Company B upon employment with Company B.

study. To play the role of participant, one must participate. Yet the researcher's participation may importantly affect the social process that he is studying. There is no complete protection against this effect, though sensitivity to the issue may provide partial protection. The approach used in the end by the researcher was one whereby he gained acceptance into the group and then announced his willingness to conduct research. A minimal amount of deception at the interview stage was used to ensure both the integrity and success of the research.

2.7. Limitations of this Research

Since the researcher is only able to work with one private investigative company at any one given time the results of his findings can only represent the companies under study and should not be generalized to reflect all private investigators in Canada. The companies under study were relatively new (each was approximately 2 years old) and both were attempting to establish a formidable reputation in the area.¹⁶ The researcher decided that in order to make a

¹⁶ It is important to clarify that the majority of the researcher's analysis regarding the organization of the private investigative companies under study was based primarily on one company for reasons of confidentiality. The researcher's experience with individual private investigators was based on interacting with individuals from

worthwhile contribution to social science, it would be necessary to restrict the scope of his project and focus with as much detail as possible on two particular companies instead of embarking on a no less difficult task of sketching a general picture of the industry as a whole.

2.8. Occupational Socialization

Successful socialization into any occupation is an extended process which involves the internalization of the particular culture. An interactionist perspective dictates that occupational socialization requires more than just the internalization of an occupational culture. In order to better understand the private investigative industry, the researcher had to enter the occupation, thus internalizing parts of the "private investigative" culture. The researcher had to first understand the given definition of the situation that was constantly maintained by the private investigators and then seek access to the "backstage" regions of the performance.

Established members of the occupation served as role models for the researcher and greatly aided in his

both companies. Over the course of this research a total of nine investigators, not including administrative or support staff, were observed.

socialization by offering comments, setting examples, and evaluating his performance. The period of training and initiation defined partial generalities about the true nature of what a private investigator does. As the researcher's socialization progressed, he came to develop a better understanding of what the industry involved. Senior private investigators served to further the process of socialization by the way they presented themselves in their occupational setting. It is here where the researcher began to see the investigative industry through the eyes of a "private investigator" rather than through the eyes of a "sociologist." Once a sufficient amount of data had been collected, it was decided to terminate observations of the first subject company.

Goffman (1961) believes that "any group of persons-prisoners, primitives, pilots, or patients develop a life of their own that becomes meaningful, reasonable, and normal once you get close to it, and that a good way to learn about any of these worlds is to submit oneself to the daily round of petty contingencies to which they are subject." It is on this note that the author has developed his research methodology. Occupational socialization involves the internalization of an occupational culture. Goffman argues that every institution "captures something of the time and

interest of its members and provides something of a world for them (1961: page 4)". In brief, Goffman sees every institution as having encompassing tendencies. Although one cannot define the occupation of private investigator as an institution, the ongoing socialization of individuals into the industry can be compared with the breakdown of three spheres of life: work, sleep, and play (Goffman, 1961). The process of occupational socialization can not only be studied in terms of structure, job descriptions, and/or organizational regulations (Vincent, 1990). While such factors, according to Vincent:

certainly influence the conditions within which role performances occur, they provide little insight into the actual content of the process as expressed in the patterns of daily situations, events and interactions, through which the occupational role is actually defined and modified (Vincent, 1990: page 6).

2.9. Summary

The main concern of this study is to investigate the process by which the private investigator becomes socialized into his occupation through the identification of formative pressures that characterize the private investigator's occupational environment. Thus, a central objective of this research is the identification of these formative pressures; such as the early initiation process (training), the reality

of the job, the constant pressures from other investigators, demands of the management, and the danger, the stress, and the boredom associated with the job. Such formative pressures come together to form "encompassing tendencies" which is something like a "private investigative world" for those who belong. Goffman (1961) talks about such "encompassing tendencies" in terms of being the total character of an institution which is symbolized by some sort of barrier to social intercourse with the outside. The researcher will not go so far as to call the occupation under study something as a total institution; however the researcher will argue that the private investigative industry may be considered in a similar category and provide a useful framework in which to discuss the characteristics of the private investigative industry and a concrete starting point for a discussion of the general characteristics of the industry and the individuals that contribute to its maintenance.

3. The Private Investigator's Occupational Environment

When an individual studies human interaction that takes place in a society, he or she must take into account all aspects of that social structure. In doing so, one does not have to argue that all elements of the social structure are strictly deterministic. However, such elements definitely affect and shape the form, direction, and end result of a private investigator's behaviour and how he or she defines their role. This chapter will outline the social structure within which the private investigator carries out his or her function. How this structure (or lack of) affects the private investigator will be addressed later in the following sections.

3.1. *The General Research Setting*

The private investigators with whom the researcher worked carried out their daily practices and relationships with clients within a very loosely defined framework. They are all residents of Ontario or Quebec, subject to the laws of Canada and share in the culture and moral orientation on which these laws and norms are based. The private investigators are all white males and of Canadian origin.

The research for this thesis was conducted over the past year while the researcher was associated with the investigative firms and under contract with the federal government.

3.2. The Regional Context

The city in which these private investigators are based is a medium-sized Canadian city with a population of about 310,000 people. Figure 3.2.1 illustrates the rate of growth in the number of persons working in private security across the provinces. All of the provinces, with the exception of

Figure 3.2.1: Number of Persons Employed as Private Investigators, Canada and The Provinces, 1971, 1981, and 1991.

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

Nova Scotia and New Brunswick, show increases in the number of private investigators between 1971 and 1991. The

province of Ontario is considerably higher than the national average, with almost 2500 licensed private investigators.

3.3. The Legal Context

Although private investigators sometimes perform functions similar to those of the police, they do not have the same legal powers and, as a result, rely on the police to lay charges (if any) and process offenders. Private investigators and guards gain their authority from law related to property, employment, labour relations and contract law (Shearing and Stenning, 1982). Most private investigative and security personnel have the same legal authority to enforce the law or protect property as ordinary citizens. Powers outlined in the Criminal Code of Canada include the right to detain persons to prevent the breach of peace (s. 30), the right to use force to prevent riots (s. 32 (4)), the right to prevent commission of certain offenses (s. 27), and, the right to assist a peace officer in an arrest (s. 31(1)). Private security employees also have limited powers to arrest and detain people.¹⁷

¹⁷ For example, a private security agent acting on behalf of a property owner can arrest any individual committing a crime on that property. With the consent of the property owner, private security employees have some powers of search and seizure. Employees and customers may also be subject to searches such as those stipulated in

The Canadian Charter of Rights and Freedoms does not offer protection against unreasonable search and seizures by private persons (although persons engaging in such behaviour may face civil liability or criminal charges). A department store detective (although generally having no right to conduct a search) can ask shoplifting suspects to come into an office and answer questions without advising them that they have the right to legal counsel, to remain silent, or what they say may be used against them.¹⁸ There is no constitutional protection against self-incrimination in such cases. If a private person acting on his or her own suggests a crime to an otherwise non-predisposed person and the crime is committed, there is no defense of entrapment. If this private person enters a house of an acquaintance and searches to find incriminating evidence, the exclusionary rule prohibiting it from being introduced as evidence in court does not apply. Unlike the case for public police, the results of an improper search by a private party are admissible in court.

contracts for employment or conditions for entering private premises.

¹⁸ In this particular scenario, the individual being questioned would most likely feel that they were being detained for the purpose of questioning. It is perfectly legal for any individual to ask questions.

In the case of a private investigator or other individual who engages in behaviour on behalf of the police, the same standards that apply to the police are relevant. The key factor here is the relation of the two parties prior to the behaviour in question. Those whom the police delegate their tasks to are viewed as their agents, and are subject to the same legal standards. However, just what constitutes agency is open to interpretation. Understandings between public and private individuals may exist and be understood by both parties without an explicit verbal delegation.

The private security industry is regulated on the basis of ensuring minimal requirements for licensing. Figure 3.3.1 illustrates the number of licensed private investigators in Ontario for two periods (1967-1974 and 1991-1995). Licenses are required for both private investigators and contract security agencies. The primary purpose of the provincial legislation on the private security industry is to ensure licensing and compliance with the statutes and to insure some minimal standards are maintained by those employed. The Private Investigator's and Security Guards Act of Ontario states that no persons shall engage in this line of business unless licensed under this Act by the province, and that those persons shall post

a personal bond or a bond of a guarantee company. The Registrar is authorized to make inquiries and investigation regarding the character, financial position and competence of the applicant.

Figure 3.3.1: Licensed Private Investigators, Ontario, 1967-1974 and 1991-1995.

source: Registrar, Private Investigators and Security Guards Act of Ontario.

To obtain a license to engage in the business of providing private investigators or security guards in Ontario, one has to apply to the Registrar for a license and licenses for each branch office and each employee who is a private investigator or security guard. The application must be accompanied by a prescribed fee and a bond.¹⁹ The

¹⁹ Section 5(1) of the Private Investigators and Security Guards Act (R.R.O. 1990, Reg. 938).

Registrar may also conduct an inquiry or investigation as is considered sufficient regarding the character, financial position and competence of the applicant or any licensee and may require an applicant to take examinations to determine competence as the Registrar considers necessary.²⁰ The Registrar may issue a license or renewal of a license when the proposed licensing is not against the public interest. The Registrar may also set terms and conditions prior to a license being issued.

Complaints against private investigators or private guards are required to be made in writing to the Registrar. In response to complaints, the Registrar may inspect books, documents, and records of any licensee.²¹ A review process exists for those whose license is affected by a decision of the Registrar may, by notice in writing, request a hearing and review by the Commissioner.²² An appeal process for the person who requested the review may be made at the Divisional Court.²³ Upon such an appeal, the court may direct the Registrar to make such a decision that the Registrar is authorized to make under the Act and the court

²⁰ Section 7(1) of the Private Investigators and Security Guards Act (R.R.O. 1990, Reg. 938).

²¹ Section 17(2) of the Private Investigators and Security Guards Act (R.R.O. 1990, Reg. 938).

²² Section 20(1) of the Private Investigators and Security Guards Act (R.R.O. 1990, Reg. 938).

considers proper. In other words, the courts may overturn the decision of the Registrar.

Upon receiving a license, a private investigator is required to carry the card issued under the Act and is required to produce it for inspection at the request of any person.²⁴ Private investigators who are licensed as private guards are not allowed to act as private investigators while in uniform.²⁵ Security guards are required to wear uniforms when acting as a security guard. Despite the somewhat strict administrative requirements of the Act, licensing statutes in Ontario confer no additional powers on private security personnel.

In addition to the general requirements sketched above, the Regulation (958) sketches the specific requirements for completing the necessary forms and attaching supporting documentation. To a large extent, however, private investigative and security firms have successfully resisted moves toward making them more publicly accountable. The licensing statutes relating to private security are quite limited in impact and scope. Licensing only applies to investigative and guard industries, leaving the hardware

²³ Section 21(1) of the Private Investigators and Security Guards Act (R.R.O. 1990, Reg. 938).

²⁴ Section 25(2) of the Private Investigators and Security Guards Act (R.R.O. 1990, Reg. 938).

sectors of the industry untouched. Authority to license rests with the Provincial Attorney General, with the Ontario Provincial Police (OPP) performing the licensing function. In light of the mutual dependence that will be sketched later on in this research, it may be argued that such control over licensing of private security personnel has the potential for placing the public police in a position of considerable conflict of interest (Shearing and Stenning, 1982).

3.4. The Organizational Context

At the time of this research there were approximately thirty companies in the area which offered private investigative services. See Appendix G for a list of these companies. The private investigative firm in which the researcher conducted the bulk of his research was a relatively new firm in business for approximately two years. The firm consisted of seven individuals. See Figure 3.4.1 for the organizational chart. The manager owned and operated the firm with another partner for about one year, after which the manager bought the partner out. The structure of the firm was organized in such a way that the manager was

²⁵ Section 25(3) of the Private Investigators and Security Guards Act (R.R.O. 1990, Reg. 938).

the focal point when dealing with the clients. The other investigators were charged with investigating different types of cases and conducting minimal client solicitation. All individuals in the firm reported to the manager and received their work assignments from the manager. Seniority in the firm was based on experience, not time with the firm.

Figure 3.4.1: Organizational Chart of Company A

source: field notes.

A typical investigation began when a client approached the manager and presented the case. The manager would usually accept the case and then conduct a basic background

check on individuals who were to be investigated. The manager would then assign the case to one of three investigators (A, B, or C). Depending on the nature of the investigation or surveillance operation, the manager may assign a particular case to two investigators. Usually, however, one investigator would be the lead on a case and call upon others for help if required. Generally speaking the organization worked quite well when it came to working together on difficult cases.

The new investigator, the "JoBoy", and the researcher were responsible for providing assistance to the manager and the other investigators throughout the course of their investigations. The administrative assistant was responsible for managing the office and coordinating communications between the manager and his investigators in the field. It was usually up to the administrative assistant to know where each investigator was and what they were doing on any given day. This individual was also responsible for payroll, typing investigative reports, and performing other administrative functions. The firm had a total of five licensed private investigators, including the manager.

The researcher, while part of the firm for a period of time, did not have a specific role to "slip" into. When the

researcher arrived, he had to carve out a role. The intent of the manager was to have the researcher acting as a full-fledged investigator by the end of his six month probation period.

3.5. The Agency and the Private Investigators

An important part of any micro analysis is a good description of the individuals who are under study. This section shall serve to provide the reader with contextual information as to the types of individuals who may be employed in the private investigative industry. The descriptions are accurate to the extent of the researcher's knowledge of the individuals; however it must be stressed that specific characteristics will not be disclosed in order to protect the identity of the individuals involved (see Table 3.5.1 for a brief description of the employees who worked with Company A). The following sections present the researcher's account of both the informal structure and behaviour of the individuals within a private investigative company, and then discusses the ways in which they perceive, respond to, and are socialized into their working environment.

Table 3.5.1: Profile of the Agency's Employees

Individual	Relevant Experience	Description / Comments
Manager	military police and small business	Middle age; white male; divorced then married again; has children; high school education
Admin. Assistant	financial administration	Middle age; white female; married; has children; college education
Investigator A	military and social work	Early thirties; white male; married; has children; university education
Investigator B	security guard	Mid twenties; white male; single; high school education
Investigator C	military electronic technician	Middle age; white male; divorced then married again; has children
JoBoy	high school drop out	Teenager; white male; single
New Investigator	military	Middle age; white male; unknown marital status
Researcher	security and investigative	Mid twenties; white male; single

source: field notes.

3.6. The Internal Structure of the Firm

In addition to the general geographical, cultural and institutional conditions which affect the private investigator's world, there are a wide variety of shared factors that come to shape the individual's perceptions of reality. The private investigator, unlike the police officer, does not operate in a clearly defined or highly regulated environment. Under virtually no supervision, each private investigator may be assigned a case not knowing how many hours he or she may have to work nor where or under what circumstances such hours will be worked. It can be argued that the occupation of private investigator has been allowed to grow in the near absence of formal societal controls, making it exceedingly likely that members of such an industry enact their own values and thus operate under such a set of rules or norms that appear to be useful for the immediate problem. Investigator C commented on the apparent lack of formal rules:

You know, I have no problem with the way the Registrar is set up. I mean, things are pretty well organized. However, I am not too sure what happens at the end of the day when all is said and done. There are not too many rules for everyone to follow in this industry. That is both good and bad. Good, because we have the freedom. Bad, because some people end up with a license who should not have one (15:00 30 09 96).

The following sections deal with socialization, highlighting the gradual change that occurs in an individual as he becomes a full-fledged member of an identifiable occupation. There are quite obvious differences between all private investigators, nevertheless, what the researcher is concerned with in the context of this thesis is the "occupational identity" of a private investigator. An "occupational identity" is a set of common factors that each member, in part or in whole, possesses as a result of sharing similar, if not identical, experiences on the job. While on the job, a resocialization process takes place that not only affects the private investigator's work, but extends into his private, social, and personal world as well.

Private investigators can be compared to actors. Some actors are able to move in and out of a role without difficulty. Other actors may become the role they play; they tend to completely immerse themselves in the role and live it, both on and off the stage. With a prolonged period of exposure to the role and its demands, the private investigator, like the actor, must have a strong, well-developed sense of self to be able to discard the role at will. On the basis of this researcher's observations, the majority of private investigators are not able to do this

successfully. They become so influenced by the job experiences that this occupational identity becomes more and more a basis for self-identity. What will be discussed in the following sections is the gradual change that has occurred in an individual as he enters and then becomes a full-fledged member of an identifiable occupation.

3.7. *The Application Procedure*

Any application procedure for a job that is sought after with interest tends to appear as a long drawn out process with little immediate reward. The researcher began such a process in hopes of finding a job with a private investigative firm. Without any contacts or direct experience, the *Yellow Pages* seemed to be the first reasonable source of information as to the number of firms in the area (see Appendix G for a list of companies in the area). After confirming the addresses of approximately thirty companies in the immediate area, the researcher drafted a form letter and updated his resume (see Appendix F for a copy of the application letter). Three offers of employment were made as a result of the researcher's requests for interviews. In the case of one firm in particular, the researcher received a phone call from the

manager of a medium-sized firm in the area and was offered an interview for the following day.

The office was small, compared to those of other firms where the researcher had interviews. Questions asked during the interview were typical of any job interview: outline previous experience that would be relevant to the job, how do you feel about becoming a police officer, what are your expectations for the job, would you be willing to take training at your own expense, are you willing to travel, and how does your girlfriend feel about you being in this line of work? After all questions were answered to the satisfaction of the manager, the researcher was presented with a job offer. Wages were quite less than anticipated²⁶, starting at \$11 per hour with an opportunity to make \$18 per hour depending on performance within two years. Job requirements for this particular firm were as follows:

... have to provide your own car and make the following optional modifications: install heating system to keep warm during surveillance and modify outside lighting system. Each investigator must have their own cam corder [the manager said he would advise the researcher of the best type to purchase], still camera (optional), voice-activated mini-tape recorder (quite necessary), and an "over night bag" with the following contents: change of clothes, footwear, hat, food, spare batteries, film, flashlight, shaving kit, spare socks and gloves (this bag is to be carried

²⁶ Again, this links back to Palmer's (1974) myth about the private investigator.

in the investigator's car at all times) (09:00 30 01 96).

During the initial interview with the company, the manager [Investigator A] emphasized that he was in the process of building the company and that everything was done on the "up and up" and that there was no room in this business for people who were not totally committed and willing to work hard as a private investigator. Intentions of expanding across Canada were expressed during the first meeting with the possibility of the researcher opening a branch office in another province (09:00 30 01 96). Possibilities for advancement and the opportunity for the researcher to work in a learning environment were discussed.

During the first interview the researcher was introduced to another investigator [Investigator B] who had just arrived after completing a surveillance job (10:00 02 02 96). In any new job, it is of great interest to meet fellow workers in order that one may get a sense of the working environment. Investigator B seemed suspicious as to the researcher's presence in the office that day. He was informed shortly after as to the manager's intentions of hiring the researcher.

Upon acceptance of the position, the researcher was instructed that he would have to successfully complete a surveillance training course that was taught to all

investigators employed with the firm. However, before that happened, it was necessary for the researcher to obtain the following before his private investigative license could be processed: birth certificate, criminal record check, three written letters of reference, employment history and place of residence for the past ten years, as well as university transcripts (10:00 02 02 96).

3.8. Training to become a Private Investigator

Training began one evening with a three and one-half hour classroom session in a small boardroom next to the main office. Throughout the course of the classroom session, Investigator A lectured from one end of the table while the researcher and the "Jo-boy" listened. Similar to military-type instruction, Investigator A presented the contents of a one-inch binder which focused mainly on pointers on how to conduct a surveillance operation. The following notes [*the researcher's comments in parenthesis*] were taken during the classroom session:

mobile surveillance: optimal number is 8 people, 2 people per car - consists of a driver, communicator/navigator
 [*this would involve the use of four cars if one subject was being followed, however due to financial reasons, the norm during any surveillance operation is one, perhaps two vehicles - individual drivers are responsible for*

driving, communicating, and shooting video of the subject]

usefulness of map; know where you are at all times
[the researcher soon learned the value of a good road map when following a subject into an unknown place]

use different vehicles

[in theory, such a suggestion would be advisable, however it was rarely the case that an investigator would change vehicles]

equipment: video, dress to surroundings - be comfortable in your surroundings then you will not stick out

[the most important thing to remember when conducting a surveillance operation is for the investigator to "fit" into his surroundings, not only appear to fit in, but to feel like he belongs in a particular place]

keep a suitcase packed at all times

cash on hand - bus fare - do not rely on cards - get a passport

keep a phone list of all other investigators

maps - of the province - small towns - cities

[the researcher learned the necessity of such suggestions soon after he began to work on surveillance cases]

RECKY - done before surveillance starts - usually by manager

[before an investigator was assigned a case with this firm, the manager conducted minor background checks which were then used in pre-surveillance briefings]

logsheets - keep track of everything that is done

[a good notebook helps keep track of even the smallest details, especially when one is working on several cases in one day]

equipment - get a good set of binoculars - or minoculars; always keep a good supply of film and tapes - batteries

[the researcher learned that there was no limit to the equipment that one could utilize when conducting surveillance, however, when it came right down to presenting a successful case, it was always necessary to have good video footage of the subject, the rest was not as important]

when following a FOX, be prepared to sleep from 2 to 6; most likely a person will arrive at

destination by 2 a.m. and not leave until 6 a.m. -
 make sure that you are there before they leave.
 keep note of 24-hour gas stations
 gas up every night after work
*[this information proved very important to keep
 in mind, however it is quite difficult for one
 investigator to follow a person for more than a
 day at a time]*
 keep in mind that it is important to relay
 messages
 setting up the box - surround FOX
 backup takes eyeball when target takes a turn or
 stop
 never step into a line of sight
 take a position where you can see - a high point
 in a parking lot
 progressive target - surveillance progresses every
 day - used in sensitive investigations
*[the researcher soon learned how important it was
 to keep other investigators aware of what the
 subject was doing at all times in the event that
 the subject disappeared]*
 lead tailing - taking him by the nose - can get a
 face shot
 types: caravan, lead, floating box, parallel
 must be able to hold a vehicle for a day
 put things in your back window - should wear dark
 gloves when filming
 parallel surveillance - following on east and west
 side - call it
 call the streets
 yellow light - burning chicken
 red light - Moscow
 slab - the 417 / queensway
 left lane - turbo lane
 by a street; say "over Bronson" for example
 paint the pictures for following teams
 tos - temporarily out of sight
*[industry terminology varies depending on the
 firm which one is employed with]*
 loose FOX - look left and right - last seen at -
 go into floating box
 controller - relays - keep informed
 light traffic - hang back
 "cover car"
 night - notice shape of lights

night pictures - use four layers of exposed film
 taped over a flashlight shining in the direction
 of target - will get black and white pictures.
 evasive tactics - heat checks
 counter surveillance - be aware
 coded comms
[tricks of the trade]
 foot surveillance: all types should blend together
 bars - cameras - be careful
 restaurants - order less; use codes if you cannot
 talk - clicks on radio - yes/no
 importance of gathering as much intelligence as
 possible
 counter measures: break and enter, entering
 apartment buildings through garages
 pay attention to telephone books when FOX uses
 phone
 when approached by hoods who want to beat you up -
 act retarded and they will leave you alone
 public transport - be ready
*[the final message of the lecture: gather as much
 information as possible]*
 (17:00 07 02 96)

Approximately three and one-half hours later, the necessary
 "theoretical" part of the researcher's training came to an
 end; with the practical sessions to begin in the following
 weeks. The classroom training was seen as a necessary part
 of the overall training plan; as Private Investigator C
 remarked:

... yeah, I think it is necessary for some
 classroom instruction; all the guys need to go
 into the job with the same level of understanding
 as to how to go about the job. We both know,
 however, that the job cannot be learned at a desk
 - if you want to do surveillance, you have to get
 your ass out there in the action (12:00 08 02 96).

Although the Private Investigator's and Security Guards Act
 does not specify the requirements for becoming a private

investigator or a security guard; the application *implies* that the applicant should have relative security experience (form 6). In the case of an individual who applies for a license to engage in the business of providing private investigators or security guards, the application (form 5) requests the applicant to summarize their experience and training in investigation in 1) police force, 2) armed services, 3) Insurance Company or Insurance Adjuster, 4) Investigation Agency, and 5) similar experience or training. Training on the private investigative side is seen to be valuable only in the context of promoting better job performance; thus the greater emphasis on practical field work.

Practical training for the researcher began the following day. It was now time to put to practice what the researcher had learned:

He gave me instructions to follow him as long as I could, telling me that he was working on a case and that it would be a good opportunity for me to get some experience doing surveillance in a variety of settings. I quickly jotted down a brief description of his car. We then began the exercise with the instructions that if I lost the target I was to return home (12:00 08 02 96).

The researcher was told that most investigators apparently work alone on this type of job without the pleasure of having backup. Several attempts were made by Investigator A to see if I was following. The subject would suddenly pull

over to the side of the road and see what the researcher would do (this is know as performing a "heat check"):

I began following the car around the city trying not to be detected. He stopped at a gas station and went to the washroom (I got a little too close here). We began our journey on the way to Montreal!!! ... After over one hour in downtown Montreal, I soon lost my target; in part for being over cautious of being seen. It really pays to know the area you are in. I plan to purchase a damn good map quite soon; one that I can read while driving!!! (12:00 08 02 96).

Training on the second day took a different approach. After following the "target" [Investigator A] around the city for the better part of the morning, the researcher was stopped and then proceeded to conduct a pre-surveillance investigation. We drove around a new neighborhood and proceeded to look for a prospective subject. Drawing a map, examining all possible exits and possible areas to set up to conduct surveillance were the basic factors that required attention (13:15 09 02 96). Investigator A commented on the necessity of doing this:

... Pre-surveillance has to be conducted prior to the acceptance of the case to recommend the cost that may be involved to the client. I like to do the initial investigations myself - it helps the guys with the case - it also gives me a good idea what everyone is up to (13:15 09 02 96).

Each day the researcher was becoming more and more exposed to actual cases in which the firm was involved. The researcher had an opportunity to train with other members of

the company who were involved in cases. Investigator B approached the researcher's car and began discussing a case that he was working on. A few minutes later Investigator A arrived and we ended up in the process of waiting for a woman in her mid forties to leave work and go home for the rest of the day (09:50 12 02 96). The woman was under investigation by her insurance company because she could not work more than half a day due to stress. After waiting for almost one hour we did not see the subject, we headed back to the subject's residence and waited until she came home:

... About 14:00 the woman arrived on a bus one block away from her home. She was carrying two large bags in each arm ... she then proceeded into her house and did not suspect that every step she had taken was recorded by two strategically placed vehicles (09:50 12 02 96).

Investigator B was able to get excellent video of the subject in this case. Surveillance ended on this woman the next day. The client was satisfied with the results of the investigation. The woman would, like clockwork, take the afternoon off each day and spend at least two hours shopping downtown before she went home. After the researcher's taste of real "on-the-job" work, he then practiced further techniques around the city until the end of the day.

The first week of training was almost complete. Up until this day, the researcher had practiced following the subject (Investigator A). The extra tasks of taking notes,

communicating on the radio, reading a map, and shooting video were yet to come:

Today was a long day - I was told that I was improving substantially - I am beginning to feel a little more comfortable in following people. I am finding it easier to fit into my surroundings and find something to do - even if I am not interested. For example - I bought the *Ottawa Sun* and read an article while I watched [Investigator A] shop. The foot work was quite easy so far. I got my first taste of night surveillance - it will be necessary for me to modify my car lights in order that I may follow closely, as it is a lot easier to lose a car in the night or mistake it for another (09:30 12 02 96).

Week two of training. The tone of this week involved a lot more "action" than did the first week. The researcher became involved in cases being investigated by the firm. Investigator A and Investigator B picked the researcher up a few houses down from his residence. We immediately jumped into a "spin" for the rest of the day:

? target left college
 ? target arrived at residence; picked up a passenger
 13:37 target arrived at _____
 13:54 target on the move _____
 14:07 target stopped at _____
 14:50 target entered vehicle
 15:05 target returned to residence
 15:15 shutdown - 160km [Investigator A and researcher]
 (11:15 15 02 96)

After approximately four hours of following a subject around the city, the researcher was only able to take less than one page of notes. Most of what happened was captured on video.

After the successful spin; we went to a nearby diner and ate chicken wings and drank about 4 cups of coffee each. This was the first time in which I was able to talk with the other investigators. I sense that I am still the new guy and have not been totally accepted into the group as of yet. The other investigators appear to be in their thirties - one having a girlfriend and the other married with one child. While having coffee they all complained of being tired and looking forward to a rest at the end of the day (11:15 15 02 96).

The other investigators (Investigators B and C) were also nearing the end of their six month probation and were soon required to purchase their own video cameras. The investigators seemed to work quite well as a team. Working with other investigators on one case is not common to this industry, however due to the volume of traffic and mobility of the subject, two, perhaps three investigators would work on a surveillance case at one time. This would of course be quite expensive for the client: for example, three investigators would cost at least \$150.00 per hour plus expenses which would include mileage and incidentals.

The third and final week of training for the researcher was nearing the end. On-the-job experience soon turned into "free labour"²⁷ for the company as the researcher began working on actual cases toward the end of his training.

²⁷ Free labour in the sense that the researcher's work was supplementing the reports. However it is important to note that such labour could not be legally billed to a client because the researcher was not a licensed private investigator.

Following subjects became easier as practice increased. The inclusion of the researcher in cases that the company was working on became common practice. However, things were still kept on a need to know basis; at least until the researcher's license came in from the Registrar of Private Investigators and Security Guards.

The last day of training came not too soon for the researcher. The final test that had been talked about in the past was not what had been expected. The researcher practiced video taping on and off the highway, realizing that such a task was difficult to say the least (10:00 27 02 96). Throughout the course of his training, the researcher became more and more involved in the day-to-day workings of the company. However, still seen as an outsider, the researcher became closer to his peers and partners, those who were responsible for his further socialization into the role of private investigator. The better the relationship with the senior members of the company, the better chance the researcher had to learn about the industry in terms of potential advancements and ongoing evaluations. This process of training for the researcher and other members of the occupation was characterized by a process of interpretation and definition of the other investigators with whom he was working. Blumer (1969) noted that the

relationships in such a process can take the form of cooperation, conflict, domination, exploitation, consensus, disagreement, closely knit identification, and indifferent concern for one another.

As participants in human interaction, private investigators through the process of socialization, develop their own conduct by constant interpretation of each others actions. Participants are constantly observing other's ongoing actions while taking into account and adjusting their own intentions, wishes, feelings, and attitudes. Blumer notes that "throughout this process they are judging the norms, values, and group prescriptions for the situation being performed by the acts of others" (1969: page 66). Blumer notes that this interaction is characterized through a dual process of definition and interpretation and operates both to sustain established patterns of joint conduct and to open them up to transformation (1966). Private investigators, like any other group of individuals, possess a unique occupational culture that has its own established patterns of group life that persist through continued use. Blumer (1966) argues that such patterns "just do not carry on by themselves but are dependent for their continuity on recurrent affirmative definition" (page 67).

3.9. Socialization into the Occupation

The character of any occupational culture cannot be completely transmitted to the outsider (the researcher in this case) simply through training alone. Such a period of training for the researcher conveyed generalities about what type of work was yet to come. Senior members of the private investigative occupation served to "socialize" the researcher beyond what he received in his formal training. The work setting itself provided a learning environment for the researcher in which he experienced situations, events, and interactions that could not be included in his "formal" training. Such experiences helped the researcher understand the occupation of private investigator beyond its structural and organizational makeup.

A considerable period of time was spent with private investigators in the capacity of first observer and learner and then observer and investigator. The researcher became more involved and took an active part in the function of a private investigator as socialization progressed. He became involved in private investigations and surveillance activity in addition to what he received in three weeks of training. Goffman (1961) describes the early stage of the initiation process as being "the welcome." This so-called "welcome" where staff or inmates, or both go out of their way to give

the new recruit a clear notion of his plight (Goffman, 1961). Part of the rite of passage for the new recruit is being called by a term such as "fish" or "swab" - or in the case of the researcher "jafi."²⁸ On-the-job probation was to last for six months following the training whereby the researcher would be under the guidance of senior investigators, mainly the manager.

Goffman claims that the "basic social arrangement in modern society is that the individual tends to sleep, play and work in different places with different co-participants, under different authorities, and without an over-all rational plan" (1961: pages 05 - 06). Goffman's (1961) central feature of a total institution is described as a breakdown of the barriers normally separating these three spheres of life. The researcher will argue that the training process served as the catalyst to the breakdown of his three spheres of life. The researcher shall outline the characteristics by which Goffman sees as contributing to the breakdown of such spheres of life and then enter into a discussion of how such characteristics may be applied to the researcher's case:

First, all aspects of life are conducted in the same place and under the same single authority. Second, each phase of the member's daily activity is carried on in the immediate company of a large

²⁸ See Glossary of Terms for meaning.

batch of others, all of whom are treated alike and required to do the same thing together. Third, all phases of the day's activities are tightly scheduled, with one activity leading at a prearranged time into the next, the whole sequence of activities being imposed from above by a system of explicit formal rulings and a body of officials. Finally, the various enforced activities are brought together into a single rational plan purportedly designed to fulfill the official aims of the institution (1961: page 06).

Goffman claims that individually, such factors are found in places other than total institutions such as commercial and educational establishments. The central point here is that the "handling of many human needs by the bureaucratic organization of whole blocks of people - whether or not this is necessary or effective means of social organization in the circumstances - is the key fact of total institutions" (1961: page 06).

The initial period of training for the researcher was characterized by the commitment of almost one month to follow the direction of the manager in the development of his skills as a private investigator. Each day of training, while not necessarily being carefully planned by the manager, was conducted with the other private investigators. While not in training, themselves, two investigators were "under probation" and had not yet completed a six-month period with the firm. While not with the firm for the same amount of time, all investigators including the researcher

were expected to conduct surveillance together and work on the same cases. Fewer demands were placed on the researcher at the beginning of his training; however by the end of the third week, he was expected to perform at the same level as the others. While working on cases, all daily activities centered around working on one case or another. Most of the time two or more cases were on the go at once. Daily activities were tightly scheduled depending on the case that was being investigated.

The group of investigators had to work together on a case and be "on call" depending on the outcome of previous surveillance or as the result of a request from a client. Within the many activities that the researcher was able to participate in, all pointed to exposing him to as many different situations as possible, without "over involving" him in any one particular case. The official aim of this form was to ensure that all investigators were well-experienced in a variety of different surveillance settings, however it was determined that no one investigator would specialize in any one field. Passage of information from the client to the regular investigators was minimal; especially the identification of the client or the firm they were representing. During the process of his training, the researcher felt that he was excluded, reasons for which are

now apparent, from the manager's intentions as to what and where he would be conducting his training.

3.10. Summary

In this chapter we have explored some of the broader aspects of the social setting in which the private investigator must operate. Generally, private investigators are drawn from a blue-collar working class and tend to share similar views about labour relations and gender roles. We have also seen how private investigators are made into professionals at their job. They begin to learn to deal with stressful events and unfamiliar cases. They are constantly evaluated by their superiors and come to learn what is expected of them.

The following chapter will serve as an account of the researcher's occupational role as a private investigator and illustrate how, through his encounters on the job, influenced him in developing into the role. Encounters which have involved a high degree of stress were the most important factors of his socialization into the role. The effects of those experiences were lasting because of their intensity. As well, it is usually on the basis of the stressful situations whereby the researcher's performance was evaluated. It is not simply the few minutes or seconds

where stress was most evident; it was the situation which led up to and followed the incident. Feedback, comments, and final outcome became the main learning dynamic which built the researcher's understanding of the occupation.

4. The Private Investigator: Interacting with the Environment

This chapter focuses on the character and common practices of the private investigator through the course of his or her occupation. The objectives of this chapter are to present the reader with an accurate account of the type of activity in which the researcher was involved during his employment as a private investigator and the subsequent research of this thesis. Sections 4.1 through 4.5 will provide an account of the private investigator's activity while providing the basis for the latter (Sections 4.6 through 4.9) area of inquiry into the identification of attitudes and behaviour.

4.1. *On the Job*

Surveillance is a very general power which is accorded to the police and other individuals in Canadian society. Pretext²⁹, following, observing activities, and overhearing conversations with others, have been important aspects of

²⁹ Defined as a purpose or motive alleged or an appearance assumed in order to cloak the real intention or state of affairs.

police and private investigations as long as both have existed. Presently, the speed and development of surveillance technology is such that cheap, covert information gathering is now within the reach of any private body willing to invest in it.³⁰ Individuals may conduct surveillance upon one another for many reasons: a husband may spy on his wife in order to uncover evidence of suspected adultery; employers may surreptitiously keep watch over employees in order to monitor productivity or undercover thefts; commercial rivals may attempt to uncover production secrets; media reporters may resort to surveillance techniques in order to track down a story, etc. (Cohen, 1983). Cohen (1983) devoted an entire book to a discussion concerning the police and electronic surveillance in Canada. He unfortunately limits his discussion to "formal" policing powers.

Investigative activities, police or privately performed, involve more and more the use of informants, stakeouts, and undercover individuals and may be characterized as covert information gathering surveillance

³⁰ In the United States it has been estimated that for every bugging device used by government agents, there are three hundred used by private security personnel, many of them in the hands of active or former police officers employed by private firms (Wildeman, 1988 cited in Johnston (1992)).

action. Wiretaps and other electronic surveillance devices such as hidden cameras fall into this category of covert surveillance. Police activity, on the other hand, has revealed other, overt forms of surveillance; such as spot checks, arrests and searches. Private investigators, for the most part, employ only covert surveillance activities. Increasingly the private sector has made extensive use of undercover tactics. Part of this is due to the public-private exchanges of personnel between public and private sectors; namely a large pool of experienced public agents who have taken their skills to the private sector.

4.2. The Surveillance "Business"

Current research is sketchy at best concerning the practices of private investigators in conducting surveillance. It does not appear that prosecutions for illegal activities by private investigators are frequent. From data presented in this research it is clear that many forms of surveillance occur, however a great degree goes undiscovered. Apart from Quebec, Canada does not have overall privacy laws. To the extent that such laws do exist, they apply only to certain categories of personal information such as consumer credit information. An Act Respecting the Protection of Personal Information in the

Private Sector came into force on 01 January 1994, in Quebec. The act applies to information "whatever the nature of its medium and whatever the form of which it is accessible," and gives investigative and dispute-resolution powers to the Access to Information Commission. Federal legislation (The Privacy Act) protects the privacy of individuals with respect to personal information about themselves held by a Government Institution and provides individuals the right of access to it. The Privacy Act does not protect information that may be collected by a non-governmental source.³¹

Non-electronic surveillance³² generally consists of following an individual and attempting to discover as much as possible about their private affairs by observing their actions and overhearing conversations. This type is generally carried out for insurance companies to determine whether claims against them are genuine. There are very few federal or provincial laws dealing with obtaining such

³¹ Equifax, a private company, maintains records on almost every individual in order to establish a credit rating.

³² Electronic surveillance consists primarily of wiretaps and bugs is argued to pose a greater threat to individual privacy than non-electronic surveillance. Wiretapping and other means of electronic surveillance are not usually detected, and, as a result, public prosecutions have been very infrequent.

evidence by using this type of surveillance. If it is conducted within reason, such surveillance serves a social purpose of exposing false claims. Liability of the investigator does not exist if the subject being followed discovers their pursuer and becomes frightened by their actions, as long as there is no intent to frighten or harass.

In a general sense, surveillance activities are features of all social interactions. Dandeker (1990) argues that the exercise of surveillance involves one or more of the following activities:

- (1) the collection and storage of information (presumed to be useful) about people or objects;
- (2) the supervision of the activities of people or objects through the issuing of instructions or the physical design of the natural and built environments. In this context, architecture is of significance for the supervision of people - as for instance in prison and urban design;
- (3) the application of information gathering activities to the businesses of monitoring behaviour of those under supervision, and, in the case of subject persons, their compliance with instructions. (Surveillance activities need not always be linked with relations of supervisory discipline; information gathering may simply be the means of constructing knowledgeable courses of action in relation to persons or objects which are autonomous from supervisory control. Military intelligence gathering by one state in relation to another normally takes this form.) (1990: page 37).

Dandeker (1990) also notes that surveillance involves a deliberate attempt to monitor and/or supervise objects or

persons; it can be found in formal organizations. When such surveillance activities endure over time they can be said to comprise the administrative basis of a relationship of domination between a "ruler" and the "ruled." Dandeker (1990) sees surveillance as serving two functions; one being a characteristic of all social relationships and the second as being an administrative means of reproducing and securing a system of rule.

To achieve the objective of a compliant subject population, an individual or organization can use a range of possible sanctions such as coercive force, economic sanctions, etc. Such resources can be mobilized into two main strategies: 1) maintenance of punitive sanctions against those who break the rules, including such punishments as a prison sentence, a fine, or probation; 2) the use of mechanisms, such as surveillance, to prevent rule breakers from having the opportunity to disobey. The second strategy is the more successful and allows the "ruler" to rely less on punishment. It has been argued by Rule (1973) that such basic strategies of achieving compliance are not of much use without the support of some sort of surveillance system. The first consideration for such a system entails a "means of knowing when rules are being obeyed, when they are broken, and most importantly who is responsible for

which" (Rule, 1973: pages 21 - 23). The second requires an "ability to locate and identify those responsible for misdeeds of having to do with collecting and maintaining information" (ibid.). A far more effective technique in maintaining a compliant population is the control over that population's perception that something can and will be done in response to any disobedience.

It is impossible to point to a concrete example of total surveillance systems, however the outline of a hypothetical system can be described as follows (from the standpoint of a subject):

there would be but a single system of surveillance and control, and its clientele would consist of everyone. This system would work to enforce compliance with a uniform set of norms governing every aspect of everyone's behaviour. Every action of every client would be scrutinized, recorded and evaluated both at the moment of occurrence and forever afterwards. The system would collate all information at a single point, making it impossible for anyone to evade responsibility for his past by fleeing from the scene of earlier behaviour. Nor would the single master agency compartmentalize information which is collected, keeping certain data for use only in certain kinds of decisions. Instead it would bring the whole fund of its information to bear on any kind of decision it made about everyone. Any sign of disobedience - present or anticipated - would result in corrective action. The fact that the system kept everyone under constant monitoring would mean that, in the event of misbehavior, apprehension and sanctioning would occur immediately. By making detection and retaliation inevitable such a system would make disobedience almost unthinkable (Rule, 1973: page 37).

Rule (1973) has provided us with a hypothetical system from which to measure other surveillance capacities of different organizations and to specify what each entails. Dandeker (1990) notes that Rule's (1973) work also points to the factors which might prevent the administration of an organization from approximating a total surveillance system. Such points are as follows:

- (1) The size of the files held in a surveillance system
- (2) The centralization of those files.
- (3) The speed of information flow
- (4) The number of points of contact between the system and its subject population. (Dandeker 1990: page 40)

Different organizations will vary according to the above factors. We shall now turn to one specific organization which surveillance plays a key role in ensuring compliance with the rules. The following section will outline the surveillance capacity of the insurance industry. The section will also address the process by which the insurance industry has attempted, through the use of private investigators to enhance its own surveillance capacity.

4.3. Unraveling Deceptive Claims

The insurance mechanism is a means for sharing and thus reducing individual uncertainty. A group of individuals

subject to the same risk (getting in an accident) contribute to a shared risk pool, most often organized and administered by a private insurance company. In return for their contributions to the risk pool, policy holders receive the promise of compensation should they suffer a loss.

The insurance industry's perspective on policing fraudulent claims differs from that of public policing authorities. Conventional law enforcement officers watch in order to apprehend suspects; the object of surveillance in the insurance context is to minimize insurance losses - to lower insurance settlements or deny claims. Strategies used to control loss range from denying the claim, invoking criminal sanctions that would hopefully deter other would-be offenders, and mitigating fraud effects by agreeing to pay less.³³

There have been attempts by the insurance industry to partake in ad-hoc surveillance activities when the need for information became essential. In an attempt to integrate surveillance into existing routines, insurance adjusters or claims service representatives are responsible for reviewing all claims submitted to insurance companies. Their job is

³³ The researcher was involved in one case where an insurance company used the evidence gathered by a private investigative company to reduce the amount of a claim even though the claim for benefits was legitimate and the evidence gathered supported the claim.

to clarify the client's obligations under the insurance contract and to arrive at an appropriate amount of compensation. Complex information requirements are not always met within the insurance company itself. This may be due to a lack of qualified investigators on staff or because additional information may be required. Such a practice is most likely to occur when a case involves a substantial loss to the company in the form of multiple claims or if the case has a high probability of ending up in court.

A common growth area for private investigative companies has been in the area of investigating insurance cases. The client, the insurance company, ultimately the insurance adjuster, requests the services of a private investigative company to work on a particular case in which they require more information. In turn, private investigators serve as information brokers in the sense that it is the profitable sale of information they generate that drives their operation.³⁴ The nature of the investigation is solely determined by how much money the client is willing to spend on the investigation.³⁵ The client may also decide

³⁴ Without a client who is willing to foot the bill, the private investigative company will not continue an investigation, no matter what stage the investigation is in when the funding stops.

³⁵ Although this may seem rather unusual for an investigator who is not concerned with the final disposition

to spend a lot of money on a case if the granting of a particular claim may set a precedent whereby other clients may make similar claims. The researcher will now present an outline of two insurance cases and how the private investigator becomes involved with unraveling deceptive claims through enhancing the surveillance capacity of an organization.

4.3.1.CASE 1:

The briefing for CASE 1 took about twenty minutes to complete. Investigator A drew a map on the board outlining exactly where the subject's house was located. Prior to the beginning of each surveillance job, the manager meets with the client (usually an insurance adjuster and discusses fees, etc.). After this meeting takes place, a senior investigator conducts a basic background information check and provides others with a one-page information sheet on the subject who is to be kept under surveillance. Prior to a surveillance operation, investigators discuss the most probable routes the subject would take if he left the residence. The briefing follows the following format:

of a case, the entire investigative process always comes down to how much the client is willing to spend.

File #:[some information has been removed to ensure privacy]

Subject:

Address:

Tel #:

SIN:

DOB:

License #:

Vehicle Description:

Plate #:

Subject's Description:

NOTE: SUBJECT'S CAR IS IN FOR REPAIR AND IS NOW DRIVING A RENTAL, AND DURING THE CLIENT'S VISIT TO THE SUBJECT'S RES, SHE DID NOT OBSERVE THE CAR.

Special Instructions:

- 1) Subject has a doctor's appointment on Monday at 10:00.
- 2) Subject attends: Physio Therapy Clinic - Subject has appointments scheduled but would not tell client the times. (He was attending three times a week previous to the accident)
- 3) Subject will be meeting his accountant sometime in the near future. (Location unknown)
- 4) Subject lives alone and is separated from his wife, who is presently residing Subject has two five-year old twins who stay with him every second weekend.
- 5) A therapist will be visiting him on Monday and also his two nieces may be in to clean his house.

Type of Disability: The subject can not move his neck, has pain in lower back, left shoulder and left knee.

Time Frame: Two day surveillance ... Please update ... when completed. Client may want surveillance again after determining the weekend the subject has his children.

Notes: ...

(06:50 19 02 96)

Information contained within the above report is of a personal nature which the subject has provided to the insurance adjuster when filing a claim. The adjuster in turn provides as much descriptive information as possible to

the private investigative company if they require further investigation of a claim. Some surveillance activity has been added to the adjuster's list of responsibilities, such as gathering as much information as possible in relation to their clients, which is kept on file in the event that an insurance claim is made. When a claim is made by an individual that fits "the profile", one can almost count on being under surveillance.³⁶

CASE 1 began following the morning briefing. The investigators prepared their radios and video cameras and then proceeded to the subject's residence. A van was set up in view of the subject's residence with the Joe Boy in the back. His job was to signal the other investigators when the subject was on the move. The van had construction signs posted on each side in order to keep anxious neighbors from asking too many questions. From there, the waiting game began:

07:30 drive by the subject's residence; no car in driveway; no tracks leading from garage (07:30 19 02 96).

Three investigators sat up in the vicinity of the subject's residence far enough away not to arouse suspicion of relatives and neighbors. Constant radio contact was

³⁶ Profiles will be discussed at the end of this chapter.

maintained between all investigators throughout the course of the day.

08:15 subject left residence with coat - has twins with him - twins have orange hats - subject is wearing a long trench coat going down between his knees/ankles - the coat is black

08:16 car is red with small antenna on trunk

[Investigator A was sitting in the van filming the subject leaving his house and communicating the information to the other investigators over the radio.]

The subject approached highway and headed north

08:22 Subject went north on ...

08:24 Subject went west on ...

Subject dropped children off at school, the children were wearing pink and red hats; the subject was carrying what looked like to be 2 backpacks into school with him.

[At this time Investigator B and I were in a perfect position to shoot video of the subject walking his children into school. I found out later that Investigator C also got good video of the subject exiting the school and entering his car.]

08:34 Subject left school and turned right on ... - subject stopped at ...

08:40 Subject left ... and turned left on ... - turned south on ... then South on ...

08:46 Turned west on ...

08:55 Subject at Residence parked on the left side of the driveway

09:31 Subject left residence

09:31 Subject turned into the ... Mall

09:38 Subject dropped off a letter, parked in front of ...

09:55 Subject left the ... Mall

[At this point I was with Investigator A - he asked me to drive the van in front of the subject so he could get some video footage of him driving. I managed to pull out of the parking lot in front of the subject, cutting a few people off and sending Investigator A flying inside the van. He managed to get upright and get some good footage of the subject when we were heading down the street. At one point the subject beeped his horn

at me because I was slow taking off at the light. We had a good laugh about this one at the end of the day.]

10:00 Subject turned into the ... Coffee Shop (the subject had been carrying a binder into the bank) the subject he made a last minute turn into the ... Mall

[At this time Investigator A and I positioned the van across from the coffee shop in order to get video when the subject exited.]

10:50 Subject came out of ... (he was wearing a green shirt, dark pants - while inside he had a coffee and a doughnut - he sat next to a lady - no apparent relationship)

10:54 Arrived at residence

11:38 Subject left residence

[We lost him shortly after.]

During this time the investigators checked at several possible addresses for the subject: ...

13:17 Subject confirmed to be at residence

14:00 Confirmed that subject's car was still at residence parked in the same spot

15:35 Subject left residence and turned east on ... then left on ... then turned east on ... and then turned right on ...

15:44 Subject turned into ... (across from the Beer Store).

16:00 Subject left ... ; turned north on ... and turned left into ... Mall.

[I followed the target into the mall while Investigator B parked the car]

16:05 Subject exited car - entered mall; purchased a lottery ticket (picking his own numbers) While waiting in line to purchase the ticket, the subject talked to two elderly people by the lottery kiosk - they asked him if he was still driving the same car and asked about his two five-year-old daughters.

[I pretended to be interested in some electronic equipment in ... and watched the subject.]

16:25 Subject made two or more phone calls across from the ... shoe store then bought a coffee at the ... and sat across from the kiosk on a bench drinking the coffee.

[I pretended to be interested in a pair of shoes that were as close to something that I would wear and tried them on while the subject was on the phone - I asked for another size and when the

clerk went in the back of the store to get another pair I left the store to follow the subject. I purchased a small fries and water and was able to grab a seat in view of the subject - I watched him drink his coffee.]

16:50 Subject left mall and arrived at ...

[When the subject left the mall, I had met up with Investigator C inside and then followed him to his car; Investigator B had moved to another position.]

17:03 Subject left ... carrying a large brown bag in his left hand.

17:10 Subject confirmed to be at residence.

(07:30 19 02 96)

The first day of working on this case proved to be very eventful for all private investigators involved. The subject was very active and appeared to be in no pain when completing daily tasks, such as driving, walking, and interacting with his children. Investigator A contacted the client and provided a brief update on how surveillance proceeded during the day. The second day:

08:00 started surveillance; subject's car was not visible at residence, no tracks in driveway

10:10 Subject arrived at ... Mall and went into doughnut shop

[I followed him in, used the washroom and bought a doughnut then left getting a good description of what he was wearing.]

10:18 Subject left the parking lot (Subject is wearing a short green ski jacket with blue jeans and large galoshes)

10:31 Subject arrived at the ... clinic. (Subject was performing several neck movements in order to get his car into position). Subject was observed turning around inside his car looking for something in the back seat.

11:18 Investigators noticed that most people who were exiting the parking lot at the ... clinic needed help.

11:38 Subject returned to his car

11:53 Subject confirmed to be at residence
[We lost him on the way back to the residence.]
 12:30 Subject left residence
[I followed the subject here]
 12:46 Subject arrived at the ...
 12:47 Subject entered the parking lot
[In the meantime Investigator C and Individual D went into the lot in order to get video of the subject when he left.]
 14:11 Subject got into his car and left the parking lot
 14:30 Subject confirmed to be at residence
 16:20 Subject left residence and went north on ...
 16:30 Subject entered pharmacy
 16:35 Subject returned to car.
[We lost him after he exited the lot, however I found the subject about five minutes later.]
 16:43 Subject entered the ... drive-thru at ...
 16:47 Subject pulled into a parking spot
 16:53 Subject left parking lot
 17:03 Subject confirmed to be at res
 17:10 shutdown
 (07:50 20 02 96)

The third day on the case began with an update from
 Investigator A:

The subject has a friend (a lady who was in the accident with him)
 Her address is ...
 He is in contact with her by telephone and is possible that he may visit her.
 The subject works as a real estate salesman for ...
 Note: There is a possibility the subject maybe conducting an "open house" on Sunday ...
 The subject's ex-wife, resides at ...
 He has two five year old girl twins who stay with him every second weekend. (As you know he had the girls the past weekend, but he may go to visit them on Sunday).
 Time Frame: Surveillance is to be conducted on ...
 Type of Disability: The subject can not move his neck, has pain in lower back, left shoulder and left knee. (12:00 23 02 96)

The information had been supplied by the client (an insurance adjuster after further investigation and questioning of the subject). The third day of surveillance was unsuccessful for the private investigators:

14:20 Subject's car confirmed to be at res -
parked in the right hand side of the driveway
[we shortly lost the subject at the lights]
14:45 Subject left res
15:30 checked out girl friend's residence
16:00 checked out ...
18:30 shutdown ...
(12:00 23 02 96)

However, approximately two weeks later the client requested further surveillance on the subject, totaling a period of almost eight days. According to Investigator A, CASE 1 had been a success in terms of a satisfied client. Enough information was provided to the client so that the claim was substantially reduced. Exact details were not revealed to members of the private investigative firm. The amount billed to the client cannot be revealed, however it is not too difficult to imagine that the total bill was close to ten thousand dollars (\$10, 000).

4.3.2. CASE 2:

CASE 2 was similar in principle to the previous case, however the methods employed by the private investigators

were quite different. The pre-surveillance briefing went as follows:

Subject's description ...
Subject is traveling out of ...
Will be accompanied by her niece ... straight dirty blonde hair ...
Both will be staying at the ...
Will be attending appointment on ... at ...
Will be returning to airport after appointment.
Pain in right hip, neck and back pain, numbness in right arm and hand plus persistent pain ...
Heavy smoker, used to be a heavy drinker, mood swings.
Habits: leans on walls and counters to support herself - noticeable limp.
Pre-surveillance - not possible to do surveillance on residence - lives in the country.
Tasking: Investigator B - eyeball - fake a breakdown in front of her house and then follow her to the airport.
Investigator B, C, Individual D, and the researcher - drive to Toronto that morning and conduct pre-surveillance. Investigator A will follow subject on the plane.
Flight arrives at ...
Equipment: pinhole camera, monitors, tools, still camera, road bags - subjects room will be monitored
08:00 footman in the lobby.
(16:55 21 03 96)

In this case, the private investigative company was provided with very clear instructions as to where and when surveillance would be required on the subject. One private investigator was to pick up the subject at the place of residence; another was to meet the subject at the airport and follow the subject on the plane to the destination; and

another *advanced team*³⁷ was to pick the individual up at the destination (airport) and follow the subject. Investigator B had to fake a *breakdown* in front of the subject's residence in order that he may not arouse suspicion in the neighborhood. Investigator A was successful in conducting his surveillance and shut down when the subject was *picked up* at the airport by Investigator A. Investigator A then followed the subject on the plane to the destination.

The *advanced team* met the subject and Investigator A at the airport and then followed the subject to a hotel. Surveillance was set up immediately. The subject's room number was obtained through pretext by Investigator A who commented that he was a friend of the subject's and that he wanted a room next door. The hotel staff *bought* the story. An attempt to penetrate the wall was made in hope that the private investigators could "see what was happening" in the subject's room. This attempt was unsuccessful due to the solid brick wall between the two rooms; common in most new hotels. Surveillance was maintained for the remainder of the day; the subject and the subject's companion did not leave the hotel until the following day. The subject was

³⁷ In this case, *advanced team* means a group of two or more private investigators will familiarize themselves with the area and prepare to set up surveillance at the minute the subject may arrive on the scene.

video taped having dinner in the hotel restaurant from an overlooking room.

The second day on this case began early for the private investigators; surveillance was started in the lobby, the parking lot, and at the doctor's office where the subject was expected to visit. The subject checked out of the hotel as expected and went to see a doctor in the center of the city. Contact with the subject was kept until the return to the residence where it was terminated. Two long stress filled days of running, hiding, and video taping finally came to an end. The case was a success for the company in all respects. Private investigators were able to gather sufficient video that strongly suggested that this particular individual was not hurt to the extent that she was claiming. Again, the outcome of this case was not disclosed to the private investigative company.

4.4. Other Cases of Interest

The insurance industry is increasingly utilizing the services of other surveillance agents, such as the private investigator to supplement its own surveillance capacity. Other organizations have seized the opportunity to forward their interests and have also used the services. Prominent animal protection organizations have also relied on the

services of private investigators to assist them in their attempt to aid them in their causes. This section will outline two cases in which the researcher was involved.

Both environmental and animal protection groups have increasingly employed the services of private investigative firms to supplement, and in some cases, influence formal authorities to investigate further into alleged offenses. The firm in which this researcher was employed was approached on several occasions requesting that the investigators shoot video of the following: 1) the killing of a bear and the removal of its galls (25 03 1996) and 2) the clubbing of baby seals (11:30 04 03 96). The researcher will now briefly describe these cases in turn; further illustrating how the interweaving of public and private sources of information have been blended together by clients to create a comprehensive surveillance network.

4.4.1. The Bears

The illegal trade in bear body parts has been characterized by some as being virtually a risk free crime. Poaching takes place in remote and isolated areas; the evidence is quickly destroyed by scavengers; and only a few conservation officers are assigned to patrol vast areas. Through a combination of federal, provincial, municipal, and

private organizations this private company has managed to amass a huge amount of data on the illegal trafficking of an endangered species:

... investigators have penetrated and studied the trade in bear parts in North America, Asia, and Europe ... Investigators were told in South Korea that the Russian Mafia controls much of the gall trade. They found that Russian bear galls are imported into Canada, Alaska and the continental USA and now dominate the markets in South Korea (<http://www.....>, 01 18 1997: 13:13:53).

The meshing of formal and informal investigations in the case of protecting wildlife has resulted in substantial discoveries. The use of private investigators has permitted greater penetration into the illegal bear trade:

According to investigators, the Canadian bear gall trade operates on three levels: the shooters, the suppliers (or middlemen), and the traffickers:

I) **Shooters:** ... Increasing numbers of Asian buyers are choosing to hunt legally or poach themselves to ensure that the galls they take back are genuine.

II) **Suppliers:** ... are often involved in the bear parts trade as a sideline to an associated business, such as taxidermy or the deer horn trade, and may trade or barter galls.

III) **Traffickers:**

1) Individuals: ... Asians buy small numbers of galls in Canada, and smuggle them on their body or in luggage back to South Korea, Hong Kong and Taiwan. ...

2) Retailers: Smaller scale traffickers are often Asian. They tend to have an extensive network of contacts and may retail the galls through Chinese and Korean pharmacies to the local Asian market, to Asian tourists or direct to South Korea, Taiwan, Hong Kong and Japan. ... Investigators have found traders dealing from taxidermists and tuxedo rental companies. ...Traffickers have been caught concealing galls

in various manners - under spare tires, car seats and dirty diapers on their vehicle floor. For distribution and export, some traffickers use commercial courier services or the general postal service. Some conceal galls on Asian ships docking at North American ports, while others solicit "mules" - usually Asian women - to conceal galls on their body or in hand luggage. Traffickers use a variety of techniques to disguise galls for export, including dipping them in chocolate, grinding them into honey, hiding them in boxes of candies, and mixing them with perishables, such as fish. ...

- 3) Major Dealers: The legally declared bear parts trade in Canada has historically been centered around three main dealers based in British Columbia, Saskatchewan, and Quebec. ...

Organized Criminals: Part of the trade in bear galls in Canada is run by criminal organizations who trade internationally in wildlife and other contraband. One poacher believes that the illegal wildlife trade in Canada is controlled by just 5 individuals and is "handled much like major narcotics." Authorities in BC have found associations between wildlife traders and Asian and US organized crime (<http://www.....>, 01 18 1997: 13:13:53).

The client represented a large animal rights organization who wanted video footage of an individual participating in the spring bear hunt (14377484). The client offered to cover all expenses, including the provision that the video would remain their property. The company agreed to take on the case with the condition that no trace could be made to the investigators and the investigating company. It cannot be disclosed if such a video was produced, however in addition to the original request, the private investigative company has provided the

client with information on the illegal wildlife trade. The following information was compiled as the result of an investigation:

On ... attended a residence in ... and met with a trapper... During our conversation the following was learned:

- 1) ... has contacted him twice asking to purchase bear galls;
- 2) ... will allegedly purchase from any trapper in Ontario, either by pickup or through the mail. He has been told to blanch the galls in boiling water for approximately ten seconds then place them in a box and mail it directly to ... place of business and he will receive a cheque back in the mail;
- 3) the price ... pays for bear gall is listed on the attached page which was taken directly out of his trapper's catalogue. This catalogue has a wide circulation in ... Although his ad depicts he will only purchase legally harvested galls, he is actively pursuing suppliers in ...;
- 4) in the recent case of ... who was charged with shooting three black bears ... the galls from these galls were used to make some form of trap lure. Our informant claims that is nonsense and through first hand knowledge he knows the trapper was in possession of one of ... catalogues.
- 5) our informant alleges he is not aware of who in the area is selling galls to ...; however he has no doubt it is happening; and
- 6) he (our informant) has been told, there is a "Chinaman" in ... who purchases the galls to a supply a market in ...

On ..., I also met with ... He has been told by his nephew's friend, that ..., a native on the ... is in possession of a freezer full of bear galls and is presently trying to find a market for them (confidential source: 7850505).

A confidential informant has informed the researcher that such a report has "made its way into the hands of a senior wildlife enforcement officer" (14377488). At face value,

the ramifications of this have the potential to be very positive for both the federal agency and the client; both ensure the advancement of the agendas by "working together."³⁸ The information provided by the private investigative firm was sold to the client and thus remains the property of the client.

4.4.2. The Seals

The researcher was approached by the manager of a private investigative firm to "gather some information on the sealing industry in Canada" (11:30 05 03 1996). At Investigator A's request, the researcher compiled information on the industry and aided in the development of the following proposal:

PROPOSAL FOR OPERATION SCREECH

The Need

The client requires video footage of seal hunting off the coast of Newfoundland sometime in the month of March 1996.

The Proposal

[The company] offers the services of a professional surveillance team to meet the needs of your organization and secure accurate video footage of the seal hunt. The client will find that our approach combines extensive intelligence gathering and analysis using experienced investigators.

³⁸ The researcher must note that neither the private investigative firm nor the federal agency had any knowledge of the intentions of the client.

Background On The Newfoundland Seal Hunt

For over 500 years, the seal fishery has been a way of life for many Newfoundlanders who live along the coastline. It has been a pursuit that is grounded in both tradition and survival.

Initial sealing vessels were schooners. In the early 1900s steamers began to gain popularity, followed by steel-hulled vessels which were similar to ice breakers. By 1920 about half the sealing fleet was made up of steel ships. The sealing industry maintained a steady course until WWII. In the post-war era, Newfoundland's unofficial claim to the seal herd was challenged, with stiff competition coming from Norway, Denmark, Russia, and Canada. Prior to the early 1960s seal hunting was an ocean-based operation. Changes to the annual hunt came shortly after with the involvement of lands men (shore-based hunters). By the mid 1970s the sealing industry faced another enemy - one that would later cripple the annual hunt. Involvement of the IFAW and Greenpeace saved the seals and crippled many coastal communities according to those who were on the losing side.

For well over two decades, various animal welfare groups appeared to be taking turns going to the ice and filming their members in the act of protesting the seal hunt by crouching protectively over seals, or dying their coats to ruin them for market, or physically blocking sealers' access to the herds with their boats or their bodies.

The Present Situation

The total allowable catch for the 1996 harvest has been increased by 64 000 seals to a total of 250 000 seals. The harvesting of white coat seals is prohibited as well as harvesting seals for selective parts. The Department of Fisheries and Oceans (DFO) has encouraged maximum utilization of harvested seals through a \$0.20 per pound meat subsidy. The seal population has doubled in the past 15 years and continues to grow, putting a major strain on the remaining groundfish stocks. The use of "collector boats" to aid in the harvest of seals is seen to remedy fears of safety. In 1995, there were approximately 5000 sealers who supplied about three processors who operated in

Newfoundland. The 1996 season is not forecasted to improve due to an unstable market.

Sealers got \$30.00 to \$40.00 per pelt for seals in the early 1980s. Present prices for seal pelts range from \$10.00 to \$12.00 per pelt with hope for future increases.

Seal hunting is done primarily by jobless fishermen who can no longer depend on the cod fishery. Seals are killed by either "batting" or by shots from a small-caliber rifle to the head. Hunting parties are made up of crews of 4 to 7 men in a 9 meter boat. Hunting parties usually remain at sea for no more than a day at a time and typically hunt in an area between 10 to 20 km off the mainland.

The International Fund for Animal Welfare (IFAW) is a major lobbyist against seal hunting in Newfoundland. It recently paid \$1000.00 for a 40 minute amateur video alleging that it was shot off the coast by an unidentified sealer between 1993 and 1995. The IFAW released the video in London on 06 February 1996 as part of its campaign to stop the seal hunt. The video footage, according to local papers, "mysteriously" got into the hands of the IFAW and has served to put the issue of the Canadian seal hunt right back into the forefront of worldwide condemnation.

The Operation

Recent intelligence information indicates that the seal hunt is currently under way in several coastal communities of Newfoundland: 15 km off Saint John's (Petty Harbor) and off the coast of St. Anthony.

The operation will take a period of 7 days to complete and will take 2 to 3 investigators, depending on the method employed (air or sea).

AIR: ...

SEA: ...

Due to the rather sensitive nature of many Newfoundlanders to the issue of sealing it necessary to establish a well-researched cover story for all investigators involved. This section of the proposal will outline several areas

of concern if the operation is to be undertaken by sea.

Cover Story

It is necessary to approach this operation with a solid cover story. In order to get footage of the seal hunt, it is necessary for investigators to get as close as possible (similar to the amateur video). This would involve disclosing our intentions to some extent. Posing as researchers from Ontario could be risky due to the sensitivity of the hunt. We could gain acceptance if we approached people on the premise that we were researchers attempting to tell the "real story" of the seal hunt.

Pre-Surveillance

Required before an operation such as this is to be undertaken. Investigators must meet with contacts and establish hunting plans of the sealers in Newfoundland. Local intelligence has to be gathered in order to ensure a successful operation. This could be performed by one investigator who would gather exact data on when and where ships were leaving port (05 03 1996).³⁹

³⁹ References for Proposal

Brown, Cassie with Harold Horwood
 1972 DEATH on the ICE The Great Newfoundland Sealing
 Disaster of 1914 Toronto: Doubleday Canada Limited

Henke, Janic Scott
 1985 Seal Wars! An American Viewpoint Saint John's:
 Breakwater Books Limited

Ottawa Citizen

1995

26 April "Cod comeback could take 20 years"

23 April "Jobless fishermen delve into hunt for harp
 seals"

18 March "Seal hunt protesters 'ignored warning'"

20 February "Seal hunters fight back"

Patey, Francis

1990 A Battle Lost An Unsuccessful Attempt to Save the Seal
 Hunt Grand Falls: Robinson-Blackmore Printing and
 Publishing Ltd.

Specific areas of the proposal were left out at the request of those individuals involved with this case. The proposal was accepted, however, the client backed out at the last minute due to the large amount of money required for the operation. In reality, there was no guarantee that the private investigative company could produce actual video footage of the hunt in progress. Although the payoff would be well worth it for the client, another means of obtaining video footage was undertaken.

Both cases (CASE 1 and CASE 2) discussed here involved "environmental" or natural resource concerns. It is evident that a growing use for private investigators to forward the mandate of "animal rights" organizations was at the forefront of the previous two cases. Whether the motive to

Sinclair, Peter R. (editor)
 1988 A Question Of Survival The Fisheries and Newfoundland
 Society Saint John's: Institute of Social and Economic
 Research
 1985 From Traps To Draggers Saint John's: Institute of
 Social and Economic Research.

The Evening Telegram

1996

09 February "Sealer feels betrayed by video"

08 February "Video trap flops in London"

"Sealer denies IFAW charge animals skinned alive"

07 February "Disgusting tape phony: sealers"

22 January "Low prices leave sealers cold"

1995

19 December "Markets key to seal hunt"

"Quota rise not much use without markets" (05 03 1996)

gather such information was in the interest of the animals, remains for the reader to decide.

4.5. Profiling and Profit

Market trends have grown to include a process that typically requires consumers to reveal more and more information about themselves in the process of acquiring consumer goods. The erosion of boundaries between industries has permitted database matching which in turn allows for individual profiles to be constructed from seemingly unrelated databases of personal information that have been created for unrelated purposes. For example, lifestyle profiles can be created by matching databases that contain information about frequent flyer records, credit card purchases, vehicle registrations, car rentals, health care records, warranty registrations, music club purchases, video rentals, charitable donations, magazine subscriptions, and land registry records. Sociological research has also taken advantage of the opportunity to merge seemingly unrelated information into a neat profile of possible offenders. A member of the RCMP and private entrepreneur, at the same time, developed a sophisticated program that links previous sites where serious crimes were committed to

the dwelling place of would-be criminals who are responsible based on data gathered from police records:

It started on the night shift in Vancouver's crime-ridden Downtown Eastside. Kim Rossmo, a beat cop juggling a full-time career and a full load of courses in criminology at Simon Fraser University, realized that the criminal activity he was witnessing every night wasn't completely random. There was a geographic logic to the choice of crime sites - not much different from the kinds of decisions people make when they are going to a grocery store - and a lot of it could be explained, and even predicted, by new research in criminology. He began considering the possibility that what he was studying at school, along with advances in computer mapping, might help him and his colleagues become more effective criminal investigators (Canadian Geographic: Murder he Mapped, September/October 1996: page 49).

The program has been adopted by the RCMP and will allow them to pinpoint, with some degree of accuracy, the next location a serial killer is most likely to strike. In the case of the insurance industry, similar profiles are actually a set of red flags that outline factors associated with several fraud scenarios. Recognizing constraints, coupled with increased pressure to expose fraudulent claims, insurance officials developed sets of informal profiles to enhance fraud recognition by adjusters. An interesting consequence of this profiling system is that individuals are increasingly asked at the outset to supply adjusters with information that previously would have been asked only if the claims required further investigation. In addition to

the increase in the amount of detailed questions, specific types of claims are especially suspect and are accorded a lot more attention.

From viewing the previous surveillance briefings that the researcher has presented to the reader, it is evident that a substantial amount of information is supplied to private investigative firms. For example, CASE 1 dealt with an individual who met the following profile outlined in Table 4.5.1.

It was determined by this particular insurance company that it would be reasonable to initiate surveillance on this subject. Surveillance on this particular subject lasted for a period of one month. Throughout that time an extensive amount of personal information was gathered on the subject; all of which would be documented and in some way help to test the profile for future cases. In this particular case, the outcome was not conveyed to the private investigative company. However, judging from the information provided by the company, one may assume that the claim was substantially reduced.

The apparent insignificance of individual private efforts, at least as measured against more coercive and

Table 4.5.1: Investigative Profile for Insurance Claim Cases

variables considered when a claim is filed ⁴⁰	specific variables that merit further investigation ⁴¹	explanation / rationale for further investigation ⁴²
Marital Status	divorced	If the subject is divorced, the more unstable and unclear the future may be; an insurance policy that pays adds to the stability.
Occupation	real estate	The real estate market has suffered a substantial decline, this would explain why a lot of individuals would like to change occupations or simply quit working.
Nature of Injury	neck and back	Neck and back injuries are very difficult to pinpoint and treat (if they exist).
Previous Claims	none	In this particular case, the subject made a previous claim for a car accident in which he substantially damaged his car and was now demanding compensation for his injury.
Dependents	2 children	Other financial responsibilities such as children add for the need to secure an income.
Amount of Claim	substantial	In this particular case, the subject was claiming that he could not work again.

⁴⁰ In this particular case, both the insurance company and the private investigative firm, based on previous claims and cases, identified several variables that were considered FOR THIS PARTICULAR CASE. It must be noted that many other variable are often used to formulate a profile.

⁴¹ In this case, the insurance company decided that, based on the profile, it was well worth keeping surveillance on this subject for an extended period of time.

⁴² The rationale according to the insurance company and the private investigative company to extend the investigation.

centralized state power, has been adding to the strength of the social control apparatus. Private agents (private investigators) have supplemented the more centralized social control apparatus; whether it be controlled by capital or the state. Reichman, in a discussion surrounding automobile insurance concludes with the following: "the apparent insignificance of individual private efforts, at least as measured against more coercive and centralized state power, should not blind us to their potential strengths" (1987: page 261). Reichman (1987) address the interweaving of different private control agencies and argues that they intermesh to produce an interlocked web of surveillance.

The previous sections have presented a picture of some common practices of the private investigative agency under study and the environment in which they worked. The remainder of this chapter shall focus on common attitudes and behavioral tendencies displayed by the private investigators in response to working in with each other within their unique environment.

4.6. Identification of Attitudes

The preceding sections have presented the formative influences that affect the private investigator in the process of socialization on the job. This section will present a portrait of a [male] private investigator revealed through both common attitudes and behavioral tendencies. As the private investigator becomes more and more socialized into the role, he begins to develop attitudes and behaviors specific to the occupation. The researcher does not argue that such attitudes and behaviour are specific only to private investigators; however a case can be made that such attitudes and behaviors, when observed in respect to one another, can be associated with the "typical" private investigator.

All occupational groups share some sort of common identification. People are brought together simply by doing the same work and having similar problems. Occupational solidarity for the private investigator is built through common practices such as conducting surveillance and posing as someone other than a private investigator when looking for information.

The use of the concept of attitude to explain behaviour rests on a simple logic. The attitude is conceived to be a

tendency, a state of preparation, or a state of readiness, which lies behind action (Blumer, 1969). Thus, the attitude or tendency to act is used to explain and account for the given type of action. Knowledge of attitudes allows one to perhaps forecast the kind of action which would take place if the attitude were activated. It should be noted that the intent of this section is not to attempt to trace out individual attitudes to individual acts as such a task is almost impossible to undertake.

Attitudes cannot be directly observed. Attitudes are hypothetical constructs that are inferred from verbal expressions and/or behaviour. No attempt was made to measure the intensity of attitudes in this case, due to the small number of private investigators that were included in this research. The researcher also felt that such attitudes would vary depending on the individual investigator. The main interest of this section is to convey and then determine how widely-shared the attitudes were among the private investigators.

The researcher will present attitudes that private investigators commonly have toward aspects of the job, toward management, and toward various segments of the public with whom they live and investigate. The following section

looks at the behavioral tendencies that develop as requirements of the role of private investigator.

The Ideal Private Investigator: There is within the private investigative industry a concept of what constitutes an ideal private investigator; it is part of the ethos of any company: someone who has common sense and good judgment, someone who is able to think on their feet, and of course, dedicated to the job. Although this view was shared by most of the private investigators in this study there were a few differences among each investigator as to what constitutes the ideal investigator. Such differences can be attributed to age and life experiences. There remains a degree of disagreement among members in the industry that a good investigator is one that has prior enforcement experience, as Investigator A put it:

I refuse to hire another investigator who has not had some prior experience. I don't have the time to lead people around and tell them what to do all the time. A good investigator should walk in here and be comfortable in the job within a week or two (10:00 27 02 96).

Another Investigator [D] expressed a different view:

I am damn sick and tired of people always saying that you have to be a cop to be a good investigator. The cops are the ones with the contacts sure - they are also the ones with the worst habits. I think a good investigator is someone who is not scared to ask a few questions and do some leg work once and a while (10:00 04 03 96).

A very important factor which influences the relationship between investigators is the substantial interchange of personnel between the public and private sector. The private security and investigative industry attracts a lot of its managers from the ranks of ex-police and ex-military backgrounds. Coupled with the advantageous retirement and pension benefit packages enjoyed by many public servants today, it is hardly surprising that the private security and private investigative industry is viewed as an attractive occupation in which a trained police officer can put to use a great number of similar skills and make a good salary at the same time. However there is a strong need for younger people in the industry as Investigator B expressed it:

On the one hand you have the old guys, no don't get me wrong, they know a few tricks. But ask yourself, do you think they will be out here busting their asses following a nut like this around the city? They couldn't keep up. That is why we get paid so little. That is why the turnover rate is so high in this business. Young guys are hired to do the hard stuff for a little while and then sooner or later they get a better offer. If you can get the job done there will always be something (08:00 29 03 96).

The Job: Private Investigators had mixed feelings about the job. Long hours of sitting in a car waiting for something to happen combined with short spurts of excitement

was met with different views. Investigator C summed up his frustration:

You know what I hate about this job. I am sick of sitting in this car all damn day. It gets boring after a while. However, I got to laugh when people come up to me and ask if I am a police officer. Yeah, like I got nothing better to do than sit here in front of your house all day - no, ma-am I am not a police officer - I am just waiting for a friend. How many times have I used that one. Then you have the people who peek out their windows - like you can't see them or something. Soon after they call the cops because they are nervous. I guess I can't blame em too much (09:45 15 03 96).

Others did not mind the boredom at all:

Man, if you can think a better job, let me know. Now mind you I don't like sitting on my butt all day, that is not too good for the figure. A good day doing surveillance is one where you don't have to drive your car too much. I like to get a few miles in cause I can make more money driving around a little bit. Man, some of the wingnuts we followed, I am quite happy to stay put now and then (11:00 16 03 96).

When it came to wages, the going rate in the industry seemed to be about fifty dollars per hour for surveillance.

Investigator C was quite angry over his salary:

I can't believe that we get paid like crap. I know that there is a lot of overhead in this business, but come-on. ... made over ten grand on that last case - how much did we get - 13 bucks an hour. I worked my ass off on that one (09:00 24 03 96).

Investigator D commented:

Our pay is ok, I mean I already have another job - this stuff is just extra. You have to keep in mind what we are doing. Today, you can't take too much for granted (09:00 24 03 96).

Investigator C summed up his frustration over wages:

You better be careful working here. We all went without a pay cheque for a month a little while ago. I mean, ... found it really hard since he is the only one who works in his family. Can you imagine me going home and telling my wife that I didn't get paid because there wasn't enough money in the damn company - bullshit. I am running around putting stuff on my visa - I got bills due (10:00 24 03 96).

Technology: Other areas of concern for private investigators were with the benefit of technology in assisting them in their jobs. "Tools of the trade" so to speak were important to these private investigators. Devices such as pinhole cameras, radios, the Internet, and computers were welcomed improvements. Private Investigators were responsible for most of their own equipment with the exception of radios and other specialized tools that were often purchased by the company. A great deal of care and concern was put into maintaining and acquiring new equipment. Investigator D commented on the necessity of a computer for the job:

In this business you need a computer, printer, Internet, and software - it all helps. ... doesn't realize how much you can find on the Internet that can help you with the job. Stuff like Canada-Phone is only the tip of the iceberg. I plan to purchase my own system soon as I get a few other bills paid off (11:30 03 04 96).

On the other hand, opinions varied according to age. Older private investigators recognized the need for such

technological advancements; however some still remain cautious:

There is no way I would hook up the Internet - people can find out what you do and everything. No, there is no need for us to advertise. We have our clients and I am happy with that. Once we go screwing around with that stuff, you never no what might happen (12:00 03 05 96).

This reaction stems from a fear of change and innovation. Adjustment to new technology that one is not able to totally control can be difficult. Older private investigators are critical of the technology and often question its ultimate effect on the outcome of their investigations.

The Management: Attitudes toward management within the two companies differed substantially. Depending on the individual Investigator, the researcher would get a different opinion. Due to the sensitivity of the subject, little information of this nature is volunteered to outsiders. Responses to the researcher's questions were provided only after the researcher could be trusted within the company. Investigator C with Company A had very strong opinions on management style:

You know it really pisses me off that that son-of-a-bitch gets away with what he does. I was talking with a lawyer that ... often deals with. We agreed that ... has a big mouth when it comes to getting stuff for clients. ... is going to get in a lot of trouble if any of this stuff ever goes to court. You can't tell your guys to go out and create shit on someone if it does not exist. I mean our credibility is on the line. I know one

thing for sure, I am not lying about one thing - you would look like a complete idiot if you ever got on the stand. You would think ... knew that. No, he is just too fucking greedy and want to kiss the client's ass too much (00:10 05 06 96).

Investigator B had a similar comment:

You know how to take notes don't you ?? Well, let me tell you one thing. ... fixes up the notes in the report - you know what I mean - makes it sound a little better for the client sometimes. For example he uses bullshit reasons when we lose someone - no one wants to admit that they screwed up right? (10:00 20 02 96).

From comparing the two companies under study, the researcher found that management style differed significantly from one company to another. For example, Investigator E commented on what it was like to work in his firm:

... things are pretty good here. I took the private investigator's course and got a job soon after that. I started out at about eight bucks an hour just doing little investigations. Six months later I got boosted up to twenty-two bucks an hour, plus expenses, plus a car allowance, plus mileage. It is a pretty good deal. The boss provides the best equipment and treats us fairly. Mind you, we earn what we get paid. He [his employer] knows what it is like in this business. He takes care of his guys and does not get too greedy (15:00 03 09 96).

Not all private investigators feel the same way about their managers. The relationship of a private investigator to his employer (manager) and fellow partners greatly affect the private investigator during his socialization into the role. He is constantly being judged and evaluated by his superior

when he does his work. Investigator F remarked on the constant evaluation process:

Yep, every three months like clock work the boss and I have an evaluation on my performance. It does not get put off. I have never received a pay cut throughout my employment here. I usually get positive feedback and help if I need it in certain areas (15:30 03 09 96).

The private investigator usually strives for success and advancement of his career. This may mean anything from the chance to open up a branch office to a welcomed increase in pay for a job well done. Conflicting management styles do exist, however in terms of the smaller firms the conflict is usually between senior private investigators. New stress and tension is created due to the variance of opinion on a particular case. In the event that a private investigator loses a subject, he often feels that he has to justify why this happened to the manager through taking a defensive position. He attempts to explain why such a thing has happened. The manager is not always able to assess all the factors in the given situation. Investigator C talked about this problem:

I like the fact that our boss comes out to work with us on surveillance sometimes. However, a lot of the time, he just does not get it. One time we were following this guy for an entire week. The boys and I were on him like glue. He could not shake us. The stupid bastard had no idea that we had about six hours of film of him doing everything from eating at MacDonald's to picking numbers for a lottery ticket. Then, all

of a sudden one afternoon during rush hour, the subject leaves his residence - all routine. We are all in place. You know, you were there. The fool runs the tail end of a chicken and [Investigator D] gets stuck at the light. Man, we must have searched for the guy for about four hours - no sight. Then [Investigator A] shows up and starts telling us where we should have set up. Fuck you pal. We were doing this job all week. That really gets me off (19:00 05 07 96).

Investigator B adds:

That's the way things go sometimes. I mean, I can understand from the boss' perspective - we have to keep on our toes a lot. But I agree, there is no need to have a fit if we loose someone after such a successful case. I could understand if someone keeps screwing up all the time - then he deserves shit (19:20 05 07 96).

The Public: Contact with the public for a private investigator is very important to the successful outcome of a case. It is usually to the private investigator's advantage to remain "unknown" to the public. Investigator B put the matter more bluntly:

You see, you can't go flashing your id around like it means something, cause it does not mean squat to the public. They don't care who the hell you are. It is better to handle things as quietly as possible and not advertise who you are working for. ... Does not like it when we show our identifications or tell people that we are private investigator's for the simple reason that he does not want the competition to know what we do. It is better to pretend that you are a concerned friend or something. However you have to be careful if you are looking for a woman - people might think that you are trying to attack her or something (08:40 19 02 96).

Investigator D commented:

As soon as you tell someone that you are a private investigator - they say cool - so do you follow people around and stuff ? A lot of people's knowledge comes from television shows like the Rockford Files and Magnum P.I. Well, I don't have a lot of contacts with the police and I sure as hell don't drive a Ferrari (10:30 19 02 96).

Investigator D had a relaxed view of the public when he was on the job. Most times the public had no idea that they or someone else was being followed or video taped. In many cases people did not want to get involved if they saw something suspicious. However it was not wise to push one's luck:

If you hang around one spot long enough, people get nervous and end up calling the police. Sometimes if I am working in an area for a long time, I let one or two neighbors know that I am here waiting for someone right off the bat, this prevents them from calling the police and involving a big explanation. The police don't have time for this stuff anyway (11:00 23 03 96).

The Police: Contact with the police is not common in the everyday work of the private investigator. For the most part police and private investigators usually work apart and do not associate with one another. One firm in which the researcher worked had very little contact with the police. This factor was most likely due to previous work experience. Company A was composed of individuals with previous military experience and associated with current members of the Department of National Defense. Company B was composed of

individuals with previous police and other federal government department experience and associated with such members respectively. Investigator C commented on one instance when the police helped him out:

I just walked in there [the court house] and told them I was from ... and they let me see just what I needed. Thinking back, I am pretty sure that they thought I used to be a police officer with the city (14:00 23 08 96).

Investigator B felt that both private investigators and police complimented each other in some respects:

For example, one day we were parked on ... waiting for the subject to leave the residence and this woman threw her 10 year-old son out of the house. He was running around in nothing but his underwear crying. I phoned the police and took care of the kid in the mean time. The parents were taken away. Apparently they were high and threw the kid outside. [Investigator D] watched the res. for me (17:00 23 03 96).

Investigator B thought his actions were justified and that it was his responsibility to report such an action. When asked if he helped the police often, Investigator B replied:

We are not a police force here, our responsibility is to the client. We gather information for the purpose of getting paid. The more stuff we get, the better. However, if I see something happening that the police should know about, I'll give em a call. What is a telephone call anyway. We're out here watching people all day - of course we will see people breaking the law all the time. I am not about to turn into a snitch or anything. Plus with the car that I drive - people often think that I am a cop anyway - it acts like a deterrent in some cases - it is quite funny (20:00 03 04 96).

Corruption Within the Company: Another sensitive area where little information is volunteered to outsiders is in regards to corruption within one individual company. In terms of corruption within the industry, private investigators were more than willing to talk of horror stories about other firms. Since the researcher could not verify such hearsay, such stories have been excluded in the final analysis. Responses were varied when it came to corruption within the companies where the researcher was employed. Private investigators seemed to think that there were, in general, a lot of opportunities for corruption in the industry. Investigator A commented:

I know of a lot of corrupt individuals in this business. A lot of guys just don't follow any guidelines. They do what they want and don't answer to anyone. I know a lot of people who don't even operate with a license. People are constantly calling here asking for prices and asking what types of cases we do. I know damn well that it is the competition or in a lot of cases just guys wanting to know what the business is all about (10:30 20 03 1996).

Investigator B was a little more descriptive:

Corruption ? You bet. Depends on what you like to call corruption. You mean like trying to tape other people's conversations and film them when they are not suspecting anything ? One case that I worked on just after I started here, I had to get all dressed up in a three-piece suit and go to this meeting. I had wires all over the place and I was shitting my pants. I was not even sure that I should have done that stuff. What if those guys found me out. Another case we did - I remember [...] who was ordered to try and drill through a

wall and spy on a couple of people who were staying in a hotel room. The only thing that prevented this from happening is that we did not have a cement drill to get through the wall. This was done many times before. Given the proper equipment, anything can and will be done to get more stuff for the client (14:00 23 04 1996).

Methods of obtaining information in the private investigative industry vary depending on the private investigator one talks to. Reports of illegal searches and the use of personal information for almost any purpose, passing it on or selling it to others, are still perceived to exist in today's private investigative company. It is important to note, however, that no such findings were uncovered by this researcher.

4.7. Behavioral Tendencies

There are behavioral components of attitudes that were discussed at the beginning of this section. These predispositions to act, or action tendencies, are inferred, primarily, from the ways in which the private investigator acts or says he is going to act. They are essentially developed by individuals in the process of becoming a private investigator. The private investigators that the researcher was exposed to in the process of conducting this research took pride in completing successful investigations and surveillance operations. When on the job, the private

investigator is confronted with many different situations in which he is expected to act. What he chooses to do is dictated by how he feels about the situation and by what other investigators expect him to do. New or different cases arise that seem quite difficult to the inexperienced private investigator. As individual development progresses, the complex cases become less and less difficult. Behaviors develop that work and are adapted to other similar problems. Certain behaviors are seen as valuable to the private investigator and are seen to be necessary for the successful completion of the job. Such behaviors are internalized, strongly influencing the way private investigators act. The private investigators in this research displayed several common tendencies and/or predispositions in the way they acted.

Observant: The private investigator is a very observant individual. This was key to being a successful private investigator especially when conducting surveillance cases. When the researcher first started working with the other private investigators he took a lot for granted in terms of the amount of detail that was required in case reports. All information encountered when working on a case, whether applicable to the case or not, was noted. Small details such as a good knowledge of streets and parallel roads were

useful information when conducting surveillance operations. It was not until near the end of his training that the researcher began to develop an improved sense of observation as to the location of "cover" and likely patterns of the subject that he was following.

Private investigators who were good at their job pointed out to the researcher different "tricks of the trade" when it came to not losing a subject. A lot of this information stemmed from ways to recognize the person that you were following. Small details such as the appearance of the taillights of a car, the location of the antenna, articles on the rear window, and the appearance of a car all helped in distinguishing between the right and wrong subject. Nothing was more frustrating in the job when a private investigator finds out that he was following the wrong vehicle for the past fifteen minutes (19:00 03 05 96).

Good powers of observation often helped the private investigator profile different bits of information and predict certain patterns that the subject may follow. One case in particular that the researcher was part of, involved following a subject who happened to frequent a popular fast food restaurant. One afternoon while on the case, for about ten minutes, we lost the subject. What was thought of as a joke at the time by the researcher turned out to be a useful

exercise. One of the investigators whom the researcher was working with carried a telephone book in his car with him at all times. The private investigator quickly stopped his vehicle and found the location of the closest fast food outlet. On a hunch investigators arrived and found the subject ordering dinner. Perhaps a lucky break or quick thinking on this private investigator's part. Regardless of what one may think, this act on the part of this particular private investigator allowed the surveillance team to quickly find their subject and continue into the evening with surveillance.

Secretive: As well as being observant, the private investigator has a very secretive disposition when it comes to outsiders. It took some time before the researcher gained the confidence of his fellow peers. Building a working relationship whereby one can be trusted with individual and company "secrets" took a lot longer than the researcher had anticipated. Nevertheless, over a period of time, the guys began to speak about problems within the company. Due to the small number of individuals employed by one particular company, it was impossible to mention names in such discussions. With this in mind, it took a little longer than anticipated for the researcher to become privy to such information.

Alone, the private investigators opened up to the researcher and freely discussed problems and concerns that they had with their jobs and working with one another. When in a group, such issues were not discussed. On the other hand, the sharing of details concerning cases under investigation within the company were shared on a frequent basis. In discussing the details of cases with other investigators it allowed private investigators to vent their frustrations and reservations about a difficult case. Inter-group politics were especially prevalent in one company in which the researcher was employed. Rather large amounts of stress and misunderstandings were commonplace in this one particular company. Secrecy was very strong.

Resourceful: In addition to the previous example provided by the researcher when talking about the observational powers of the private investigator it is also necessary to mention the resourcefulness of the private investigator. It is important for a good private investigator to be resourceful when conducting investigations. Good knowledge of the area and places in which to find information helps.

Previous sections have outlined some of the main influences within the occupational framework of a private investigator that bring out certain ways that the individual

looks at and deals with the world. The researcher has tried to advance a composite picture of what a private investigator looks like through his or her attitudes and actions as the result of working with each other on a variety of cases. A strong indication exists as to the nature of a shared identity between private investigators. Not all people, including private investigators are alike; nevertheless when individuals share the same experiences in a job over time, they will share what we may call an *occupational identity*. It has been the researcher's experience that the private investigators he worked with shared similar attitudes and opinions on job-related issues. While the private investigators were on the job a constant re-socialization process was taking place. This re-socialization affected the private investigator's work along with both his private and social life.

4.8. ***Summary***

This chapter has presented certain regular behaviour tendencies that develop as an individual begins to internalize and adapt to the demands of the role of private investigator. Generally speaking, private investigators share similar conservative attitudes about various aspects of the job in which they are heavily involved. They

strongly detested people who defraud the insurance industry. In terms of management of the firm, opinions varied according to experience. The older members were comfortable with the way the firm was run. Younger members were impatient and were quick to criticize.

Over time, as a result of experience, private investigators develop certain behavioral tendencies that serve them while they are on the job. They become acutely observant and cynical. They are ever suspicious and skeptical of everyone and everything.

When conducting his field research, the researcher increasingly began to think of himself as a private investigator and eventually came to think and act like one. The researcher began to internalize different aspects of the occupation. He would feel frustration when other members of the occupation felt frustrated. He would sometimes defend the occupation of private investigator when it came up in discussions outside of work.

Over a period of time, very few individuals indeed would be able to counteract the effects of this socialization; much less deny its existence. Within the different spheres of life (work, sleep, and play), the important factor which allows for such socialization is the interaction between the group members. The activities of

the private investigators occurred predominately in response to one another or in relation to one another. The typical sociological approach ascribes behaviour to such factors as status position, cultural prescriptions, norms, values, sanctions, role demands, and social system requirements. These explanations, while valid, often do not pay attention to the social interaction that they presuppose. Factors such as motives, attitudes, hidden complexes, elements of psychological organization, and psychological processes are used to account for behaviour without any need of considering social interaction. For the purposes of this research on the private investigative industry, social interaction is recognized as being important in its own right. Blumer (1969) sees the importance of social interaction, in general, lying in the fact that this social interaction is a process that forms human conduct instead of being merely a means for the setting or release of human conduct.

The following chapter will describe and explain the "occupational identity" of the private investigator which develops as a result of the socialization process into the private investigative occupational role.

5. Occupational Identity: Conclusions

The objective of this thesis is to provide the reader with both a descriptive and interpretive representation of the private investigative industry as it exists in Canada today. The researcher has investigated the process by which the private investigator is socialized into the occupation through the identification of formative pressures that characterize the private investigator's occupational environment. This research has identified some of these formative pressures, such as the early initiation process (training), the reality of the job, the constant pressures from other investigators, demands of the management, and the danger, the stress, and the boredom associated with the job. Such formative pressures come together to form "encompassing tendencies" which is something like a "private investigative world" for those who belong. This chapter will highlight how private investigators develop occupational identities and in turn, over a period of time, then come to identify themselves with that occupation. The researcher will explore this occupational identity by referencing other investigators and the researcher's own socialization process into the private investigative industry. This chapter will also discuss the occupation's encompassing tendencies which

enable such socialization. In conclusion, the chapter will discuss the researcher's termination of his newly gained identity and recommend areas for further research, respectively.

5.1. The Private Investigator: Identity Based On Occupation

The concept of *occupational identity* is not new. The concept may be defined as "a set of collective representations or a set of social attitudes" (Vincent, 1990: page 165). This set of representations or attitudes can be characterized through the following considerations:

- 1) Intensity of involvement
 - 2) Degrees of occupational isolation
 - 3) In-group defensiveness, including job-related humor
 - 4) Surface harshness, cynicism
 - 5) Degrees of social distance; e.g., doctor-patient relationships
 - 6) A focus on the troubled individual: physically, mentally, or morally
 - 7) An "on-call" basis to their occupations, influenced by social expectations
- (Vincent, 1990: page 166 - 167).

Vincent (1990) talks about police officers in the context of his research and how such service-orientated professions, such as police work, to a certain degree, share a lot of the same characteristics. In terms of Goffman's work on total institutions, the characteristics of such have already been

sketched in earlier chapters. The main identifiable feature of a total institution is described by Goffman as a breakdown of the barriers ordinarily separating the following spheres of life: sleep, play, and work. Keeping this in mind, the key element in the occupational socialization of the researcher and other private investigators was the re-socialization that took place on the job which in turn affected the individual's work as well as extending into all spheres of life.

The concept of an occupational identity for a private investigator aims to encompass not only his working environment, but a large percentage of his personal and social world as possible. The private investigator's set of attitudes resembles the identity with the occupation itself. Because of the nature of work involved in the private investigative industry, the intensity of the development and maintenance of this identity is much greater than in other occupations.

When analyzing any occupation, it is possible to view such in terms of how much an individual devotes to the particular occupation. The *intensity of involvement* describes the extent to which an individual in any occupation plays a role in terms of the stake one has in performing a particular task. The private investigators

with which the researcher worked were heavily involved in the job. High demands were placed upon them to perform and they had to take what they were doing seriously and devote a lot of effort to the job. For example, one private investigator even went so far as to follow a subject after normal working hours without pay. On the one hand this particular investigator showed dedication; on the other, he showed the inability to leave the job at the end of a long day. The researcher worked on his automobile when he had time off to better equip it for surveillance. One other private investigator purchased a piece of equipment to be used on the job almost every pay period.

In terms of the *degree of occupational isolation*, the private investigative industry is very similar to that of the police, long shifts spent away from home with very little contact with people other than fellow partners. The nature of the job was unpredictable in terms of being able to plan social events in time off.

The private investigators with which this researcher worked were very close when it came to working on a case together. Although individual investigators were assigned files of their own, the case usually ended up with two or more investigators working together in order to "finish up" the case before the report was filed.

In-group defensiveness existed when discussions surrounding the practices of the competition, other security officers, or the police came up. Private investigators were quick to criticize most shortcomings of anyone outside their profession. Through their own unique job-related terminology, the private investigators under study were able to communicate in almost a language of their own. Their own version of "shop talk" allowed the group to discuss work without being totally understood by an outsider, or an individual who was not familiar with what private investigators did. Both job-related humor and the use of "shop talk" serve to illustrate a sense of group solidarity among the group of investigators in which the researcher worked with.

Due to the nature of the job, the private investigator is removed from other members of society. *Social distance* is a key factor in the development of an identity. The fact that individuals are "distant" from different possibilities of social interaction provides for their isolation into one group for an extended period of time. The development of this occupational or group identity is primarily completed within the occupation itself. Although the researcher did not become a long-term member of this group, at the time, there was a huge amount of pressure to associate with and

keep within the occupational group. The more limited non-occupational contacts become, the stronger the impact of the occupation on an individual's outlook. The wider circle of friends and acquaintances an individual has, the better off he will be in the long run when it comes to being affected by his occupation. Fellow private investigators had few immediate contacts that were not related to their occupation, at least not many were mentioned to the researcher.

The *"on-call" basis to their occupation* had a lot to do with the facilitation of the development of an occupational identity (such as isolation, in-group defensiveness, social distance, etc.) in terms of keeping the group of private investigators together. This close association with one another that came out of job requirements is characterized by individuals acting toward one another and thus engaging in social interaction. The interaction that took place while on the job served as the basis for influencing both the new and more experienced private investigator.

The development of an occupational identity of private investigators follows the same pattern as those of other service-orientated professions. Goffman refers to an individual's "ego identity, which is the individual's subjective sense of his own situation and of his own

continuity and character, which the individual comes to obtain as a result of social experiences" over a period of time (1966: pages 105 - 106). Goffman is referring to what an individual perceives himself to be like. When an individual becomes a member of a subculture, he is gradually socialized into that subculture. One stops thinking of himself as John Doe and begins to identify more and more with other members at work. An identity is developed through the internalization of an occupational subculture through daily interaction and events with other individuals. The development of the private investigative occupational group takes place primarily on the job in an informal manner. A similarity in the types of situations, experiences, and problems shared come to socialize the private investigator along common lines. Time is a very important factor in the whole process because the influence on the private investigator from his experience is cumulative and effects him in ways he does not realize. The researcher will now highlight the encompassing tendencies of the private investigative occupation found in this study in terms of Goffman's (1961) work on total institutions.

5.2. The Occupation's Encompassing Tendencies

Goffman (1961) talks about "encompassing tendencies" in terms of being the total character of an institution which is symbolized by some sort of barrier to social intercourse with the outside. The researcher has not gone so far as to call the occupation under study something of a total institution; however he argues that the private investigative industry may be considered in a similar perspective, providing a useful framework in which to discuss the characteristics of the private investigative industry and a concrete starting point for a discussion of the general characteristics of the industry and the individuals that contribute to its maintenance.

Goffman (1959) sees a social establishment as being any place surrounded by fixed barriers to perception in which a particular kind of activity takes place. Within such walls of a social establishment, Goffman sees "a team of performers who cooperate to present an audience a given definition of the situation" (1959: page 238). Goffman talks about "defining the situation" through impression management by the establishment which involves the conception of "own team" and of "audience" and assumptions concerning the ethos that is to be maintained by rules.

Access by outsiders is controlled in order to prevent the audience from seeing backstage and to prevent outsiders from coming into a performance that is not addressed to them (Goffman, 1959). In controlling this "access" Goffman notes that familiarity develops among members of the team, solidarity develops, and "secrets" that could give the show away are shared and kept. Goffman (1959) sees this process through

a tactic agreement maintained between performers and audience to act as if a given degree of opposition and of accord existed between them. Typically, but not always, agreement is stressed and opposition is underplayed. The resulting working consensus tends to be contradicted by the attitude toward the audience which the performers express in the absence of the audience and by carefully controlled communication out of character conveyed by the performers while the audience is present. We find that discrepant roles develop: some of the individuals who are apparently teammates, or audience, or outsiders acquire information about the performance relations to the team which are not apparent and which complicate the problem of putting on a show. Sometimes disruptions occur through unmeant gestures, faux pas, and scenes, thus discrediting or contradicting the definition of the situation that is being maintained. The mythology of the team will draw on these disruptive events. We find that performers, audience, and outsiders all utilize techniques for saving the show, whether by avoiding likely disruptions or by correcting for unavoided ones, or by making it possible for others to do so. To ensure that these techniques will be employed, the team will tend to select members who are loyal, disciplined, and circumspect, and to select an audience that is tactful (Goffman, 1959: pages 238 - 239).

Such features and elements combine what Goffman claims to be the characteristic of social interaction as it occurs in natural settings in Anglo-American society. Goffman (1959) claims that his framework can be applied to any social establishment, bearing upon dynamic issues created by the motivation to sustain a definition of the situation that has been projected before others. Goffman (1959) defines a social establishment as any place surrounded by fixed barriers to perception in which a particular kind of activity regularly takes place.

This thesis has been chiefly concerned with the "social establishment" of the private investigative occupation as a relatively closed system. Goffman (1959) argues that any establishment may be viewed in terms of four perspectives. The members of social establishment, be it the private investigative firms under study, can be viewed in terms of Goffman's four perspectives: technically⁴³ (in terms of efficiency and inefficiency), politically⁴⁴ (in terms of the

⁴³ In terms of its performance as an intentionally organized system of activity for the achievement of predefined objectives.

⁴⁴ In terms of how the actions of each participant can demand from other participants, the kinds of deprivations and indulgences which can be meted out in order to enforce these demands, and the kinds of social controls which guide the this exercise of command and use of sanctions.

actions of each participant), structurally⁴⁵ (in terms of horizontal and vertical status divisions), and culturally⁴⁶ (in terms of the moral values evident through attitudes which in turn influence activity in the establishment).

The facts that have been discovered about the firms under study are relevant to each of the four perspectives. Goffman (1959) sees a fifth perspective, the dramaturgical approach, which may be added to the technical, political, structural, and cultural perspectives. This perspective can be employed as the end point of analysis. Such a perspective would allow one to describe techniques of impression management employed in a given establishment, the problems of such impression management in the establishment, and the identity and interrelationships of the performance teams which operate in the establishment.

The technical and dramaturgical perspectives intersect in regard to the standards of work. One set of individuals will be concerned with testing the characteristics and qualities of the work-accomplishments of another set of individuals, and this other set will be concerned with giving the impression that their work embodies these hidden

⁴⁵ In terms of the kinds of social relations which relate these several groupings to one another.

⁴⁶ In terms of values pertaining to fashions, customs, and matters of taste, to politeness and decorum, to ultimate ends and normative restrictions on means, etc.

attributes. Approaching the study from this perspective was very important in allowing the researcher to understand the different attitudes and behaviors of the junior and senior private investigators in terms of their different attitudes and expectations of the work.

The political and dramaturgical perspectives intersect in regard to the capacities of one individual to direct the activity of another. Goffman (1959) claims that if an individual is to direct others, he will often find it useful to keep strategic secrets from them. Power is a means of communication as well as a means of action. In trying to direct the activity of others, it was the responsibility of the manager "by means of example, enlightenment, persuasion, exchange, manipulation authority, threat, punishment, or coercion, it will be necessary, regardless of his power position, to convey effectively what he wants done, what he is prepared to do to get it done and what he will do if it is not done" (Goffman, 1959: page 241). In adopting this perspective, the researcher was able to better understand the actions of managers and other private investigators. Strategies used by managers to ensure the day-to-day operation of the firms focused on the use of keeping strategic secrets from all investigators. Secrecy was a key

source of power for one manager, allowing him to keep his staff dependent upon the each other and the manager.

The structural and dramaturgical perspectives intersect in regard to social distance. Goffman (1959) claims that the image that one status grouping is able to maintain in the eyes of an audience of other status groupings depends on the performers' capacity to restrict communicative contact with the audience. In the case of this research, there was a great deal of social distance with members of other firms and the public. Most aspects of the job were not openly advertised and when they were, misconceptions were rarely corrected. By viewing the firms from the perspective of social distance, the researcher was able to better understand the actions of the other private investigators. Social distance from other occupations and individuals in society resulted due to the nature of the job. However, the private investigators went to significant trouble to ensure that the "real" aspect of their jobs were not revealed. Misconceptions went uncorrected and more than often such misconceptions of the private investigator were fed by private investigators themselves.

The cultural and dramaturgical perspectives intersect in regard to the maintenance of moral standards. Goffman (1959) claims that the cultural values of an establishment

will determine in detail how the participants are to feel about many matters and at the same time establish a framework of appearances that must be maintained, whether or not there is a feeling behind the appearances. One firm under study approached every surveillance case as if the individual under surveillance would "slip up" sooner or later. When private investigators were assigned a particular case, it was understood that someone was doing something wrong and it was up to us to find it. A high level of competition between private investigative firms is responsible for setting the tone, if you will, for the investigations of most cases.

The occupation of the private investigator captures something of the time and interest of members and provides something of a world for them; in brief; the occupation has its own unique encompassing tendencies that come to play on the socialization of its members. It has been the purpose of this thesis to identify and describe the character of the occupation through participant observation.

6. Conclusion

This chapter will deal with the researcher's attempt to terminate research on this project and return to his own "occupational identity." Time spent in any occupation is a very important factor in the whole process of socialization and adaptation. The longer period of time one remains in a particular occupation, the less the individual realizes the influence of the job on himself. The experiences are cumulative and affects the individual, the private investigator in this case, in ways he does not realize. In the paragraphs below, the researcher will outline a section of his daily log which prompted the termination of his research. The case involved a high profile insurance claim that if granted would award the claimant a substantial income for many years to come. The client assured the agency that time or expenses were not an issue. The subject had to go to another city to see a specialist regarding her alleged injury:

The researcher managed to wake up for what was going to be a long two days ahead. After dropping the car off at my apartment the night before, Investigator A left instructions for the researcher to meet him at his place at 05:30 in the morning. The drive took about 40 min. When the researcher arrived, the "JoBoy" - soon to be discovered as useless was waiting for me. We left

after loading the van. It was a dark color with dark tinted windows. The tires and brakes had just been repaired the night before. However someone failed to get gas so we ended up screwing around on the way to Toronto. Between cigarettes on the way down he bullshitted about his driving ability and told me his "life story." I was glad to take over driving about half way there.

We (the researcher, Investigator C, Investigator D, and the JoBoy) arrived in around lunch time and grabbed a bite in the food court of the mall. Investigator D and the JoBoy passed the time checking out the women while we ate. After that we piled into a van and drove around checking out the airport, the doctor's office, and the hotel where she would be staying. We had this completed about one hour before the subject was due to arrive. We all waited at the airport while Investigators C and D tested the wireless communications - which were unnecessary and did not work very well when we needed them. Parking was about \$8.00 per hour. Investigator D phoned the office to confirm if the subject(s) got on the plane - they did. Investigator C was elected to go inside the airport to get video of the subject - the description that we were given was totally inaccurate.

Investigator C missed the subjects all together - they ended up coming out at the opposite end of the airport because they each had a carry-on - no bags were checked. Communications did not work well. Investigator C and the researcher ended up following the subject back to the hotel - after running a red light and driving over 145 km/h for about 10 min, we managed to get video of the subject getting out of the car and checking in the hotel. We checked in separately and made sure that we were not seen together. Investigator A had been burned at the airport waiting for the subject - his name was called over the p.a. system - telling him to get on the flight - the subjects waited to the last minute.

It is here where the long day had just begun - Investigator A started giving orders - not sure of what everyone was doing. Investigator C and the

researcher were still trying to recover from the drive to the hotel. I ended up waiting in the lobby for about a couple of hours, making sure that they did not leave their rooms. Investigator A had booked a room next to the subject and Investigator C had booked a room on the 4th floor overlooking the pool and dining area. They did this so they could get video if the subject decided to go eat or swim. They came down shortly after (the subject and her niece) and went into the dining room to eat dinner. The researcher phoned upstairs and told Investigator C that they were down in the lobby. Investigator A taped them eating dinner. They returned to their room for about two hours.

Investigator C and the researcher went to dinner shortly after and soon noticed the subject sitting by the pool watching her niece swim. The subject looked like hell and had a bad limp. Investigator A recorded her from the room and Investigator D taped her from outside in the parking lot while sitting in his van. Investigator C and the researcher finished dinner and went upstairs.

The room was a mess with wires, monitors, and cameras over the bed. Investigator D had attempted to set up a video camera in the subject's room but was unsuccessful. He tried to remove vents and electrical plugs - he was unsuccessful because the building was too new - the rooms were separated by brick walls. The researcher was supposed to wait to hear a door close and then notify Investigator C that they were on their way down stairs.

I ended up asking myself "what the hell am I doing?" I left the room and called home to see if everything was ok. In the meantime, the JoBoy had made a trip up to the room and told me to put the radio on charge - I felt like slapping the shit out of him. I am sure that Investigator A sent him up to see if I was there. When he found out that I had left - he told me that I should not have done that - I told him I knew and that I felt like going for a walk. The subjects' lights went out around 23:00 that night. I went to bed

shortly after, not being impressed about what happened today.

The beginning of another long day. I started out sitting in the lobby talking to Investigator D about the job and other things. Investigator D told me that he decided to work with the company for a little while and see how things went. Investigator D seemed unsure about how much work he was going to get. We talked about surveillance and what we expected from the job. The subject did not move at all until her appointment.

I had the opportunity to talk a lot with Investigator C on a more personal level today. This conversation made this trip well worth it. Throughout our conversation - for about three hours I found out that Investigator A was

Shortly after this case was completed, the researcher determined that it was necessary to terminate all sociological observations on this particular subject company. Despite the warning from Denzin (1970), the researcher had began to encounter a shift in his perspective from a researcher to one of a private investigator; the very subjects whom he was studying.

The researcher began this study with the claim that participant observation, broadly defined, is a method well suited to the analysis of complex forms of interaction. The researcher was not bound in his field work by pre-judgments about the nature of his problem, by rigid data-gathering devices, or by hypothesis. However, it is important that several questions surrounding participant observation and the problems of validity be revisited.

Ideally, the use of analytic induction frees the participant from the question of external validity.⁴⁷ In practice this issue has been one of the most frequent criticisms of the method. Critics argue that the analysis of one case, or a series of cases, is not sufficient for generalization because of the bias inherent in the cases chosen. It is necessary for the participant observer to demonstrate the cases he studies are representative of the class units to which generalizations are made (Denzin, 1970). In the course of this research the researcher had to know the social and personal characteristics of his subjects and be sensitive to any biasing features in which they possessed. Most likely, the researcher's investigations have revealed characteristics of private investigators that may not be universally shared.

Internal validity, on the other hand, has sensitized the researcher to the biasing and distorting effects of the following intrinsic factors: historical factors, subject

⁴⁷ In participant observation, the experimental model is again approximated through the use of analytic induction from multivariate analysis, which is a strategy of analysis that directs the researcher to formulate generalizations that apply to all instances of a problem with which he is concerned. This differentiates analytic induction from multivariate analysis, for in the latter, concern is directed not to generalizations that apply to all instances of the phenomenon at hand, but rather to most or some of them.

maturation, subject bias, reactive effects of the observer, changes in the observer, and different aspects of the situations in which observations were conducted. Each of these factors is present in any participant observation investigation. To guard against a corruption of internal validity, the researcher devoted a large portion of his early field observations to the nature of his investigative situations. Recorded observations were placed in context and recorded in terms of whether there was a group or respondents or a lone respondent. It was noted on several occasions that when subjects were alone with the researcher they said things that were counter to group opinion.

Observer changes were noted earlier when the researcher suggested that many participant observers go "native" if they are in the field for a long period of time. It is central to the method of participant observation that changes will occur in the observer. It is also important to record such changes that take place when one is acting in a participant observer role. In addition to recording notable changes, the researcher also recorded changes that were noticed by the researcher's close friends. Failing to record such changes would have caused the researcher to lose all objectivity gained by sharing in the events of those under study. It was this aspect of the method which the

researcher found the most difficult to deal with. To be insensitive to shifts in one's attitudes opens the way for placing naïve interpretations on the complex set of events under study.

After several months of participant observation, the researcher was able to form theoretical propositions and come to realize more specifically what he was looking for. The focus centered on the sharing of a common outlook held by all of the private investigators interviewed. It is important to stress that one must be cautious when one attempts to move beyond the data gathered in the field and make additional generalizations. The data indicate that there is a shared occupational identity that develops over time as private investigators are socialized into the role. The researcher also believes that data indicate that this shared outlook is developed primarily on the job. This occupational identity involves both attitudes and strong behavioral tendencies that help the private investigator do his job.

There are also indications from the data that the behavioral tendencies, while helpful on the job, tend to negatively affect the family or social life of the private investigator. More research would have to be undertaken in this area in order to make a sound conclusion. Further

studies of other private investigative and security firms using accurate statistical data combined with other qualitative data might enable broader generalizations to be made.

6.1. Toward a new Framework for Analysis

Private guards and private investigators assume an even larger share of the police function in the 1990s. It is ever more important to consider both the quality of their services and their impact on society as a whole. Private security agencies are employed to primarily deter or prevent crime. However, there is no practical way to measure their job performance or their effect on crime. It has been argued that the growth in private guards and investigators is attributed to the individual's sense of insecurity. At what point does such surveillance by uniformed guards and video-toting private investigators become enough? Even though these multiplying services may discourage some types of crime (to what degree is questionable), such services cannot relieve the social and economic forces which generate the criminal behavior in the first place. Such services cannot provide a lasting solution to the problem of crime.

A major policy issue which has arisen in connection with this research and others is that of the accountability

of the private security industry to the public. Of course, the argument made by members of the industry follows the line that the industry is essentially private and therefore does not give rise to substantial concerns related to the public interest. Assuming that private security must be subject to some public accountability, the policy question which arises relates to the adequacy of existing mechanisms of accountability. Adjustments in general laws may be more effective in achieving accountability than further attempts at direct governmental regulation. Greater criminal and civil accountability for private investigators would provide citizens with adequate tools for recourse should it be required.

The growth of the private investigative industry requires us to address some new issues and to re-address old issues in new ways. The researcher will now suggest two areas in which there is a need for further analysis.

The first area concerns the concepts of policing and social control. Some attention has been drawn to the problematic relationship between the concepts of "police" and "policing" at the beginning of this thesis. One common solution to the problem is to invoke the catch-all concept of "social control." Unfortunately, such a concept explains everything and therefore nothing. It also precludes

understanding of specific forms of social control, since essentialism is incompatible with specificity. The concept is so ingrained into sociological discourse, nothing will shift it. Shearing and Stenning (1987) and Johnston (1992) suggest that the concepts of public and private be analyzed in terms of how they are deployed strategically in political discourse and struggle.

The second area extends from the first and concerns the public-private dichotomy. Johnston (1992) argues that the conventional notions of the public-private divide are less and less convincing and it is becoming more and more difficult to modify the traditional models, in order to make them conform with existing realities. He also argues that such spheres should not be seen as distinct "places" with inherent characteristics, but rather as strategic arenas where political conflict takes place (1992). Private policing today is organized as a corporate undertaking; its major customers are large organizations who invest in "policing" for many reasons in addition to those for guaranteeing profits and securing growth. Perhaps future analysis should move more toward understanding the use of private security in terms of satisfying conflicts between different "needs" and "rights" of its clients and citizens.

7. Glossary of Terms

burn(ed) - to get caught, to get one's cover "blown"

local - police officer or patrol car

Moscow - red light at an intersection

bouncing chicken - yellow light at an intersection

slab (the) - highway 417 that runs through Ottawa

fox - the individual or individuals that are under surveillance

hands clapping - a signal given to other surveillance units when light is about to turn red

JAFI - acronym for "Just Another Fucking Idiot" - used for recruits into the industry.

kelly - green light

tos - temporarily out of sight; used in reference to the fox

towers of power - hydro poles

subject - the target, the individual that one is investigating

comms - abbreviation for communications

cowboy - one who takes things into his own hands, stands out, takes risks

8. Appendicies

Appendix A: Previous Sociological Research

Previous sociological research concerning the private investigator, while illustrative, has buried the private investigator under a compilation of material gathered on the private security industry as a whole, which includes private security guards, armored-car personnel, department store "detectives," floor-walkers, and campus police personnel. There are presently more private security employees than police officers in Canada. In 1991, private security employees outnumbered police by slightly more than two to one (Statistics Canada, 1994). Figure A.1 and Figure A.2 illustrate the growth of the private security industry over three decades: 1971, 1981, and 1991.

Since this study focuses on private investigators, the author has attempted to weed through the existing literature and focus primarily on that which is useful to the task at hand while trying not to confuse other areas of the "private policing" sector. While there is some degree of overlap between private investigators and other (all of those not including private investigators) "private" police or security occupations, it will be left up to the individual reader to draw his or her own conclusions about the industry as a whole.

Because of the implicit state-private comparison that occupies the larger number of research undertaken on the private security industry, many have tended to view them as all of a kind. To the extent that different occupations have been explored, differences have tended to focus only on the range of investigatory services that are offered by different firms.

Figure A.1: Number of Police Personnel, Private Investigators, and Private Guards in Canada, 1971, 1981, and 1991.

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

1 The number of sworn police officers and civilian employees reported to the Police Administration Survey.

2 The number of persons reporting employment on the Census survey based on a 20% sample.

3 The number of non-police personnel reported on the Police Administration Survey.

Figure A.2: Licensed Private Investigators and Private Guards, Ontario, 1967-1974 and 1991-1995

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994 and Shearing, Clifford D. and Philip C. Stenning in Private Security And Private Justice: The Challenge Of The 80s, 1982.

Appendix B: Employees

In comparing persons who are employed as private investigators, private guards, and police officers, Figure B.1 illustrates that the private investigative and private guard industry employs a greater number of females than males when compared to females.

Figure B.1: Persons Employed As Private Investigators, Private Guards and Police Officers By Sex, Canada, 1991.

source: Juristat Service Bullitin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

Appendix C: Salary

The private security industry in general has been highly criticized for the caliber of its employees (Shearing and Stenning, 1982). Low wages, minimal recruitment standards, inadequate training, a high percentage of part-time positions, and a high turn-over rate are among a few areas of criticism. The 1991 Census reveals that the average annual total income for full-time employees was about \$33 530 for private investigators and \$21 263 for private security guards (see Figure C.1). Census data also show that 14% of investigators and 26% of guards worked part-time during 1990.

Figure C.1: Total Income Earned by Public Police, Private Investigators and Private Guards, Canada and the Provinces, 1991.

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

From the national averages for the occupational groups in Figure C.2, it is obvious that the public police earn over 40% more than the private investigators and 123% more than the average salary of the security guards. Private investigators, on average, earn almost 60% more than security guards.

**Figure C.2: Average Total Income Earned by Public Police,
Private Investigators and Private Guards,
Canada, 1991.**

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

Appendix D: Education

Information from the 1991 Census indicates that a large portion of private investigators (19%) and guards (34%) did not graduate from high school (see Figure D.1). Compared to private security employees, fewer police (10%) did not graduate from high school. Almost 60% of police had some university or other post-secondary education while 16% had graduated with their high school diploma (see Figure D.1). Ten percent of police officers had earned a university degree. Ten percent of police officers had earned a university degree.

Figure D.1: Level of Education of Private Investigators / Guards and Police Officers, Canada, 1991.

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

Private investigators usually have specialized backgrounds, including experience in public police work, while private guards often have little specialized training. An extensive study in 1977 by Kakalik and Wildhorn concluded that current training [at that time] was generally inadequate and that many of the smaller forces provided no training except that which is received from fellow workers on the job. Kakalik

and Wildhorn (1977) found general descriptions of six current investigator training programs:

Company 1: This large, nationwide contract guard and investigative firm has essentially no formal investigator training program. Its executives indicated that an extensive training program was unnecessary, since they hire only experienced investigators. This firm has a policy against hiring private investigators from its competitors because they are "not trained."

Company 2: Another large, nationwide contract guard and investigative firm has a training program of "varying" length, reportedly based on detailed, written training material (which was unavailable to us). The amount of training given depended to a large degree on the previous experience of the new employee. (Executives of the firm claimed that many other investigative agencies, even those that do not hire experienced investigators, give new employees essentially no training).

Company 3: This medium-sized guard and investigative firm hires most of its investigators on an hourly basis from a reserve manpower pool. A new investigator meets with the supervisor for an hour or two, reads an extensive investigator's manual, is questioned on the material, and then receives his assignment.

Company 4: The in-house investigators for this major United States bank almost always have had previous experience with the public police. They receive less than four hours of initial training by a superior but receive a very extensive manual on the bank's investigative policy and procedures. They carry firearms and practice at a firing range semiannually.

Company 5: The detectives for this major retail department-store chain are all former policemen or police-science students. They receive less than one day of initial training and then receive on-the-job training by rotating through jobs in all phases of retail store operation over a period of approximately four months. On the

other hand, undercover investigators are hired from Company 3 (above) and receive no further training.

Company 6: This large national hotel chain does not set standards for detective-training programs at corporate headquarters level. Rather, each hotel does its own training. For example, in one of their hotels, the men (almost all experienced police officers) talk with the hotel's security director for a few hours, read a brief manual, and work with a fellow investigator for a few days before working alone (Kakalik and Wildhorn, 1977: pages 135-136).

As indicated for their research, the range of previous experience of new private investigators runs from none, in many cases, to several decades of experience with high quality investigative forces. Generally speaking, a reasonable percentage of private investigators usually have some police or other enforcement experience. However, since the legal powers and authority of public police are substantially different, even the most experienced investigators may need refresher training on the limitations in which they may operate under as citizens. Inexperienced private investigators are certainly in need of training about their legal powers. New private investigators with police experience may also require training in matters in which they are unfamiliar - such as updates to the legislation, etc.

Appendix E: Clients

Figure E.1 shows the percentage distribution of private security employees, by the industry for which they work. Government is one of the largest employers of both guards and investigators. Slightly more than 30% of investigators and over 25% of all private guards work for government.

Figure E.1: Private Security Personnel By Industry Sector, Canada, 1991.

source: Juristat Service Bulletin, Canadian Centre for Justice Statistics, Statistics Canada, March 1994.

Appendix F: Application

Glen E. Ehler
[*current address*]
Ontario

23 January 1996

[*investigative company*]
Ontario

Dear Madam or Sir:

I am writing to you in order that I may convey my interest in working with [*name of investigative company*] as an investigator. I have recently completed a term followed by a contract with Environment Canada's Investigative Section in Nova Scotia. Throughout the course of this job I have actively been involved in several investigations and would like to continue to work in investigations with your organization on a part-time or full-time basis.

A review of my curriculum vitae will provide you with a reasonable understanding of the significant, practical experience which I have accumulated in both the public and private sectors. Permit me to highlight the items most relevant to a position with [*name of investigative company*]:

☐ **Formal training:** investigative (surveillance, research), military and security courses.

☐ **Formal education:** B.A. and M.A. in Criminology (currently completing M.A. thesis). Knowledge of criminology as it relates to deterrence, profitability of crime, intelligence analysis, identification of deceitful behaviour, and effective communication.

☐ **Practical experience:** 5 month term followed by 3 month contract in an investigations section, security officer in a variety of settings, and work in a loss prevention unit for several terms.

□ **Investigative Work Tools:** computer software: WordPerfect, Media Capture, ABC FlowCharter, Enforcement Activity Tracking, Microsoft Word, Excel, FoxPro, and Windows 95. equipment: camera, video camera, tape recorder, radar, tracking devices, navigation tools, field communications equipment, and personal protection equipment.

My references, available upon request, will be pleased to attest to my readiness to contribute as a highly productive and valuable resource. Thank you for considering my application. I would be delighted to speak or meet with you, to provide any additional information you might require. I may be reached at [telephone number].

Respectfully,

Glen E. Ehler

Enclosure

Appendix G: Private Investigative Companies

Garda Security Group Inc.
260 St. Patrick Street
Ottawa, Ontario K1N 5K5

Lencan Investigation Services Inc.
725 Churchill Avenue North
Ottawa, Ontario K1Z 5G9

Secret Search Investigation Services
700 Hunt Club Road
Ottawa, Ontario K1V 1C3

Response Safety Security & Investigation
2720 Queensview Drive
Ottawa, Ontario K2B 1A5

CCG Security Inc.
2625 Sheffield Road
Ottawa, Ontario K1B 1A8

Burns International Security Services Ltd.
Suite 702
880 Wellington
Ottawa, Ontario K1R 6K7

Capital Security
108-1007 Merivale Road
Ottawa, Ontario K1Z 6A6

Failure Analysis Investigation & Research
Unit 12
5480 Canotek Road
Gloucester, Ontario K1J 9H6

King-Reed & Associates (Ottawa)
57 Auriga Drive
Nepean, Ontario K2E 8B2

Loss Prevention International
1 Crofton Road
Nepean, Ontario K2G 0N1

Mitchell Perrault
Suite 506
1900 City Park Drive
Gloucester, Ontario K1J 1A3

North American Security Services
Level 1 underground
45 O'Connor Street
Ottawa, Ontario K1P 1A4

Pinkerton's Of Canada Limited
Suite 606
1400 Blair Place
Gloucester, Ontario K1J 9B8

Probex Investigations Inc.
5858 Rideau Valley Drive North
Manotick, Ontario K4M 1B3

Security Manager
Rideau Centre
50 Rideau Street
Ottawa, Ontario K1N 9J7

Cambrian Alliance Protection Services Inc.
201-1770 Woodward Drive
Ottawa, Ontario K2C 0P8

Baker Street Investigations Inc.
Box 80023
97 Norman
Ottawa, Ontario K1S 5N6

Belanger & Associates Investigations
13A-1420 Youville Drive
Orleans, Ontario K1C 7B3

Infraguard Security & Investigation
1040 BdStJoseph
Hull, Quebec J8Z 1T3

Introspec Investigation Incorporated
2295 Dunwin Drive, Unit 2
Missasaga, Ontario L5L 3S4

Keyfacts Canada Inc.
1427 Ogilvie Road
Gloucester, Ontario K1J 8M7

Russ Taylor Private Investigation
2580 Pierrette Drive
Cumberland, Ontario K4C 1B6

Skyway Investigation Service
RR 2 Arnprior
Ontario, K7S 3G8

Triangle Investigation Agency
Suite 605
11 Holland Avenue
Ottawa, Ontario K1Y 4S1

Triton Protection & Investigation Services Inc.
6 Gurdwara Road
Nepean, Ontario K2E 8A3

Equifax Canada Inc.
Suite 204
716 Gordon Baker Road
North York, Ontario M2H 3B4

Rylin Investigations & Consulting retail Specialists Inc.
Suite 203
1950 Merivale Road
Nepean, Ontario K2G 5T5

Paulin Investigations Incorporated
686 Morin Street
Ottawa, Ontario K1K 3G9

CDA Security Management
P.O. Box 8412
Ottawa, Ontario K1G 3H8

Dealco Security & Investigations Limited
Attention: Mr. Gervais
Suite 107
1827 Woodward Drive
Ottawa, Ontario K2C 0P7

Bradson Security Services
Suite 103
240 Catherine Street
Ottawa, Ontario K2P 2G8

Chartrand Laframboise & Associates
(GCL Security Consultants)
Suite 609
880 Wellington
Ottawa, Ontario K1R 6K7

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