



**WILTON SIMPSON
COMMISSIONER**

Florida Department of Agriculture and Consumer Services
Division of Licensing
PRIVATE INVESTIGATOR INTERN TRAINING CURRICULUM GUIDE

Chapter 493, Florida Statutes
Rule 5N-1.140, Florida Administrative Code
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Forty hours of training as required by Section 493.6203 (6)(b), Florida Statutes. Subjects to be taught and the corresponding number of hours are outlined below.

- A. Chapter 493, Florida Statutes and Chapter 5N-1, Florida Administrative Code 2 hours
- 1) Legislative intent, s. 493.6100
 - 2) Definitions, s. 493.6101(1), (2), (3), (7), (8), (9), (11), (12), (13), (14), (15), (16), (17), (23)
 - 3) Inapplicability, s. 493.6102(1), (2), (3), (5), (6), (7), (8), (9), (11), (14)
 - 4) Initial application for license, s. 493.6105
 - 5) License requirements, s. 493.6106 and s. 493.6203
 - 6) Investigation of applicants by Department of Agriculture and Consumer Services, s. 493.6108
 - 7) License; contents; identification card, s. 493.6111
 - 8) Renewal application for licensure, s. 493.6113
 - 9) Cancellation or inactivation of license, s. 493.6114
 - 10) Weapons and firearms, s. 493.6115
 - 11) Sponsorship of interns, s. 493.6116
 - 12) Grounds for disciplinary action, s. 493.6118
 - 13) Divulging investigative information; false reports prohibited, s. 493.6119
 - 14) Violations; penalty, s. 493.6120
 - 15) Information about licensees; confidentiality, s. 493.6122
 - 16) Use of the state seal; prohibited, s. 493.6124
 - 17) Classes of licenses, s. 493.6201
 - 18) Initial Application, License, Renewal and Fingerprint Fees, s. 493.6202, 5N-1.116(2)-(3)
 - 19) Unlawful symbols of authority, ss. 843.085 and 493.6118 (1)(i)
 - 20) Complaints, 5N-1.100(4)
 - 21) Disciplinary guidelines, 5N-1.113
 - 22) Filing application, 5N-1.120
 - 23) License issuance, transferability, 5N-1.120(1)
 - 24) Operation of license, 5N-1.120(1)
 - 25) Licensed firearm instructor, 5N-1.132

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Chapter 493, Florida Statutes and Chapter 5N-1, Florida Administrative Code continued

- 26) Ammunition, 5N-1.129
- 27) Schools and training facilities, 5N-1.134
- 28) School license, 5N-1.134
- 29) School staff; licensing requirements; standards, 5N-1.138
- 30) Security Officer, Recovery Agent, and Private Investigator Intern School Curriculum; Examinations, Retention of Records, 5N-1.140

B. The Intern/Sponsor Relationship 1 hour

- 1) Sponsorship of interns, s. 493.6116
- 2) Letter of Intent to Sponsor Private Investigator Intern
- 3) Termination/Completion of Sponsorship
- 4) Intern Semi-Annual Progress Report
- 5) Employee Action Report (the relationship between intern, sponsor, and licensed private investigation agency)
- 6) Importance of “direction and control” of intern by sponsor
- 7) Internal Revenue Service (IRS) legal definition of “subcontractor”
- 8) Subcontracting and/or being paid via a 1099 are prohibited under Chapter 493, Florida Statutes (employer/employee relationship must exist)

C. Professional Ethics 2 hours

- 1) The client/investigator relationship
- 2) The importance of the initial client interview
- 3) Are the client’s intentions legal and ethical?
- 4) Establishing a clear understanding of the client’s goals/contract
- 5) Working the case in a timely and cost-effective manner
- 6) Providing regular updates/reports
- 7) Confidentiality
- 8) Dissemination of information
- 9) Conflicts of interest
- 10) Providing quality work product
- 11) Providing detailed reports
- 12) Providing detailed invoices
- 13) Truth in advertising
- 14) Agency-to-Agency billing

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- D. Legal Issues; Liability 2 hours
- 1) Civil and criminal liabilities
 - a) Law enforcement notification
 - 2) Invasion of privacy
 - a) Audio surveillance: the right way and the wrong way
 - b) Video surveillance
 - 3) Trespass
 - 4) Falsification of information on reports
 - 5) Misrepresentation of authority
 - 6) Release of information
 - 7) Chain of custody – evidence tampering
- E. Surveillance 3 hours
- 1) Introduction to surveillance
 - 2) Surveillance planning – formal and informal
 - 3) Precautions when conducting surveillance
 - 4) Techniques of surveillance
 - 5) Vehicular surveillance
- F. Report Writing 3 hours
- 1) Taking field notes – prerequisite to good reporting
 - 2) Report elements: The Five Interrogatives (Who, What, Where, When and How)
 - 3) Procedure
 - 4) Importance of proofreading
 - 5) Punctuation, capitalization, and spelling
 - 6) Grammar guidance
- G. Equipment for Private Investigation 3 hours
- 1) Legal issues
 - 2) Specialty investigation equipment
 - a) Audio recorders/audio recording
 - b) Video recorders/video recording
 - c) Still cameras/still photography
 - 3) Using photography on surveillance

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H. Interviewing and Truth Verification

3 hours

- 1) Introduction – It is generally recognized that interviewing is among the most important phases of an investigation
- 2) The basic tool of investigation is the interview
- 3) Primary purpose – is to obtain information
- 4) Principle types of interviews:
 - a) Complainant
 - b) Witness
 - c) Suspect
 - d) Subject
 - e) Miscellaneous

The Interviewer

- 1) Need for training
 - a) Correct interviewing procedures require as much tact, skill, training, preparation, and experience as any other specialty in investigation
- 2) Personal traits, attitude and conduct of a successful interviewer
 - a) Self-assured and professional
 - b) Understanding
 - c) Impartial and tolerant
 - d) Tactful
 - e) Friendly and firm
 - f) Avoid third degree tactics
- 3) Forces that prevent an interviewer from doing an effective job
 - a) Desire to succeed
 - b) Interest in fast results
 - c) Tendency toward aggression
- 4) Basic qualifications of the interviewer
 - a) The accuracy, truthfulness, and completeness of information from the interviewee depends upon:
 1. Experience (senses)
 2. How well he or she remembers
 3. Relates what he or she remembers

The Interviewee

- 1) Types of interviewees
 - a) Normal competitive type
 - b) Extremely helpful type
 - c) The loquacious or “wordy” type
 - d) The taciturn or “closed mouth” type
 - e) The uncooperative type

- 2) Forces that discourage talking
 - a) Person involved in the crime
 - b) Fear of reprisal
 - c) Desire to protect
 - d) Fear of becoming involved
 - e) Lack of memory
 - f) Fear of embarrassment
- 3) Forces that encourage talking
 - a) The fear of consequences of withholding information
 - b) Desire to please
 - c) Desire to become involved
 - d) Desire for revenge or punishment
 - e) Transfer of blame
 - f) Reward

General Rules of the Interview

- 1) Preparation – As in any field of endeavor is important
 - a) Purpose is to obtain information: What, When, Where, Why, Who, How
 - b) Knowledge of the case
 - c) Knowledge of the interviewee
 - d) The plan
 - e) Time – since memory is short, it stands to reason that the interview should be conducted as soon as possible
 - f) Place – privacy is the principal psychological factor contributing to a successful interview
- 2) The Opening
 - a) It is of paramount importance that the investigator assume control at the very onset and maintain this control throughout the interview
 - b) Open frankness
 - c) Size up the interviewee quickly
 - d) Opening should be aimed at establishing an atmosphere which will make it easy for the interviewee to talk
 - e) Ask initial questions that present no fear
 - f) Speak in terms that interviewee understands
- 3) The Body
 - a) Allow the interviewee to tell his or her own story in his or her own words
 - b) If the interviewee rambles, be careful – everyone has a reason for such action
 - c) Listen
 - d) Watch for critical area where interviewee may pause, stammer, etc.
 - e) If the interviewee lies, most authorities agree that the investigator should not call attention to a lie when it is first told
 - f) Ask a key question when the interviewee's guard is down

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- 4) Questioning
 - a) Fill in the gaps
 - b) Be specific
 - c) Follow the order of events
 - d) Exhaust one topic before moving to another
 - e) Questions should be simple
 - f) Ask question that will cover all necessary points
 - g) Do not bluff or deceive the interviewee
 - h) Be tactful in explaining unpleasant matters
- 5) Closing the interview is important
 - a) Take a mental inventory to make sure all points are covered
 - b) Give the interviewee an opportunity to furnish additional information
 - c) Close the interview on friendly terms
 - d) Leave the interviewee a phone number

I. Sources of Information – Florida is an open records state 3 hours

- 1) Public and private records
 - a) A broad overview
- 2) Understanding public and private records
- 3) Categories of public and private records
- 4) Researching public records
 - a) County clerk's office
 - b) State records – civil
 - c) State records – criminal
 1. Florida Department Of Law Enforcement
 2. Department of Corrections
 3. Sexual offender/predator
 - d) Using a public records vendor
 - e) Avoiding information pitfalls/verifying all information
 - f) The internet

J. The Computer and Investigations 1 hour

- 1) Terminology
- 2) Personal computer basics
- 3) Types of computers
- 4) Software
- 5) The internet

K. Restrictions on Records 1 hour

- 1) Fair Credit Reporting Act
- 2) Gramm-Leach-Bliley Act
- 3) National Crime Information Center (NCIC)

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L. Locating People and Performing Background Investigation 4 hours

- 1) Skip tracing
- 2) Background investigations (the basics)
- 3) Credit reports
- 4) Conviction history checks
- 5) Employment verifications
- 6) Workers' compensation checks
- 7) Education checks
- 8) Motor vehicle records checks (privacy laws)
- 9) How to present gathered information

M. Evidence 2.5 hours

- 1) Introduction and terminology
- 2) Searching for evidence
- 3) Collection and presentation of evidence
- 4) What is comparison and analysis of evidence?
- 5) Auto accidents
- 6) Fire cause and origin evidence
- 7) Expert witness
- 8) Admissibility
- 9) Workplace – individual accidents
- 10) Maritime

N. Executive Protection 3 hours

- 1) The basics of executive protection
- 2) Evaluating the risk
- 3) Protective techniques
- 4) Skills necessary for protection service
- 5) Bodyguard – client relationship
- 6) Working with difficult clients
- 7) Booby traps and explosives
- 8) Working with law enforcement

Note: Executive Protection duties fall under the definition of “Security Officer” [s. 493.6101 (19)]. Pursuant to 493.6301 (5), Florida Statutes, “Any individual who performs the services of a security officer shall have a Class “D” license. However, a Class “C” licensee or a Class “CC” licensee may perform bodyguard services without a Class “D” license.” Accordingly, ‘executive protection’ or ‘bodyguard’ experience is not creditable toward satisfaction of the two-year experience requirement for the Class “C” Private Investigator license.

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- O. Anti-Terrorism 1 hour
- 1) Types of terrorism
 - 2) Terrorism groups
 - 3) Terrorist acts
 - 4) Where to report activity
- P. Courtroom and Formal Hearing Demeanor and Practice for Private Investigators 1 hour
- 1) Case preparation is the most important element in being a good court witness
 - 2) Case preparation begins when the investigation begins
 - a) The basic tools for all investigations are:
 1. Good notes
 2. Accurate documentation and evidence
 3. Witness statements (reliable)
- Q. Pretrial Responsibilities 1 hour
- 1) General responsibilities
 - 2) Have knowledge of rules of evidence
 - 3) Have knowledge of court procedures
 - 4) Be aware of various duties of each court official
 - a) Witness
 - b) Judge
 - c) Jury
 - d) Prosecutor
 - e) Defense Attorney
- R. Specific Responsibilities 1 hour
- 1) Review all notes before trial
 - 2) Have at least one conference with attorney
 - 3) Representing your client
 - 4) Arrange for all evidence to be in court
- S. The Investigator as a Witness 1 hour
- 1) In court, the investigator is the same as any other witness whose responsibility is to tell the court only the facts, as he or she knows them
 - 2) Proper conduct of the investigator while waiting to testify:
 - a) Avoid conference with other witnesses
 - b) Do not engage in loud talk or laughter that will draw attention
 - c) Do not appear too friendly with court officials
 - d) Do not examine evidence in court
 - 3) Dress properly for your appearance in court or hearing
 - a) Most of the time you will wear a suit, coat, and tie (for men)
 - b) Avoid clothes that are loud and skirts or dresses too short (for women)

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The Investigator as a Witness

continued

- 4) Importance of the proper conduct and appearance as a witness
 - a) Influence the judge's feelings (by appearance)
 - b) Influence the jury (by appearance)
 - c) You represent your agency and the court will remember your appearance

T. The Investigator on the Stand

1 hour

- 1) The Approach
 - a) When name is called, step up front promptly
 - b) Stand erect while taking the oath
 - c) Do not appear stiff or uncomfortable
- 2) Manner of speaking from the witness stand
 - a) Speak loud enough for court officials and the jury to hear you
 - b) Soft voices may imply uncertainty
 - c) Extremely loud voices may make you sound over anxious
 - d) Make every effort to use proper language
 1. Avoid vulgar or slang language
 2. Be courteous to all court officials
 3. Address the judge as "Your Honor"
 4. Address trial lawyers as "Sir" or "Ma'am"
- 3) During direct examination, the facts as they exist should be presented in the order they occurred
 - a) Listen carefully to make sure you understand the question
 1. A quick response may cause you to give the wrong answer
 - b) Answer questions only; do not volunteer information
 - c) Remain calm and keep your composure even if attacked by the opposing attorney
- 4) Common tactics used by opposing attorney in cross-examination
 - a) Rapid fire questions
 - b) Overly friendly
 - c) Mispronouncing the investigator's name
 - d) Demanding a yes or no answer
 - e) Repeating the same question over and over
- 5) Easy ways to lose your case
 - a) Going into the courtroom unprepared
 - b) Getting into an argument with opposing attorney

U. Self Evaluation as a Witness

.5 hour

- 1) Nothing reflects an investigator's competency and ability more than his or her appearance and case preparation
- 2) Welcome constructive criticism from your peers
- 3) Learn from your mistakes

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EXAMINATION

Examination will consist of 170 questions, as follows, with a passing grade of 75 percent. No more than 50 percent of the questions for each core topic may be true or false.

<u>Subject</u>	<u>Questions</u>
Chapter 493, Florida Statutes and Chapter 5N-1, Florida Administrative Code	9
The Intern/Sponsor Relationship	5
Professional Ethics	8
Legal Issues; Liability	8
Surveillance	12
Report Writing	12
Equipment of Private Investigation	12
Interviewing and Truth Verification	12
Sources of Information	12
The Computer and Investigations	5
Restrictions on Record	5

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<u>Subject</u>	<u>Questions</u>
Locating People and Performing Background Investigation	17
Evidence	11
Executive Protection	14
Anti-Terrorism	4
Courtroom and Formal Hearing Demeanor and Practice for Private Investigation	4
Pretrial Responsibilities	4
Specific Responsibilities	4
The Investigator as a Witness	4
The Investigator on the Stand	4
Self Evaluation as a Witness	4