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Spilling the Tea, Keep the Receipts: My Approach to Interviews that Matter

By Karen "Kacey" Iveson, Licensed Private Investigator (PI 189694) and Certified Life Coach

The field of private investigations has many facets, and one of the most important is interviewing. I get the impression it's not everyone's favorite task, but it's an invaluable tool. When done right, an interview can reveal information that might never surface otherwise. Personally, I see it as getting people to spill the tea—but in reality, I'm gathering as many puzzle pieces as possible so my client can make an informed decision.

My background in law enforcement, paired with education in psychology and certification as a life coach, gives me a unique skill set. This blend allows me to conduct interviews that feel more like conversations than interrogations, fostering open and honest exchanges. The development of skills in understanding human behavior helps me build rapport quickly and make people feel more at ease.

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AB747 - Process Servers: And How it impacts P.I.s

A new California bill, AB-747 (ASH KALRA), is in the process of passing with near unanimous support that impacts the process server industry with mandates for increased accountability. The author (Kalra), refers to the process server industry as engaging in "sewer service", implying rampant improper and/or unethical service. Even with our B&P 22350 exemption, several of these new mandates will most likely affect us as well. In short, the burden of proof is now on the process server as well as the investigator to demonstrate a person was actually served and/or sub-service requirements were actually performed.

(Continued Page 5)

Business and Professions Code section 7539

(b) A licensee or officer, director, partner, qualified manager, or employee of a licensee shall not knowingly make any false report to their employer or client for whom information was being obtained.

(c) A written report shall not be submitted to a client except by the licensee, qualified manager, or a person authorized by one or either of them, and the person submitting the report shall exercise diligence in ascertaining whether or not the facts and information in the report are true and correct.

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Although interviews are about gathering facts, I approach them as meaningful conversations. The more comfortable someone feels, the more they tend to reveal. I've found that people who feel heard and respected are far more likely to share than those who feel like they're being cross-examined. I don't subscribe to the "just the facts, ma'am" approach.

I specialize in AOE/COE interviews—speaking with claimants, supervisors, coworkers, and witnesses involved in workers' compensation claims. In short, the claims adjuster needs more information but doesn't have the time to gather it themselves.

Whenever possible, I conduct interviews in person because communication is more than just words. Conservative estimates suggest that up to 60% of communication is nonverbal. Being face-to-face allows me to catch these cues. If that's not possible, Zoom is my next option—it still gives me access to facial expressions and posture. Telephone calls are my last resort; I'm limited to vocal cues like tone, rate of speech, and intonation.

When scheduling interviews, I try to meet people where they feel most comfortable. The more relaxed they are, the more likely they are to open up.

. I've conducted interviews at job sites, in people's homes, in my own office (which I'm thrilled to finally have), or at neutral spots like outdoor seating at a Starbucks. I avoid indoor public areas when possible because background music interferes with recording quality.

Before the interview begins, I focus on connecting with the person—small talk, shared interests, or casual chit-chat. This helps reduce tension, especially when it's their first time being interviewed.

The vast majority of my interviews are recorded. If someone seems nervous about being recorded, I'll angle the recorder so the red light isn't staring them down. I explain that recording helps us move through the process faster, lets them speak freely without interruption, and allows me to stay present in the conversation without scrambling to take notes. While there are pros and cons to recording, this is my method and why I use it.

I always bring a list of key questions to make sure I don't leave without the information I need, but I rarely start with them.

(Continued Page 3)

CA EVIDENCE CODE 1552

(a) A printed representation of computer information or a computer program is presumed to be an accurate representation of the computer information or computer program that it purports to represent. This presumption is a presumption affecting the burden of producing evidence. If a party to an action introduces evidence that a printed representation of computer information or computer program is inaccurate or unreliable, the party introducing the printed representation into evidence has the burden of proving, by a preponderance of evidence, that the printed representation is an accurate representation of the existence and content of the computer information or computer program that it purports to represent.

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I begin with short, open-ended prompts that let the interviewee tell their story in their own words. I've been surprised by how much more information I get this way. One of my go-to's—especially when I suspect drama—is: "How would you describe your interactions with the claimant?" I also let them answer the questions however they want to answer it and in whatever context they want to answer it.

Another favorite, which I originally learned about from Spy the Lie, is: "Is there anything I should know that I haven't asked about?" This one reveals what the person thinks is most important. If they repeat something they've already said, that's a clue too—I make a note of what they chose to emphasize.

Lately, I've been diving deeper into behavior analysis and the 60% of communication that happens without words. There are excellent resources out there—from books by veteran interrogators, to academic research, to a YouTube channel featuring four behavior experts. Subtle cues like increased blink rate, changes in breathing, fidgeting, avoiding direct answers, micro-expressions, and more help experienced interviewers know where to dig.

The sky's the limit on what you can learn about what people aren't telling you.

That said, it's crucial to understand there's no magic tell for lying. The key is to watch for changes from someone's baseline behavior. That's why I phrased it earlier as a clue to dig deeper—not a smoking gun.

When someone answers in a way that seems like they are holding back, that is my opportunity to ask more questions on the topic. This hesitation often hints at deeper layers of thoughts or feelings that haven't been fully expressed and can be for a variety of reasons. I take the inquisitive approach to asking more questions about what they may be holding back.

I always give the option for people to tell me things off the record, after the interview is concluded and the recorder is off. Many interviewees fear retaliation, either from the employer or the injured worker. While I'd love to be able to guarantee that the adjuster is the only one who will read the statement summary or hear the recording, I know better. If there is information they don't want on the record, I will communicate it to the client, in my cause the adjuster or the defense attorney, separately.

CA EVIDENCE CODE 1553

(a) A printed representation of images stored on a video or digital medium is presumed to be an accurate representation of the images it purports to represent. This presumption is a presumption affecting the burden of producing evidence. If a party to an action introduces evidence that a printed representation of images stored on a video or digital medium is inaccurate or unreliable, the party introducing the printed representation into evidence has the burden of proving, by a preponderance of evidence, that the printed representation is an accurate representation of the existence and content of the images that it purports to represent.

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After I conclude the interview and part ways with the interviewee, I take a moment to reflect on the entire interaction. I write down my thoughts on how the interview went, noting specific details about the interviewee's demeanor, body language, and responses. I assess how open and forthcoming they appeared, considering whether their answers were detailed, consistent, and aligned with known facts. Additionally, I evaluate their credibility and reliability, forming an opinion on what kind of witness they might be. This includes insights into their potential biases, emotional stability, and how effectively they might communicate under different circumstances. Documenting these reflections helps in building a comprehensive understanding of the interviewee's role and value as a witness.

Interviews are more than a checklist of questions—they're opportunities to connect, read between the lines, and uncover details that can make or break a case. My approach blends investigative skill, psychological insight, and genuine human connection to create an environment where people feel safe sharing their story. Whether it's in person, on Zoom, or even over the phone, my goal is always the same: to gather the clearest, most complete picture possible so my clients can make well-informed decisions. *

About the Author:

Karen "Kacey" Iveson is a Marine Corps veteran, former deputy sheriff, and licensed private investigator specializing in workers' compensation investigations throughout California. With a background in law enforcement, a degree in psychology, and certification as a life coach, Kacey combines street smarts with behavioral insight to conduct interviews that are more conversation than interrogation. She's the founder of KCI Investigations, where her people-reading skills and no-nonsense approach help clients get the real story—backed by facts, not fluff. When she's not uncovering details others miss, you'll find her sipping coffee, watching human behavior like it's a full-time sport, or reminding folks that the truth doesn't need a spotlight—it just needs the right questions.

Noble v. Sears Roebuck & Co., (1973)

The court of appeal extended Redner by holding that lawyers retaining an investigator may be liable for at least some of the investigator's torts.

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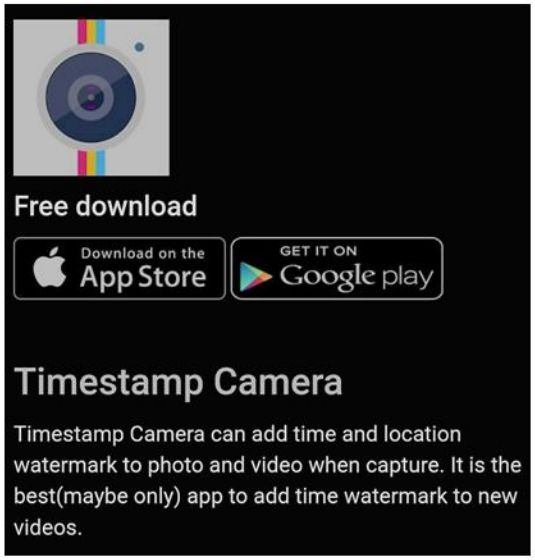
Process Service continued:

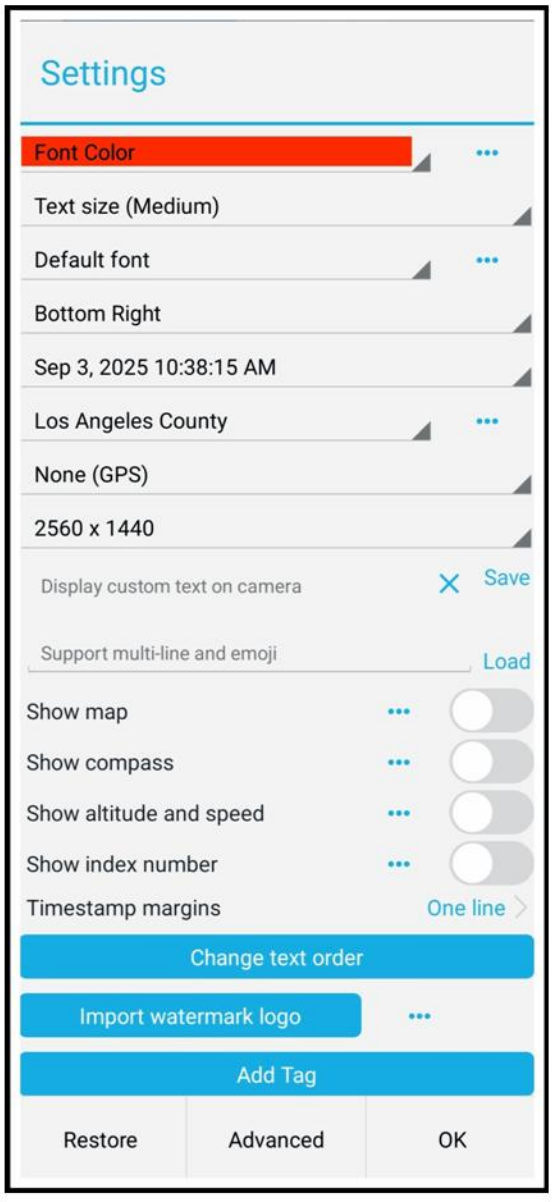
Item #7 of the bill Summary would require a photograph with Date & Time Stamp and GPS coordinates. This would include date & times stamped images of attempts as well as service itself.

For years, I have been using an app called Time Stamp Photo which addresses this issue. You can use the free version with ads, and fewer options … I purchased the unrestricted professional version.



One problem which is easily resolvable, we have all ran into, is with font color contrast. Where black text often gets lost in dark images or white text can get washed out in light, therefore I use a bright orange font which usually stands out pretty well in nearly every situation.

When you purchase the professional version which is minimal, your "SETTINGS" menu has numerous features where you can tailor the app to your needs.



Process Service Continued:

As you can see from the cell-phone photo example above, the color contrast is a non-factor. It applies for a white washed out image as well.

The possible issue with the legislation is requiring GPS coordinates for confirming location. While the app does in fact offer GPS coordinates as an option, determining grid location is convoluted, whereas the superimposed time stamp address on the image should suffice.
The vast majority of people, especially in a courtroom, do not understand how to read 6 to 10 digit, north by west coordinates, or how to confirm GPS coordinates.

Another issue is signal interference, which can be caused by many factors, including atmospheric conditions. Celltower triangulation is even less accurate. This can actually throw off your pinpoint location by giving a general area reading. This is why getting images of the building with address during attempts is a good idea as well.

In the end, I think the bill is a good idea overall. I have been photographing SOP for years so difficult service cannot be disputed.

After all, if FedEx and UPS can take an image of a package delivery, It's common sense that we should take images of delivering or attempting to deliver legal documents.

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The Ripple Effect of SB-1454, and the Long Game

There has been a lot of anger, discussion and debate regarding the new law (SB-1454) revising the Private Investigator's Act which requires mandatory contracts and records retention.

This raises the question, why has BSIS been pushing these new mandates, now law? At face value, it appears obvious that this is due to consumer complaints filed with the Bureau. I assume the challenge for BSIS in their investigation of consumer complaints has been the lack of documented evidence in their prosecution or exoneration of the licensed investigator, resulting in an unresolved "he said, she said" scenario.

The two year mandatory Records Retention is somewhat innocuous, having no real impact since most investigators I know already maintain their records for a period of time. However, record retention can still be a vitally important factor beyond two year requirements, which you will soon read.

The much more complicated issue is mandatory contracts for every service provided. Obviously, mandatory contracts and verbiage requirements are a headache and a nightmare that people in the various investigative specialties are still trying to navigate through. When I started my business in 1999, my contract was little more than one page. Today, it is four pages and expanding. I have a feeling the contract requirement for the licensed investigator will be an ever evolving document based on law, changes in technology and the individual investigator's client experiences.

If you step back, you will see these two amendments are not unrelated and are of mutual importance. Here are some thoughts to consider when addressing compliance with the new Private Investigator's Act amendments.

We can safely assume, the BSIS 2 Year Records Retention mandate is based on the 2 year statute of limitations or SOL, for a personal injury / civil tort cases however, not all torts have a 2 year SOL.

The codified California Statutes of Limitations can be found in the California Code of Civil procedure sections 312 – 366. Again, depending on the type of civil tort, the SOL may vary. The most common civil litigation, statute of limitations are:

CCP 335.1 - Personal Injury, 2 year statute of limitations

CCP 338 - Damage or destroy property, 3 year statute of limitations

CCP 340 - Defamation libel or slander, 1 year statute of limitations

CCP 339 - Oral Contracts, 2 year statute of limitations (from date broken)

CCP 337 - Breach of written contracts, 4 year statute of limitations (from date broken)

With the new PIA revisions in place, the Breach of Written Contract is what the investigator needs to focus on since we are dealing with consumer complaints. First and foremost, you need to take careful consideration in what your contract contains, documenting revisions or updates, etc.

Additionally, with breach of contract SOL in mind (4 years), it only makes sense that you should extend your records retention from two to four years, as well.

This brings me to the next mostly unknown issue of … Administrative Hearings. This is the entire focal point of the newly added BSIS regulations, or rather the Long Game!

Unlike civil litigation in state or federal court, state administrative hearings are the legal mechanism used by BSIS and the state attorney general's office to prosecute the licensed investigator before an ALJ or Administrative Law Judge with the OAH – Office of Administrative Hearings.

On the website for the Office of Administrative Hearings (www.oal.ca.gov/), you can access an overview of the administrative hearing process, the California Code of Regulations and other resources. The codified laws for administrative hearings, also known as the California Administrative Procedure Act (APA) can be found in the California Government Code, 11340 to 11529.

While the administrative hearing can be financially punitive in the form of fines against a licensee, the primary purpose of the administrative hearing is regulatory compliance and to take corrective-action against your professional license which could result in probation, suspension or revocation.

This brings me to the next VERY important issue ….. what is the statute of limitations for an Administrative Hearings against my professional license? THERE ARE NONE!!!! There does NOT appear to be a statute of limitations for BSIS acting on a consumer complaint filed against your license. In fact, there is a codified section and case law that specifically states *"There is no specific time limitation".*

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Administrative Law / California Administrative Hearing Practice
§3.33 A. Statute of Limitations
Statutes of limitation barring civil actions do not apply to a disciplinary proceeding of a state administrative agency.

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Bernd v Eu (1979) 100 CA3d 511, 515. There is no specific time limitation for administrative proceedings unless the legislature has imposed a statute of limitation for a particular proceeding.

Even without a statute of limitations, on petition for a writ of mandamus seeking judicial review of an administrative decision, a trial court may dismiss the administrative proceeding if it is not diligently prosecuted or there has been unreasonable pre-accusation delay and the licensee has been prejudiced.

Steen v City of Los Angeles (1948) 31 C2d 542, 546 (court stated, in context of claim of excessive delay between filing of administrative charges and commencement of hearing, that court has inherent power to dismiss actions that are not diligently prosecuted).

In closing, the point of this piece is to make you aware that you may need to exercise additional precautions beyond the current legal mandates. Much of what I have cited can be researched online.

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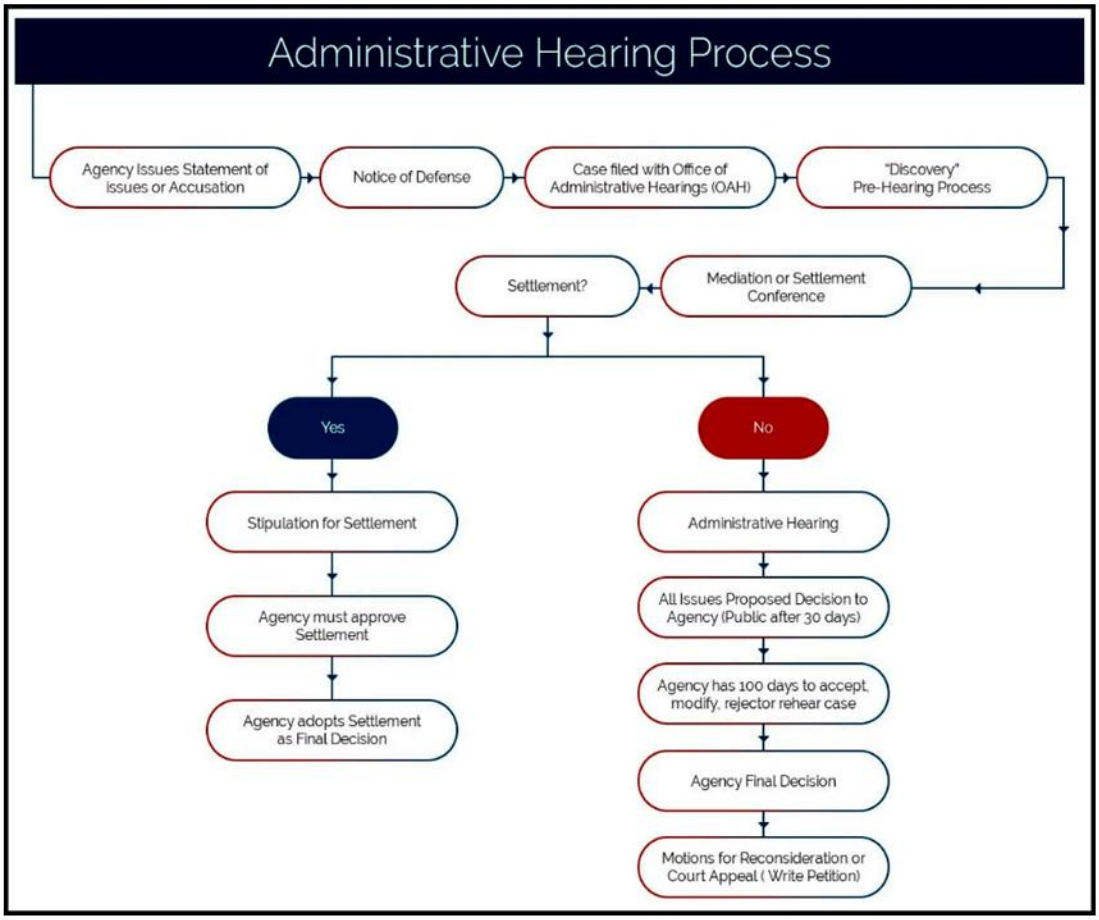
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