

# NAVIGATING SURVEILLANCE IN INSURANCE FRAUD INVESTIGATIONS

## *Keys to Setting Up a Successful Surveillance in Today's Business Landscape*

Jake Marshall

Marshall Investigative Group

With inflation on the rise and the prevalence of individuals seeking an opportunity to pursue nuclear verdicts with plaintiff attorneys, the battle against fraud is an everlasting challenge. As technology advances, so do the tactics of those seeking to exploit the system. Surveillance plays a pivotal role in combating insurance fraud, providing leverage for settlement and the opportunity to detect and prevent more questionable claims. Before pursuing surveillance on your claim, it is important to be aligned strategically with your surveillance partner and ensure they have the tools to support the job.

Although surveillance can lead to better outcomes monetarily for the defense, it is important that surveillance is conducted in a way that is most helpful for the case. The effectiveness of surveillance greatly depends on the thoroughness of the pre-surveillance investigations, particularly background and activity checks. Activity checks involve the thorough investigation of a claimant's activities to validate the legitimacy of a claim as well as background

information to see if the lawsuit is a pattern. These checks aim to verify the accuracy of the information such as current address, claimant history, as well as habits and routines. An example would be developing a source who can tell the investigation team about the claimant's work schedule and extracurricular activities. If those are identified, surveillance can be prioritized around the claimant's routine. An example of this would be an activity check that unveiled a claimant who recently competed in a classic car race. Once that has been discovered, the surveillance team can focus their attention on finding similar races within the area. As such, their surveillance timeline was changed to when a future race was found near the claimant. Due to their pre-surveillance work, they were able to coordinate with the field surveillance agent to secure successful footage of the claimant competing in a strenuous activity, a race. Similarly, without verifying the address of a claimant, agents would be surveilling the wrong place, yielding a very different result.

Like background and activity checks, a

deep dive into the claimant's social media and internet presence through an "Internet Presence Review" can be key to preparing for successful surveillance. Searching the claimant's social media accounts such as Facebook, Instagram, and TikTok are useful tools in gathering evidence to create unique surveillance opportunities. Beyond the standard social media sites, fitness app sites can be incredibly helpful as well. If a search is conducted by a person as opposed to a system, it can often uncover Strava, Garmin, Peloton, or Apple Watch data that showcases the activities of the claimant. An example of this would be where the claimant posted activity on social media referencing his DJing career. Investigators were able to find the claimant's DJing schedule and coordinate with the surveillance team to get a field agent to their next event. At the DJ event, the investigators were able to capture multiple hours of continuous video of the subject DJing, dancing and interacting with the crowd.

Utilizing preliminary investigations can make a surveillance agent's job much more



efficient and effective and there are many other tools and tactics in the field that help to secure useful footage in fighting questionable claims. Traditional surveillance is consistently the most beneficial way to capture a claimant's activity and the use of stationary or "drop cams" are becoming more frequent in the investigative industry. However, they may not be the best strategy. Unlike traditional surveillance, these cameras can run on a 24-hour loop and the angle of the camera and set-up can be very limiting in what can be captured. For instance, if the DJ highlighted above was only being surveilled by a stationary camera, the only footage being captured would be him leaving his residence. For this reason, traditional surveillance is always going to yield a better result in capturing a claimant's activities.

A powerful tool that traditional surveillance agents rely on is the "covert camera," which was used in the examples of the DJ and the street racer. Covert cameras come in many different shapes and sizes - they can exist in almost anything you might use in your daily life. For example, some of the

most common covert cameras include ball-caps, pens, car key fobs, and eyeglasses/sunglasses. Covert cameras are an excellent tool that have their place in certain scenarios like uncovering a claimant's activity without alerting them to the investigator's presence.

Additionally, a strategy that is beneficial to surveillance is arriving at the claimant's residence or place of work at an early hour which is crucial to having a successful day out in the field. Surveillance starting after 6 a.m. can often result in a day of no activity. While the use of preliminary investigations establishes a claimant's routine or schedule, it is still imperative to start surveillance early in the morning. Recent studies have shown that surveillance started at an early hour can capture activity early in the day and lead to covert opportunities at a higher rate.

Surveillance has become an indispensable tool in the insurance industry's ongoing battle against fraud. However, it is important to have a clear strategy and solid tools before conducting surveillance. A lack

of preparation or availability of the right tools can dramatically hinder the success of a surveillance investigation. From preliminary investigations like background checks and activity checks to cutting-edge covert cameras and the rightly timed strategy, insurers lean on their investigators to conduct meaningful surveillance techniques to safeguard their businesses and maintain the integrity of the insurance system.



*Jake Marshall is a business development manager at [Marshall Investigative Group](#), USLAW's official investigative partner. He received a Bachelor of Arts in communications as well as a Bachelor of Science degree in information sciences from The University of Alabama. He has 10 years of experience in investigations at Marshall Investigative Group.*