



Interview with Marcy Phelps

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KENNEALLY: As a librarian, Marcy Phelps was trained to find, manage, and share information. As a detective, she is also after the facts and on a mission to prevent fraud. Welcome to Copyright Clearance Center's podcast series. I'm Christopher Kenneally for Beyond the Book.

A licensed private eye who earned her master's degree in library and information science from the University of Denver, Marcy Phelps works for asset management firms, commodity pool operators, M&A professionals, and others. Her detective work combing through databases and other online data dumps helps build a definitive dossier documenting any litigation, bankruptcies, and regulatory actions that could raise unpleasant questions for investors and even uncover unsavory characters. Marcy Phelps joins me now from her Denver office. Welcome to Beyond the Book, Marcy Phelps.

PHELPS: Thanks, Chris. Nice to talk with you.

KENNEALLY: We're looking forward to it, because Copyright Clearance Center is often interacting with the world of libraries and librarians, and it caught my eye to discover that one of those librarians had kind of escaped the profession to become a private investigator. But really, as we'll find out, I think, when we chat with you, there's a lot to link the two.

It all started, I understand, when a private investigator hired you six years ago to help him with news and social media research. Today, you are a licensed PI yourself. As career changes go, that path from librarian to detective isn't an obvious one, at least if one goes by the Hollywood stereotype. So my question to you, Marcy Phelps, is why add a PI license to your MLIS degree?

PHELPS: Well, yes, there are stereotypes in both professions. I was never what you would call a traditional librarian. Back in even graduate school, I was always looking for different ways to use my information skills outside of the library. And when I finished school, I started my business right away, focusing on business and marketing research and analysis, so using those skills and expanding on them – the skills I learned in grad school.



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Once I learned what was involved, I discovered that PI work was another logical extension of my skill set – finding obscure information – but this time mostly on people and companies. Same skills and some new ones added, specifically when getting a PI license was actually a pretty practical step for me, too. It put me in legal compliance with state laws here – licensing laws in Colorado that say if you are investigating somebody’s reputation, you need to be licensed. That’s exactly what I do.

KENNEALLY: Let’s talk about that a little bit, Marcy Phelps, because as you point out, both of these lines of work are rooted in investigation and research. I’m interested, though, in learning how the differences apply to your PI work. A detective is usually out to solve a very different kind of mystery than a librarian. Does the legal aspect, the potentially criminal aspect of the PI work, change the way you conduct research, and in fact where you go to do the research?

PHELPS: Well, I do have some different sources that only professional investigators can access. And I don’t do criminal investigations, but there’s still a legal aspect that’s always at the back of your mind, that somewhere down the road, your findings and your work product could end up in court or in some sort of legal proceeding. So you have to be very careful about choosing your sources, verifying findings, documenting them so they’re easy to understand and are admissible in court. I have to say not too much of my work, though, winds up in court, but you still keep it at the back of your mind just in case.

In investigations, you generally start with a suspicious mindset. We’re looking for holes in someone’s story. We’re kind of at the, I think you’re a liar, so show me otherwise approach. And in research, I never found it to be that way. It was more you’re looking for lots of information, but usually with a more open mindset – the show me what’s there and then I’ll decide approach. So a lot of similarities, but some differences.

KENNEALLY: The interesting difference there, Marcy Phelps, seems to be that there’s a higher level of skepticism.

PHELPS: Exactly. Yes, good way to put it.

KENNEALLY: Let me ask you, then, about the kinds of clients that you are working for as a private investigator and just what types of assignments they hire you for.

PHELPS: As you mentioned, I work with some asset management firms, private equity, or other institutional investors – I don’t work with individuals – business attorneys, sometimes mergers and acquisitions firms, and even some other investigators.



They usually hire me for three types of assignments. Due diligence background investigations – for example, I have one client, a long-time client, an asset management firm, and they don't invest in anything until I do the investigation, which is really nice. I conduct a thorough background check on the fund managers and the individuals around it. So that's one type.

I do some market due diligence. For example, if a private equity firm wants to invest in a startup firm, they're usually given market analysis, and I verify that information. Is the market what they say it is? Are their customers going to continue after this acquisition? That type of market information.

And then another area that we work in is asset investigations. For example, for a recent project, there was a large judgment against an individual, and they claimed they could not pay that judgment, and it was our job to see if there were any assets that they hadn't revealed. So we do a deep dive into backgrounds to find this kind of information.

KENNEALLY: Has the detective work become as digital as everything else in our lives?

PHELPS: Oh, absolutely. That's why the stereotype of the PI doing surveillance using spy technology doesn't really work anymore. Most investigations involve online work. Even with surveillance, you can bet the investigator is doing some sort of online research beforehand. But there's a limit what you can find online, and in investigative work, what's missing is where your risk is. You have to be very careful about that. That's why we also may have to do courthouse record searching, because online is so incomplete, or we may have to do in-person or phone interviews for the human touch, the things you can't find online. So online investigations are often just the starting point or maybe the first phase of a more complex investigation.

KENNEALLY: Then taking that a step further, what are some of the more surprising resources that you have used for this type of research, either in the digital world or in, I suppose, the analog world, we could call it, but the world of paper and physical objects?

PHELPS: It's not exactly the resources that are surprising. Most are open sources available to anyone. But what's surprising is that you can use these common resources in uncommon ways – for an example, using Google Images, but not for the pictures, maybe for the information they can lead you to. I once found an image of a person I was investigating. I went to the photo's source and discovered it was from – now, this is a little scary – a database that compiled asset information



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on potential donors, a common thing in donor research. It's not something that showed up in a regular Google search. That's where I learned in this database about this individual's Bentley collection, which was a great find for our investigation. So it's what you do with common sources.

KENNEALLY: Well, you mentioned the skepticism that you sort of have to always bear in mind as you do your detective work. Can you tell us an incident where something – your discovery has surprised you, perhaps thrown you from being skeptical of one person and being more trustful of them and then becoming more skeptical of another?

PHELPS: Oh, well, (laughter) I'm always amazed. Most people actually pass our investigations with flying colors. Some don't, and that's what's really surprising. Many times, people are unaware of what's out there about them, like a mention of employment that wasn't in the supplied information, for example. In due diligence, we get supplied information that we need to verify.

The other thing is I'm always surprised – and I get people's permission to check their college degrees, verify their college degrees, and they still lie. I've never been able to figure that one out, Chris.

KENNEALLY: They must think they can put one past you, but apparently not. Marcy Phelps, I'd like to ask you about just how this has changed your perspective on the way we all leave a kind of rich, complex digital trail without even realizing it. Does it ever worry you that privacy may be a thing of the past?

PHELPS: Well, I've learned not to worry about what's already happened and what I can't control. (laughter) And definitely seeing things like what I can find through a Google image search, for example, as I mentioned – I think first of all, it's good to worry about what you can control. So I always like to see what's out there, kind of do a background check on myself, and see what people will find if they're going to be checking me out. And you know people are checking you out.

I control my expectations about privacy in a digital world. I use these tools for convenience and in my line of work, so I do what I can about not leaving – I control the information I share about myself. I'm careful about what I share. Like I don't post photos while I'm on vacation, that type of thing.

And then I also – for our client work, I'm developing policies and procedures and constantly evaluating them – policies and procedures that comply with GDPR, GLBA, and other privacy laws. Colorado has also passed some privacy laws, so



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we have to be compliant with that. So it's mainly be very mindful and take care of what I can control.

KENNEALLY: Well, we certainly appreciate your sharing information about your interesting line of work with us today. We have been speaking with Marcy Phelps. She's a trained librarian turned private investigator based in Denver, Colorado. Marcy Phelps, thanks for joining us on Beyond the Book.

PHELPS: Thanks so much.

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