

# TENNESSEE

## *Tennessee private investigator practice examination*

This examination was developed to be used as a study tool and reference for the state PI examination.

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# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

*The State Private Investigator Examination consists of one hundred (100) multiple choice questions with a 2 hour time limit. The passing score is 70%. The examination is a computer based test administered by PSI Services LLC. The examination questions are based on the references listed below.*

- (1) Tennessee Private Investigator Laws and Rules  
(<https://publications.tnsosfiles.com/rules/1175/1175.htm>)*
- (2) The Complete Idiot's Guide to Private Investigating, Third Edition, 2013, Alpha Books/Penguin, 375 Hudson St, New York, NY 10014m [www.penguin.com](http://www.penguin.com)*

*This practice examination is comprised of 176 questions. The answer key to this practice examination is contained on the last page.*

*In any test administration, examinations are pulled from a bank of questions. These banks usually have double or even triple the number of questions needed to create the test. This is to assist with scrambling questions which will lessen the chance of the exam being compromised. We at Private Investigator Exams decided to give you a more robust practice test to help ensure you have a better pool of questions to study from. However, we cannot prepare or produce questions for every conceivable question that can be on the test. Therefore, this exam should not be your only source and reference. Please consider all available reference material and study hard for your examination.*

*A note from our President. Good luck with your State examination. I hope that this practice examination helped to successfully prepare you for your examination. As a career Law Enforcement and PI professional myself, I know how crucial it is to pass the examination so you can begin practicing your profession. Good luck in your career as a PI and be safe.*

*If you have any questions regarding this practice examination or have comments or recommendations for how to make this product better please do not hesitate to E-Mail us at: [privateinvestigatorexams@gmail.com](mailto:privateinvestigatorexams@gmail.com). We take your comments, recommendations and constructive criticism very serious.*

*Gregg Munroe  
President*

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

## *TEST QUESTIONS*

- 1) Has a government agency violated TN Title 62 Chapter 26 if they hire U.S. Federal Officers to conduct background investigations in TN, none of whom are licensed investigators? (62-26-223(b)(1))
  - a. Yes, they must follow the state rules when in the state. They issue temporary PI licenses for this purpose.
  - b. Yes, they must hire PI's licensed in TN before they can conduct background investigations.
  - c. No, the Federal Government is exempt under Title 62 Chapter when they are performing duties for the U.S. government.
  - d. No, as long as they hire a Tennessee PI to work alongside them.
  
- 2) Jim Jones is a retired Nashville, TN, Police Department detective. Due to his position in the PD, he was a CFE (Certified Fraud Examiner). Each year he must undergo training in order to keep up his CFE license. Can Jim Jones use his training as a CFE towards his continuing education requirements? (1175-2.03(3)(c))
  - a. No, this would be considered in-service police training and not acceptable by the board. In order for this training to be acceptable he needs to reapply as a CFE without his police affiliation.
  - b. No, you cannot carry over hours for renewal while a police officer, even if retired, to the public sector, i.e. PI licensure.
  - c. Yes, CFE is a professional organization recognized by the commission and therefore Jim Jones can use CFE training towards his PI renewal license.
  - d. No, the CFE program is only available to Law Enforcement and therefore not recognized by the commission.

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- 3) In most instances PI's can obtain copies of police records on individuals who were arrested, a complaint was filed, or any time a police officer was dispatched to a call for assistance. Prior to providing the PI with a copy of the official police report the clerk will sometime redact certain information. What information below should not be redacted from a report? (The complete idiots guide to Private Investigating)
- a. Identity of an undercover officer
  - b. Identity of a confidential source
  - c. Address of the arrested
  - d. Address of the complainant
- 4) Jim Jones was hired by the ABC company because they feel they have a drug problem in the workforce. Jim Jones solicited the assistance of a friend of his in an undercover role. The friend is not a PI, is that a violation of Title 62, Chapter 26. (62-26-223(b)(7) and 62-26-231(a))
- a. Absolutely, he must be licensed. Only the local, state or federal law enforcement agencies can conduct undercover operations with unlicensed individuals.
  - b. Absolutely not, this is one exception to Title 62 Chapter 26, where a licensed Private Investigator can sponsor a non-licensed individual.
  - c. If the company wants to engage in undercover practices they must involve the local police department and initiate a criminal complaint. If not, they are criminally liable if someone is injured.
  - d. As long as the individual being used in the undercover capacity is on the payroll, he/she can help to conduct this investigation.

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- 5) Taking notes is critical in any PI investigation. Once notes are used, should they be maintained or destroyed? (The complete idiots guide to Private Investigating)
- a. Notes should be maintained in the case file at all times. They are discoverable and can be entered into evidence in a civil and/or criminal case.
  - b. Notes are exactly that, notes. They can either be destroyed or maintained in the case file. Notes are not discoverable as the written report usually contains all of the facts and circumstances whereas the notes are cryptic and often are illegible to anyone but the author.
  - c. There is no law against destroying your notes. That is the best course of action for a PI. Do not take the risk of providing additional information to a defense attorney who can use the notes to discredit you, your report and ultimately your investigation.
  - d. Handwritten notes should be typed up so they are legible and the original notes can then be destroyed. Some staple the original notes to the typed version. This is permissible but not necessary.
- 6) The Commission does not allow any company or business who is not a licensed Private Investigation Company to train Private Investigators. (1175-3.05)
- a. That is true. Only licensed PI companies with Licensed PI's are certified by the Commission to train PI's.
  - b. That is not true. However, they must complete an application, identify their company officers and certified trainers before the Commission will review their application and approve a license.
  - c. That is not true. However, they need to be a sole proprietor and not associated with a partnership or a corporation.
  - d. That is true. The Commission will only allow current private investigators licensed with a PI organization to obtain a company training license.

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- 7) The XYZ law firm was hired a clinical psychologist to conduct interviews, review evidence, and provide testimony in court proceedings. TN Title 62, Chapter 26, Part II, specifically says that you must be a licensed private investigator to conduct such work. Will any and all evidence be suppressed because the law firm did not hire a private investigator or agency as their Death Penalty Mitigation Expert? (legal opinion No. 00-175)
- Yes, since the clinical psychologist is not a Private Investigator all evidence collected will be suppressed and cannot be used.
  - No, as long as the expert was hired by an attorney or appointed by the court the clinical psychologist does not require a license.
  - No, but the exemption has one requirement that the clinical psychologist has a licensed private investigator with them at all times.
  - Yes, a defense attorney cannot hire an expert, the expert must be provided by the state. The attorney however can request the state authorize such an expert.
- 8) The written report is crucial to outlining the case for the judge. Subjective opinions are never recommended and could show prejudice towards your client. A subjective opinion would be considered which of the following statements? (The complete idiots guide to Private Investigating)
- Mr. Smith and Ms. Jones were observed walking down main street holding hands.
  - Mr. Smith and Ms. Jones were observed embracing one another and kissing on the lips.
  - Mr. Smith could not take his hands off of Ms. Jones while sitting at a restaurant eating.
  - Mr. Smith was observed hugging Ms. Smith under the street light at the corner of 5<sup>th</sup> and Main street.

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- 9) Can the State of Tennessee deny access to the federal investigators and or require them to first obtain a Tennessee Private Investigators License? (62-26-223(b)(1))
- Yes, the government employees have no jurisdiction in the state of Tennessee.
  - Yes, the state is liable for actions of these investigators and therefore the state requires a license to prove competency.
  - No, the federal government is exempt from this rule. They can send investigators as long as they are working on the governments behalf.
  - Yes, but they usually look the other way because it's the U.S. Government and they need monetary support.
- 10) Betty Sue, an apprentice, was involved in a high profile investigation looking into illegal practices of the ABC Company. While out in a bar one day, she talks about her first big case with the bartender. Within earshot of this discussion was an officer of the ABC company who files a complaint with the Commission for violation of the confidentiality clause. (1175-1.16(5) & (62-26-221(5))
- The company sponsoring Betty Sue is liable for the sponsors' action, but not the apprentice. If the Commission takes action it will be against the sponsor.
  - The company, the sponsor and the apprentice will all be held accountable by the Commission.
  - The Commission would hold the company responsible for all actions of the apprentice.
  - Betty Sue is personally liable. The company has special insurance for issues arising out of apprentice misconduct.
- 11) The government agency who governs Private Investigators activities in the state of Tennessee, for the purpose of this examination, is called the Commission. What is their actual title? (Chapter 1175-2(1)(a))
- Commission of Private Investigations and Security for Tennessee
  - Commission of Private Investigations Board and Polygraph Examiners
  - Tennessee Board of Polygraph Examiners and Private Investigators commission
  - Tennessee Private Investigations and Polygraph Commission

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- 12) Jim Jones is a retired TN police Officer. During his time on the force he became friends with an attorney who works for a large firm with 10 attorneys. To help supplement his retirement income all of the attorneys use Jim Jones because he was an experienced investigator. Jim Jones, after 6 months and about 30 cases later, decides to get his Private Investigators license. (62-26-223(3)(A)(ii)(iii))
- Jim Jones will more than likely not be able to obtain his Private Investigators license because of the many violations of Title 62 Chapter 26.
  - All investigations worked on behalf of the law firm will be thrown out of court because Jim Jones was in violation of Title 62 Chapter 26.
  - This is one of those Exceptions to the rule. Jim Jones will have no problem getting his Private Investigators license.
  - The exception only applies to individual attorneys and not firms. Therefore, Jim Jones is in violation and he will not be authorized to obtain a license and he can be prosecuted criminally.
- 13) An insurance company hired an expert on aircraft mishaps to conduct an investigation in TN following an airplane crash. Does TN require the expert to be a licensed PI? ? (62-26(B)(4))
- No, they have not violated Title 62 Chapter 26 when providing services or expert advice that is within the scope of their professional license.
  - No, but they need to purchase a special license from the State of Tennessee providing their qualifications and buy insurance to cover any malpractice.
  - Yes, the company must hire a local PI investigator who specializes in plane mishaps.
  - Yes, unless they hire a Tennessee PI agency to accompany them and help with the investigation.
- 14) A member of the Commission walks into the ABC training academy and asked to look at student records. How long must the records be maintained in order for the training academy to comply with the Commission rules and regulations? (1175-3.06(2))
- 1 year
  - 3 years
  - 5 years
  - 7 years



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15) A company hires several investigators to conduct background checks and work internal investigations. Do they need to be licensed investigators per Tennessee Title 62 Chapter 26? (62-26-223(b)(5))

- a. Whether internal or external, there is no difference. You must have a PI license to conduct any investigations. It's to ensure standardized training.
- b. No, TN Title 62 Chapter 26 does not apply to employee's working investigation for an employer conducting internal company investigations.
- c. Yes, at the very least they must hire a PI firm to act in a consulting manner to ensure all investigations are conducted appropriately.
- d. No, they don't as long as they provide results of their investigations to the advisory council every 30 days until the investigation is over.

16) A PI stopped a man on the street and flashed his credentials and badge and said he was a detective from the local police department and that the man fit the description of a bank robber and the detective needed his photograph to show the bank employees. The PI took the photograph and left; later giving the photograph to his client. The Commission found out about this and fined the PI \$1,500.00 and suspended his license for 1 year. (1175-04.06)

- a. The PI was acting on behalf of his client and therefore he was not in violation of Commission policy. The Commission erred in punishing the PI.
- b. The PI violated Commission rules and regulations by impersonating a police officer. The Commission's decision was justified.
- c. Just saying you are a detective does not violate the Commission's regulations, it would have only been a violation if the man being photographed asked for a business card and the PI documents that he is a detective.
- d. Verbal communication is not a violation. The PI would have had to have credentials to say he was a detective. The PI can't help it if the man did not take the time to read the credentials.

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- 17) PI Jim Jones was asked to wiretap a suspects phone for a client and listen to and record the conversations. Jim Jones refused and was fired from the PI agency. Does Jim Jones have any recourse to get his job back? (1175-04.03(3))
- No, Jim Jones was working within the laws of the state and cannot refuse to conduct logical leads. He was rightfully terminated.
  - Yes, Jim Jones can notify the suspect of the case who in turn can call the State Attorney and file a civil rights action.
  - Yes, Jim Jones can notify the Commission who in turn will conduct an investigation.
  - Yes, Jim Jones should advise the client personally that he could go to jail for illegal wiretapping and should tell his boss to stop this action and give him his job back.
- 18) Which of the below entries is not required to be on your Agency PI ID card? (62-26-208(2)(d))
- The name of the license holder
  - License number
  - Signature of an agency representative
  - Photograph
- 19) A TN PI is arrested for assault and taken to jail in CA. CA has a law for minor cases that allows the victim of a crime to be compensated in lieu of pressing formal criminal charges. The PI pays \$12K in damages so the case is closed and all legal proceedings are stopped. He is not convicted of a crime, but is there still consequences? (62-26-217)
- It is only a violation of TN Title 62 Chapter 26 if you are convicted of a crime and therefore you are not required to report the incident.
  - It is a violation of TN Title 62 Chapter 26 Section 217 where the PI committed an act of violence and force on another person when not during the performance of his duty. It should be reported to the board.
  - This was self-defense and it's not applicable to TN Title 62 Chapter 26.
  - The PI needs to report the incident to the commission and have them determine if any adverse action will be taken.

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- 20) There are three main recognized methods of car tailing. Which one of the three is not a recognized method? (The complete idiots guide to Private Investigating)
- Aerial car tail using a biplane or helicopter
  - One-man car tail
  - GPS tracking
  - Two-Man car tail.
- 21) PI Jim Jones was fined \$3,000.00 by the commission for violations of their rules and regulations, in particular, they found PI Jones guilty of lying on an official report and they found out about a recent DWI conviction. (1175-01-.15)
- Although they can fine PI Jones for these violations, the most he can be fined is \$2,000.00
  - The maximum fine for each of the violations is revocation of his license for 3 months or a maximum of \$1,000.00 or both.
  - The commission can fine PI Jones up to \$4,000.00 for the two violations therefore a \$3,000.00 fine is appropriate.
  - The commission is only an advisory board and has no authority to levy fines. They can however start proceedings to suspend PI Jones' license.
- 22) Jim Jones was hired by Jane Wright to follow her husband who is suspected of cheating on her with her best friend. Jane asked to ride in the car with Jim during the surveillance so she could positively identify her husband and her best friend to Jim. Jim, knowing that keeping the client apprised of the case as it's unfolding is a good idea because the client can very easily determine if what her husband is doing is out of character. Therefore, Jim agreed to let Jane tag along. Was this a good or bad idea? (The complete idiots guide to Private Investigating)
- A good idea. The client can be extremely helpful in a surveillance to identify the main people involved in the investigation.
  - A good idea. The client has a vested interest in the outcome of the investigations and therefore will be able to provide assistance such as driving your surveillance car to free you up to take photographs and video.
  - Not a good idea. The client is not a licensed PI and therefore conducting a surveillance is illegal.
  - Not a good idea. The client is too emotionally involved and could disrupt the surveillance when/if she witnesses her husband in the act of cheating.

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- 23) All prospective Private Investigators supply fingerprints to the Commission. One of the reasons to submit fingerprints is to conduct a criminal history check. What agency(s) does the Commission use to conduct this criminal history check? (1175-01-.03(1))
- None, The Commission maintains the fingerprints on file and will only use them if the Private Investigator is charged later with a crime.
  - The Commission only utilizes the Federal Bureau of Investigations (FBI).
  - The Commission uses the local city police department to run checks through the FBI.
  - The Commission uses both the Tennessee Bureau of Investigations and the FBI.
- 24) The Commission requires that each certified trainer or training company supply the student with all but the following information prior to their enrollment? (1175-3.06)
- The types of courses taught at the facility.
  - A statement informing the students that the training is not required in order to obtain a PI license.
  - The amount of time devoted to each course.
  - A list of all open positions following graduation.
- 25) The Commission was notified in writing that Jim Jones was terminated for petty theft from the XYZ company. The XYZ company opted not to seek prosecution, but instead terminated his employment. Does this termination and failure of the company to seek a criminal complaint prohibit the Commission from looking into this matter further? (1175-01-.07) &(62-26-217)
- No, the Commission has 60 days to review the file and make a decision whether or not to take administrative action against Jim Jones.
  - No, the Commission however, MUST notify Jim Jones within 14 days of the written complaint.
  - No, the Commission may investigate Jim Jones as he violated rules and regulations of the Commission.
  - No, however, the Commission must involve the Tennessee Bureau of Investigations to initiate a formal complaint and investigation. The Commission does not have their own investigative body.

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- 26) The XYZ Private Investigative Agency frequently advertises in the local paper to solicit Private Investigative business. Within their advertisements they include their license number, the types of investigations they conduct, that the Commission endorses the agency, and that they go the extra mile to resolve all issue. What, if anything in their advertisement is improper? (1175-01.08)
- No one should have an objection to the advertisement. As long as their license number is listed in plain sight there are no violations.
  - The advertisement cannot say the Commission endorses the agency; this is a direct violation of policy unless you have a written endorsement by one of the board members.
  - Under no circumstances can the Commission endorse an agency.
  - Although the Commission does not officially endorse any agency, they will take no action when this happens.
- 27) What is the best method for transporting and maintaining perishable evidence such as body fluids? ((The complete idiots guide to Private Investigating))
- Always place and store in a plastic bag. The baggie will keep the fluid from cross contamination and will keep the fluid moist.
  - It's okay to transport fluids in a plastic bag but, it should be removed from the plastic bag as soon as possible, air dried to prevent contamination and place in a paper bag so it can breathe.
  - Never ever use plastic bags as it will spoil the contents in a matter of minutes. Only use paper bags to transport body fluids.
  - You should always use both. You first place the body fluids in a paper bag to preserve the evidence then in a plastic bag to prevent cross contamination.
- 28) As it pertains to Commission rules and regulations, a Conflict of Interest exists during all but the following circumstances? (1175-04.05)
- Compensation is collected from more than one party for the same investigation.
  - A business association that could influence the quality of the services.
  - Failure to devote oneself to the clients cause.
  - Failure to divulge an ongoing lawsuit against the company.

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- 29) Jim Jones was hired by Jane Write to follow her husband who is suspected of cheating on her with her best friend. During the surveillance Jim makes frequent telephone calls to the client to keep her updated on his findings as they unfold. At one point Jim lets the client know that he witnessed and photographed her husband with another woman entering the XYZ hotel. Was this a good or bad idea? (The complete idiots guide to Private Investigating)
- A good idea. The client can be extremely helpful in identifying the female who was seen going into the hotel with her husband.
  - A good idea. The client will be able to confront her husband or his lover in a timely manner.
  - Not a good idea. You run the chance that the client will drive to the hotel and confront her husband and lover.
  - Not a good idea. The client might call her husband and jeopardize the surveillance before it's concluded.
- 30) When does a client attorney relationship dissolve allowing an attorney to testify against his client, past or present? (Rule 501: Privileges recognized only as provided: [www.tncourts.gov/rules/rules-evidence/501](http://www.tncourts.gov/rules/rules-evidence/501))
- Only by court order of a sitting judge hearing the case
  - The attorney client relationship never dissolves therefore an attorney cannot testify against his client.
  - Only when the client gives the attorney permission to testify against him.
  - The client as no such privilege if the client only consulted with an attorney but did not hire the attorney. The attorney is therefore not bound by this rule and can testify.

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31) Mary Jones was assaulted by her husband Dave Jones. The prosecutor called Mary Jones as a witness to testify against her husband. Dave Jones' attorney objected to the testimony stating Spousal Privilege. Will the Defense attorney win this objection? (Rule 501: Privileges recognized only as provided: [www.tncourts.gov/rules/rules-evidence/501](http://www.tncourts.gov/rules/rules-evidence/501))

- a. Yes, since the husband objected to the testimony the judge has no recourse but to grant the defense attorney's objection.
- b. Yes, but only because the spouse herself did not wish to testify and wanted to drop assault charges against her husband.
- c. No, although there is spousal privilege, the judge can overrule this if he feels it's important to the case.
- d. No, the privilege does not apply with abuse of one of the parties or a minor child has taken place.

32) Jim Jones is a friend of an attorney group called "Shyster and Shyster." They are known for their ambulance chasing habits. They make unsubstantiated claims all the time on their advertisements. They make reference to Jim Jones and that they use his agencies services to investigate all claims when in fact Jim Jones only lended his name for a fee of \$1,000.00 a month to give the appearance of professionalism. Jim Jones does not feel comfortable with this, but feels as long as his company does not really work cases, the worst that can happen is the attorneys are accused of false advertising. What, if anything, can happen to Jim Jones' company? (1175-04.07(1))

- a. This is a clear violation and misconduct on the part of Jim Jones. He can lose his personal license and his company license to do business.
- b. Although in some instances it might appear unethical, the Commission can take no action since neither Jim Jones nor his company took business from the law group. Simply lending his name is no violation.
- c. It is only a violation if Jim Jones knows for sure that the attorneys are engaging in professional practice of a dishonest nature. He does not know if this is happening as has never discussed their business practice or their cases.
- d. This is a clear violation and misconduct on the part of Jim Jones because he accepted money. If no money would have changed hands there would have been no violation.

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- 33) A bank from NY needs to repossess a car currently located in Tennessee. They call the XYZ Private Investigative Agency and tell them they are looking for a car to repossess. They ask the XYZ Agency to find the car and repossess it. Does the State of Tennessee require the person who repossess the car to have a private investigator license? (62-26-233(b)(5))
- The XYZ agency is not authorized to accept this contract because they can have nothing to do with Repossession Services.
  - They can accept this contract as long as one of its members holds a repossession license.
  - Since the bank owns the car and they are from NY the PI agency can repossess it as it technically does not apply to TN statutes and laws.
  - Yes, XYZ Agency can accept the contract for repossession. There are no special requirements. In fact, you do not need a PI license to repossess a vehicle.
- 34) The state of Tennessee currently has a reciprocity agreement with the state of GA. The ABC Company based out of TN hires a TN PI to conduct an investigation at one of their offices in Atlanta, GA. The PI shows up at the office the next day without telling anyone and begins his investigation. Has the ABC Company violated either the TN or GA reciprocity agreement? ? (TN Private Investigator Reciprocal Bulletin – September 01, 2004 – See [www.privateinvestigatorexams.com](http://www.privateinvestigatorexams.com) website for document)
- No regulations have been broken. There exists a reciprocity agreement between the two states which gives all licensees in good standing the authority to work in GA for a limited period of time not to exceed 15 days.
  - Although there is a reciprocity agreement, the state of GA must accept the services of the licensee for a temporary basis. Therefore, the TN PI is in violation.
  - The licensee has engaged in licensed activities for at least 1 year so he/she can go wherever they like to conduct investigations even when there is no reciprocity agreement.
  - They can work in the state only after getting written permission from the accepting state who will issue a temporary license.



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35) Jim Jones was hired by the ABC Company to investigate an employee who is out on workman's compensation. The company believes the employee is faking their injuries and is working on the side, which is clearly prohibited. The ABC company told Jim Jones to take as much time as needed to collect enough evidence to prove a fraudulent claim on the part of the employee. Within the first day, Jim Jones collects all the evidence needed to prove fraud, but charges the company for a week's worth of work. Has Jim Jones violated Title 62 Chapter 26? If so, why? (62-26-221(2))

- a. There is no violation. As a Private Investigator working for himself, he can charge whatever he likes. If the ABC company does not like the charge, they can simply not hire him again.
- b. Yes, this is a clear violation and misrepresentation of work provided. He misrepresented the work completed for the client.
- c. No, since there was no stipulation as to the number of hours worked and no stipulation to a charge cap, Jim Jones can charge what he wants.
- d. Yes, this might be a violation only if he charges by the hour. But since he charged for the entire job, the company will never know.

36) Under Federal law, in particular the 4<sup>th</sup> Amendment and REOP (Reasonable Expectation of Privacy) rules, while working on a case, can you enter a suspect's residence during the performance of your investigation? ((The complete idiots guide to Private Investigating))

- a. As a PI it is never permissible to enter someone's private residence unless invited inside?
- b. Yes, as long as you were given permission by the client and the client has reason to believe that the person you're looking for has a warrant for their arrest.
- c. Yes, but the door must be unlocked. You cannot force open a door.
- d. No, but you can stand outside and look in the window. If you see what you're looking for you can go inside.

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- 37) Jim Jones frequently advertises in the local paper to attract business. In the advertisement Jim Jones lists his qualifications, background and experience. Some of his qualifications are overinflated, but it he does help to attract more business than his competitors. His competitors complain to the Commission that Jim Jones is using deceptive advertising. Can the Commission take action? If so, for what? (62-26-221(1)/1175-01-.07))
- Jim Jones has committed no violation. It will only be a violation if he accepts a job making a claim to the client that he is qualified to conduct a certain investigation when he is not. Advertising alone does not constitute a violation.
  - As long as Jim Jones discloses to the client that his advertisement is misleading, there is no violation. It will be up to the client to use Jim Jones or not. Therefore, the Commission cannot take action at this time.
  - Only the client can make a complaint. Neither his competitors nor the Commission can begin action against Jim Jones without a formal client complaint.
  - Jim Jones clearly violated regulations by knowingly making misrepresentations as to his abilities in order to gain employment. The Commission can take action.
- 38) Before an applicant is awarded a license there are investigative steps conducted by the department to ensure the applicant meets the basic requirements. Which of the following checks are not part of the departments background check? (62-26-207)
- Examinations of Fingerprints for a police record.
  - Checks to determine if the applicant has been deemed incompetent or committed to a mental institution.
  - Any investigation deemed necessary by the department.
  - A urinalysis test.

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39) Jim Jones has been working on a case for the ABC company for the past month. It is clear to Jim Jones that the subject of his investigation is not involved in the activity for which the ABC company hired him. Jim Jones feels however that the employee, if investigated further will do something wrong eventually. What should Jim Jones do? (62-26-221(4))

- a. Jim Jones is required by regulation to notify the company that a successful resolution is not likely.
- b. Jim Jones can continue the investigation for another 10 days, then if nothing surfaces, he must notify the company.
- c. Jim Jones can continue the investigation as long as the client does not tell him to stop. He is not required to notify them as he feels the employee will eventually do something wrong.
- d. It's up to the company to sever the relationship with Jim Jones. Until such time, Jim Jones, as long as he is working the hours billed, can continue to investigate the employee.

40) Betty Sue retired from the IRS and started her own business as a forensic auditor about a year ago. Her accounting skills have come in handy over the past year as large banks are hiring her to obtain financial ratings for clients applying for large loans. (62-26-223(b)(2))

- a. Betty Sue needs a Private Investigators license to conduct her business because she is conducting an investigation.
- b. Betty Sue needs to contact the Commission and obtain, for a fee of \$125.00, an "Exception" agreement document stipulated she won't conduct criminal investigations.
- c. Betty Sue needs to contact the Commission and obtain, for a fee of \$125.00, a letter which states Betty Sue works directly for a bank and therefore can be considered an employee for the purpose of running these financial checks.
- d. Betty Sue needs to do nothing as she is only in the business of supplying financial rating on individuals.

41) A Private Investigators license is valid for how many years? (62-26-211(a))

- a. 2 years
- b. 3 years
- c. 4 years
- d. 5 years

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 42) Jim Jone's son, John Jones (JJ), was hired as a paid intern with a major Law firm. They only take high profile defense cases. JJ, wanting to follow the footsteps of his father, wants to be a police officer and therefore has asked to conduct investigations for the law firm. (62-26-223(b)(9))
- a. Interns are one of the exceptions to this rule, therefore, JJ does not need a Private Investigators license to conduct investigations for the law firm.
  - b. Interns are an exception, but they cannot be paid interns, therefore he cannot work for the large law firm.
  - c. Interns are an exception, but they cannot be paid and they can only work for a public defender or district attorney.
  - d. Interns are an exception. They can be paid, but they can only work for a public defender or district attorney.
- 43) You are on a surveillance and you obtain photographic coverage of your clients wife in a passionate embrace at a local restaurant. At what time should you relay this information to the client/? (The complete idiots guide to Private Investigating)
- a. Call immediately to provide details of what you see, to include the name of the restaurant.
  - b. Call immediately and ask the client to meet you at the restaurant where he can help identify the other man if necessary.
  - c. Wait at least 48 hours so you have time to conduct additional investigative effort to identify the other man.
  - d. Wait at least 24 hours so there is no chance that your client will attempt to confront the wife and lover at the restaurant.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 44) The police arrested Betty Sue on burglary charges. In her car they found stolen checks from the office building she was seen leaving after hours. During her interrogation Betty Sue said she was working for the XYZ Private Investigator Agency as an undercover informant. The police telephoned one of the Agencies officers who confirmed she does work occasionally as an informant, but she was not working at the site of the burglary at the time of her arrest. (62-26-231(b))
- The agency is liable for all actions of the individual arrested and can face penalties by the Commission. They can levy the same penalties on them as if one of their own PI's was arrested.
  - Although the agency should take some responsibility for the individual's actions, the Commission can take no action against the agency because the individual is not an actual paid employee. The court system will prosecute the individual as a private citizen.
  - The company who hired the Private Investigative Agency and the agency itself is responsible for the individual's actions. The individual will not face any charges as they were working on behalf of the agency and the company.
  - As the undercover individual deviated from the purposed of their assignment, the agency is not responsible for their actions. The individual will be charged with felony burglary and theft.
- 45) Does an attorney working in the regular practice of their profession need a license to conduct an investigation? If so, what type do they need? (62-26-223(b)(3))
- Yes, Title 62 clearly states there are no exceptions. The attorney **MUST** obtain a PI license if he/she will conduct or manage investigations during the course of their practice.
  - No, this is an exception to Title 62. The only requirement is that the attorney is licensed to practice law.
  - No PI license is required, but the attorney must have a licensed PI on staff to conduct the actual investigation. The attorney is authorized to manage and run the investigation through the licensed PI.
  - Yes, a special license just for attorneys is required. Simply pay the \$150.00 licensing fee to the Commission. The license is good for 3 years.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

46) Tennessee has a reciprocal agreement with the state of LA. A reciprocity agreement stipulates all but the following requirements: (TN Private Investigator Reciprocal Bulletin – September 01, 2004 – See private investigator exams website for document)

- a. The case must originate in TN first and foremost.
- b. The PI is restricted to work in LA for a 15 day period for each case.
- c. The PI needs permission from LA in order to work in the state.
- d. The PI does not need written authorization prior to going into LA.

47) Jennifer Jones recently hired a nanny to watch her two young children. The nanny was given a car to use by Ms. Jones to run errands and to transport the children to school and after school activities. The nanny is not suspected of any wrong doing, but Ms. Jones hired Harley Magnum to install a GPS tracking device to ensure the nanny was a careful driver and that she used the car as it was planned. After two weeks of employment the nanny was fired because the GPS tracking device showed that she frequently exceeded the posted speed limit and therefore Ms. Jones thought the nanny was a safely risk to her children. The nanny sued Ms. Jones for civil damages in the amount of \$10,000.00 and wants Harley Magnum to lose his PI license. Does the nanny have a case? (The complete idiots guide to Private Investigating))

- a. No, although some forms of GPS tracking is a violation of the 4<sup>th</sup> amendment, Ms. Jones placed the GPS device on her private vehicle for the purpose of tracking the movement of her children while in the care of the nanny.
- b. Yes, this is a clear violation of the 4<sup>th</sup> amendment right to privacy as outlined in U.S. vs. Knotts. The PI should have known better and could lose his license. More than likely Ms. Jones will not be culpable since she relied on the advice of Harley Magnum.
- c. Yes, but only because the GPS tracking device was used even when the children were not in the car. Otherwise, it would have been perfectly legal.
- d. No, a GPS device is not considered an “Electronic Device” under these conditions and therefore the 4<sup>th</sup> amendment does not apply.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 48) The commission is investigating the ABC Company for conducting undercover operations and investigations without the appropriate licenses. In particular, a complaint was made by an employee of the company that another employee was spying on them and reporting their actions to upper management. What policy outlined in Title 62 Chapter 26 has the company violated? (62-26-231(a)(3))
- a. There are at least three violations, all dealing with licensure of individuals engaging in investigations.
  - b. There are no violations. This is an internal affairs issue and certain individuals working on behalf of the company are exempt from the requirement to obtain a license prior to conducting undercover operations.
  - c. The company violated the individual's 4<sup>th</sup> Amendment rights because the person in the undercover role was an employee. In order to comply with the exception requirement, the person must not work for the company.
  - d. The company should have hired a licensed private investigative agency to conduct the internal affairs investigation and brought in a stranger to work undercover.
- 49) In most instances you are required to be a U.S. Citizen before you can apply for and obtain your Private Investigators license. What is one of the ways you can get a license and not be a U.S. Citizen? (62-26-207(a)(2))
- a. You can petition the U.S. Bureau of Citizenship and Immigration Services.
  - b. There is no such thing; you must be a U.S. Citizen.
  - c. You must be a resident alien.
  - d. You must have been an illegal alien for more than 10 years and have paid your state and federal taxes.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

50) There is a soldier currently residing in NY who received a disability retirement from the military due to a psychiatrist's diagnosis of PTSD stemming from his service in Iraq. He's been under a psychiatrist's care for over two years and is recovering. The psychiatrist from NY gives him a clean bill of health, saying he is cured of his PTSD. A friend of the discharged soldier runs and operates a PI Agency in Tennessee. He offers the discharged soldier a job as a PI. Can he work as a PI due to his prior mental diagnosis? (62-26-207(a)(3))

- a. It would be a violation of the military members civil rights to ask about his disability since he is a war veteran.
- b. As long as the war veteran takes a Tennessee psychological test and passes, he can work for his friend.
- c. Before he can take the job in Tennessee the war veteran must have the Doctor say he's been cured for at least two years.
- d. If declared by a court to be incompetent he cannot work for his friend. The court will need to find the friend competent before the commission will issue him a license.

51) A certified trainer may be an employee of a private investigative agency. (62-26-226(d))

- a. No, a certified trainer cannot be an employee of a private investigative agency. This could be a conflict of interest.
- b. As long as the trainer meets the requirements he can be employed and frequently are employed by private investigative agencies.
- c. They can under two circumstances. Their reports of training are not maintained at the company and that the trainer is licensed as a private training company. No affiliation can be made with the private investigative company for which he/she works.
- d. This will only be authorized if the main trainer also hires an assistant trainer to ensure there is no appearance of impropriety or favoritism.

52) How old must you be to apply for a Private Investigative license? (62-26-207(a)(1))

- a. 18
- b. 19
- c. 20
- d. 21



# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

53) A PI refers several individuals to an attorney friend. At the end of the year during Christmas the attorney sends the PI a card and two tickets to a Tennessee Titans football game. The value is \$400.00. The card says thanks for all your business. (62-26-217(5) & (62-26-202(6)(b)) & (1175-5-.05)

- a. The PI cannot accept the tickets because it violates the integrity and credibility of the individual.
- b. Christmas is the only acceptable time when tickets can be accepted by the PI.
- c. The PI's intent was not to solicit business for compensation therefore he can keep the tickets.
- d. Yes, the PI can accept the tickets as long as he reports it to the commission and does not attempt to hide the fact that the attorney provided compensation, even though he did not ask for it.

54) Harley Magnum conducted an interview of a witness to a crime. He took a statement of facts and notarized the statement for potential use later down the road by authorities. The statement was taken on behalf of his client, the XYZ Bank and Trust Company. The statement outlines how he witnessed the suspect taking money out of the cash register from the bank. What type of evidence would this be considered? ((The complete idiots guide to Private Investigating))

- a. Material Evidence
- b. Direct Evidence
- c. Circumstantial Evidence
- d. Real Evidence

55) You are on a surveillance and your subject makes you. The subject comes up to your vehicle and asks what you are doing. What is one of the things you should do? (The complete idiots guide to Private Investigating)

- a. Tell them that you are a PI and was hired by (make up a factious name) because they are suspected of (make up a fake crime).
- b. Deny you are following that person intentionally, but continue to follow that person for 5 to 10 blocks to make it look like you were also going in the same direction.
- c. Simply deny that you are following them, stop the surveillance for the time being and immediately contact your client to let them know what happened.
- d. At all costs leave the area before the subject can come to your car and make out your face. If the subject does, then all later attempts to conduct surveillance, even if you switch cars, will be unproductive.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

56) Are all Principle corporate officers of a Private Investigations Company/Agency liable for all fines against the Agency? (62-26-202(9) & (62-26-217) & (1175-04-.06)

- a. No, only the officer who is at fault
- b. No, only the President is liable
- c. Yes, all owners and or officers are jointly liable.
- d. Yes, but only the President and Vice President, the Treasurer and Secretary are not

57) A licensed Company or Individual **MUST** include what in all publications, to include advertisements. (1175-04(5))

- a. All of the Officers Names.
- b. True name on the license
- c. License number
- d. Physical address of the company or individual.

58) What does **NOT** apply to sponsoring an apprentice? (62-26-207(b)(c)(d)(e))

- a. The Sponsor must submit the notice of intent to sponsor the apprentice.
- b. The Sponsor can sponsor up to 10 apprentices.
- c. The apprentice must be directly supervised by a licensed investigator.
- d. The apprentice is employed by an investigative company.

59) A client walks in and states that they are thinking of hiring a live in Nanny and they want to install covert cameras to video tape all of the common areas in the home. Are they legally bound to inform the nanny of the location of the cameras and that her activities will be recorded before installing them? (The complete idiots guide to Private Investigating)

- a. Yes, the nanny must consent to be recorded. It is no different than audio recording.
- b. No, as long as you do not include sound.
- c. No, there is no expectation of privacy. As long as you are not recording for lewd and lascivious reasons you can record without the nanny's knowledge and permission.
- d. No, but only after obtaining authorization from a district judge.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

60) A camera is an important tool for any PI. Of the below listed uses for a camera, what is the least important? Taking photographs of a? (The complete idiots guide to Private Investigating)

- a) Crime Scene
- b) Cheating spouse
- c) Witness Interviewed
- d) Individual Injuries
- e) None of the above, they are all equally important

61) Tennessee Code Title 62, Chapter 26, Part II regulates the Private Investigators industry in Tennessee. What act is Part II referring to? (Front cover of Title 62, Chapter 26, Part II)

- a. Professions, Business and Trades Act
- b. Private Investigators and Polygraph Act.
- c. Private Investigators Licensing and Regulatory Act
- d. Private Investigators commission on regulating the Private Investigators Industry Act.

62) "Commission" for the purposes of Tennessee Code of Private Investigations means:  
(62-26-202(3))

- a. The Private Investigation and Polygraph Commission.
- b. The Commission of Safety and Law Enforcement.
- c. The Commission of Consumer Services
- d. The section within the Consumer Services that handle Private Investigative licenses

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

63) The short title for the Tennessee Code, Title 62, Professions, Business and Trades, Chapter 26, Private Investigators, Part II, Private Investigators Licensing and Regulatory Act is called:

- a. Commission on Private Investigations and Polygraph Services.
- b. Commission of Commerce and Insurance.
- c. Private Investigators Licensing and Regulatory Act.
- d. Commission on Private Investigators and Polygraph Act of 1996.

64) Jim Jones was fined \$1,500.00 by the commission for misrepresenting a client by providing the client false information pertaining to his investigation. Can the commission fine an individual? (1175-01-.15)

- a. Yes, the commission is well within their right to fine an individual PI and therefore the fine will be upheld.
- b. Yes, but the commission must fine the company who in turn will fine their employee.
- c. No, the commission can only fine the PI agency as they are the responsible party for their employee's actions.
- d. No, the commission can only fine an agency or corporation and they can only suspend or revoke the license of an individual.

65) Which is the correct statement below regarding obtaining photographs of a person's injuries. (The complete idiots guide to Private Investigating)

- a. Shows the stages of injuries/bruising, to include being able to estimate date of injury by looking at the bruises color.
- b. Can show a pattern left by a blunt instrument which caused the injury
- c. Can corroborate a victim/witness statement
- d. All of the above. Taking photographs are essential in all cases of injuries.
- e. None of the above. A medical doctor or a photographer licensed in Tennessee is the only person authorized to take pictures of an injured person in order for it to be used in civil or criminal court.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 66) Jim Jones is a PI with the ABC agency. While sitting home one night he heard a gunshot and looked out the window and witnessed a person, later identified as Larry Borris, shoot and kill his neighbor. He was later interviewed by Larry's defense attorney and told him everything he saw and heard. The eye witness account by PI Jones was very damning to the suspects case and the defense attorney evoked the Attorney – PI privilege which states communication between an attorney and PI is privileged and therefore not admissible in court. Will the judge allow this privilege? (Rule 501: Privileges recognized only as provided: [www.tncourts.gov/rules/rules-evidence/501](http://www.tncourts.gov/rules/rules-evidence/501))
- Yes, this is one of the privileged exceptions to privilege communication between PI and attorney.
  - Yes, but the information must be shared with the prosecuting attorney prior to trial so the prosecutor can conduct it's own investigation to obtain other eye witness accounts of this shooting.
  - No, the PI was not on duty and not working for the attorney at the time he witnessed the shooting, therefore, this is not privileged communication.
  - No, a PI is never allowed this privilege. He is like a Police Officer when it comes providing eye witness accounts and/or results of investigative leads.
- 67) Sponsors of continuing education programs must maintain training records for \_\_\_\_\_ years following the date of each program presentation. (1175-2.04(3))
- 3 years
  - 5 years
  - 7 years
  - 10 years
- 68) The XYZ Private Investigative Agency maintains a staff of 25 private investigators on a routine basis. Due to the high volume of turnover and the use of Apprentices, they decided, due to the training requirement, to offer private investigator training for a small fee. Provide two requirements for a trainer? (62-26-226)
- MUST be at least 25 years of age and MUST have 5 years' experience as a supervisor.
  - MUST have at least three (3) years of supervisory experience and MUST be at least 21 years of age.
  - MUST be personally qualified to conduct training and MUST be an employee of the company.
  - MUST have at least 1 year experience and/or a former police officer.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 69) The Commission is well within their jurisdiction to impose civil penalties anywhere from \$2.00 to \$2,000.00 for any number of violations. If they do impose a civil penalty, can they also revoke a license? (1175-01.15 & 62-26-217)
- The Commission can either revoke or suspend a license or assess a civil penalty, but not both.
  - The Commission can revoke/suspend and issue civil penalties based on their assessment of the violation to any entity in accordance with the rules governed by the Commission.
  - The Commission can only revoke a license of a single private investigator, but cannot levy a civil penalty.
  - The Commission can only issue civil penalties to corporate officers of the agency. This includes actions committed by their employees.
- 70) There are three types of cameras recommended for a PI to become proficient in. Which one does not belong?
- Cell Phone camera
  - Digital Video Camera
  - Digital Single-lens reflex still camera
  - Any type of pin hole camera used in undercover operations. (Must be proficient in at least one. Examples: Watch camera, Hat camera, eyeglass camera, in-dash camera for your surveillance vehicle.
- 71) The Private Investigators Licensing and Regulatory Act requires that each licensed private investigator receive \_\_\_\_\_ hours of continuing professional education during each \_\_\_\_\_ period prior to being allowed to renew their license. (1175-2.02)
- 30 hours each year
  - 40 yours every two years.
  - 12 hours in two years
  - 18 hours each year.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

72) Jim Jones' apprentice was left in the office alone to finish up some paperwork. An individual walked into the office seeking to hire Jim Jones' agency to conduct a surveillance on a workman's compensation case. The apprentice started to fill out the contract and closed the deal. They begin working on the case the following day. (1175-01.16(3))

- a. The apprentice has no authority to enter into the contract with the customer. The commission can revoke Jim Jones' license for this violation.
- b. The apprentice has no authority to enter into the contract with the customer, but as long as Jim Jones reviews and approves the contract within 24 hours there are no violations.
- c. The apprentice is the extended legal arm of Jim Jones and can enter into a contract, he just cannot work on the case alone.
- d. The apprentice should have called Jim Jones on the phone and obtained approval before entering into the contract. If he would have notified Jim Jones beforehand there would be no violation.

73) What is the best way to document a surveillance on your surveillance log during the surveillance? (The complete idiots guide to Private Investigating)

- a. Use a digital recorder to dictate what you see. Do not reduce it to writing until you are back at the office and can go over your notes.
- b. Use a video recorder during the surveillance and speak as you are recording. There will be no need to keep a log as your evidence or exhibit for court will be the video tape and your explanation of what is happening real time.
- c. Use both a digital recorder and a note pad. You might need to write down something important during the surveillance that you will need right away and can't wait until you get back to the office to download your notes.
- d. The best way is still the old way, write down what you see on your surveillance log. Make sure everything you see has a different entry with a date and time. Don't worry about what it looks like, you can make a better copy once you get back to the office.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

74) Jim Jones testified in court that he is an expert in fingerprint analysis. During his testimony he said it was his professional opinion that the fingerprints he developed, processed and analyzed for the ABC detective agency belong to the suspect on trial. Which of the following is a true statement regarding expert testimony? (1175-04.04)

- a. Jim Jones can only testify as an expert witness if he is the person who seized the evidence and did the comparison himself.
- b. Jim Jones can only testify as an expert witness if he has the technical competence to make such an opinion.
- c. Jim Jones, as a licensed PI, can testify to what the expert witness told him. It is the opinion of the court that a PI will always be honest and tell the truth.
- d. Jim Jones cannot testify as an expert witness unless he first brings in all of his degrees and training certificates in fingerprint analysis before he will be deemed an expert witness.

75) Betty Sue, an apprentice, is working on a case with her sponsor. They approach a person they wish to interview as a witness in their investigation. Prior to the interview they each take out an identification card which identifies them as Private Investigators with the XYZ Private Investigative Agency. They interview the witness without issue and go on to the next witness interview. (1175-01.16(4))

- a. The apprentice is not allowed to interview anyone at any time until they are fully licensed.
- b. The apprentices sponsor should have identified Betty Sue to the witness as an apprentice prior to beginning the interview.
- c. The apprentice should have stayed in the car and watched the interview instead of assisting.
- d. The Betty Sue cannot identify herself as a private investigator at any time while an apprentice.

76) As a PI I am constantly asked to locate someone for a relative who has lost contact and wants to find them again. This type of search is called what? (The complete idiots guide to Private Investigating)

- a. Skip Tracing
- b. People Find
- c. Public Records Search
- d. Ancestry locator



## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 77) Under what circumstances is it alright to willfully make a false statement or report to an employer, client or Department representative? (1175-04.01)
- It's never permissible to willfully make a false statement or report.
  - It depends on the circumstances, but is permissible on a case by case basis.
  - It's only permissible to make a false statement to a client if the information you collected would cause him/her harm or would require him/her to lie to authorities.
  - It's not advisable to willfully make a false statement, but it's only permissible in undercover investigations to protect the case from compromise.
- 78) Is it a requirement to produce a written report on all investigations conducted by a PI? (1174-4.08)
- One would think so, but a written report is required only upon request of the client.
  - A written report, whether requested by a client or not is required by the Commission. This ensures proper documentation of an investigation.
  - There is no requirement to provide a written report. However, it goes without saying that its expected and a best practice to provide written reports.
  - A report must always be provided to a client unless they fail to pay their bill. You are allowed to withhold the report until you are completely compensated.
- 79) Unbeknownst to Jim Jones, the ABC Company filed a complaint against him to the Commission for fraudulent practices. Prior to notification, Jim Jones retired his license due to health issues. He is no longer practicing as a Private Investigator. He relinquished his License and completed the retirement paperwork as prescribed by the Commission and was given notice that the retirement was accepted. (1175-01.17)
- The Commission is no longer able to take action against Jim Jones.
  - The Commission must hold any action in abeyance until Jim Jones reactivates his license.
  - The Commission has the authority to pursue action against Jim Jones even though he retired his license.
  - The Commission has the authority to pursue action against Jim Jones, but he is not obligated to comply or even acknowledge the Commission's authority while his license is in retirement.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

80) In any Skip Trace search you will have the best and most accurate results if you use the persons? (The complete idiots guide to Private Investigating)

- a. Last, First and middle name
- b. Last name and Date of Birth
- c. Social Security Number
- d. Full name and date of birth together

81) When you use Skip Tracing techniques you are trying to: (The complete idiots guide to Private Investigating)

- a. Find a telephone number
- b. Find an address
- c. Find an employer
- d. Find a person

82) ABC PI agency in Knoxville, TN was hired to conduct an investigation in Nashville, TN. The person they needed to interview during the course of this investigation only spoke Spanish. The only person in the office who spoke Spanish was a student currently in the PI training program. Are there any restrictions on the agency and the trainee? (1175-3.11(1))

- a. The Trainee can conduct the investigation in Nashville without restrictions.
- b. The Trainee cannot conduct the investigation nor participate in the investigation until he/she is licensed.
- c. The Trainee cannot conduct the investigation independently; they must have their sponsor with them.
- d. The Trainee cannot conduct the interview in person, but can conduct a telephonic interview as long as they are only translating and not asking the direct questions.

83) If you want information to see if someone is in the Federal Prison system, which database should you use? (The complete idiots guide to Private Investigating)

- a. PACER
- b. BOP
- c. DPPA
- d. DOJ

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 84) Can you use a five-pointed star badge as your Agencies PI badge? (62-35-127)
- Yes, as long as it is not gold or silver in color
  - No one can use a badge that might indicate you are a sworn officer.
  - Not unless you get written permission from the local Sheriff's Office
  - Yes, as long as points are blunted and do not look like a Sheriff's badge.
- 85) While working for the XYZ Private Investigation Agency, Jim Jones was caught stealing from the company. The theft was minimal so the company decided to fire Jim Jones in lieu seeking prosecution. Does the agency have a responsibility to report the firing to the Commission? (1175-01-.06)
- Yes, the Commission must be notified of the termination within 60 days.
  - No, the Commission has no standing since the agency did not file a criminal complaint.
  - Yes, the Commission must be notified within 30 days and told why Jim Jones was terminated.
  - Yes, The Commission must be notified and told why Jim Jones was terminated. However, the reason for the termination is only required to be placed on the annual report.
- 86) The ABC Company had a fire over the weekend and their building was destroyed. The DEF insurance company flew in an insurance investigator from GA to conduct a fire investigation on behalf of the insurance company. The insurance investigator is licensed and trained in fire investigations, but does not have a Tennessee Private Investigation license or even a Georgia Private Investigative license and cannot claim reciprocity. Can the investigator conduct his investigation anyway? (62-26-223(b)(4))
- No, by regulation, this must be a Tennessee fire investigator or a local insurance adjuster.
  - No, by regulation, the insurance investigator has no authority in Tennessee to conduct an investigation.
  - Yes, this is an exception to the chapter; the fire investigator is providing expert advice for which he/she has been trained.
  - Yes, but before he begins his investigation the insurance company must obtain written permission from the commission.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

87) Jim Jones is working on a traffic accident injury case. He is told by the victim that her neighbor saw everything and can corroborate her story, but that they had a falling out and she refuses to say anything. In fact, she is denying being a witness. Jim Jones talks to the neighbor, but she refuses to provide relative information about the accident. Jim Jones solicits the help of another neighbor who did not witness the accident, but agreed, for a fee, to get the witness to talk. When she does, he will provide all the facts to Jim Jones. Jim Jones paid the informant \$200.00 to obtain the information. Was this legal and ethical on the part of Jim Jones. (The complete idiots guide to Private Investigating)

- a. Yes, Jim Jones is using approved and recommended investigative techniques to obtain critical data.
- b. Yes, Jim Jones is well within his right as a PI to pay an informant, but they cannot use the information provided by the informant in court as it would be considered tainted and not reliable.
- c. No, if the informant was able to obtain valuable information they would then be considered a witness. Witnesses cannot be paid for their testimony. The informant would surely be called to testify as to what the witness told him. This is an exception to the hearsay rule of evidence.
- d. No, Informants can only be paid in cash by the police in the state of TN.

88) As it pertains to someone's REOP, is the Curtilage considered part of an individual's "Premise"? (The Complete Idiots Guide to Private Investigating).

- a. No, the curtilage is outside of the home therefore there is no REOP.
- b. Yes, the curtilage is considered an extension of the home and would be considered part of the residence.
- c. Yes, the curtilage is considered an extension of the home, but as it pertains to REOP, it does not apply as anything in the curtilage would be considered in plain sight and therefore would not apply to an individual's REOP.
- d. Yes, but only when there is a fence tall enough to block the view of someone. By law the fence must be at least 6 feet tall for the REOP to take effect.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

89) A police officer from FL, with permission of his police department, flies to TN to assist an Insurance Company on a case as an expert in industrial toxin spills. Does TN require the FL Police Officer to be a licensed PI to work the case in TN? (62-26-223(4))

- a. Yes, since TN does not have a reciprocity agreement with FL, they cannot work in TN without the proper licenses.
- b. No, this falls into TN Title 62, Chapter 26 as an exception to licensure. The police officer is exempt from obtaining a TN PI license as long as the activity has been approved by his or her supervisors.
- c. Yes, TN Title 62, Chapter 26 only applies to federal law enforcement officers.
- d. No, but you must have a TN PI helping on the case. The PI must write all of the reports and file them with the state.

90) You are hired by the victim of a \$20,000.00 burglary to find the perpetrator(s). The police were called, but they do not think the police will take this case serious and give it it's due diligence. One of the techniques used in a burglary investigation is to look for witnesses. It's called canvassing a neighborhood. You simply knock on neighbors' doors and attempt to find witnesses. Just so you don't jeopardize a criminal investigation, should you wait to conduct interviews until after the police conduct their investigation? (The complete idiots guide to Private Investigating)

- a. Police will consider this obstruction of justice and hampering their investigation. They will not care, mind or have any issue with you interviewing neighbors once they are completed with their own interviews.
- b. It's an inconvenience to the neighbors and they will more than likely tell you to go away. They will say they told everything to the police and recommend you speak to them personally.
- c. There is no need to conduct the interviews. Simply wait for the police to conduct the interviews and have the victim get a copy of the interviews from the police and read through them. No need to reinvent the wheel and spend time doing investigative work that was already completed by professionals.
- d. Never wait for the police. Conduct the interviews as soon as possible. The longer you wait the more likely it is that potential witnesses will fail to remember critical information.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

91) The Sponsor has \_\_\_\_\_ days to submit documentation to the commission that a class was held and what those results were. (1175-2.06(1))

- a. 10
- b. 15
- c. 20
- d. 30

92) Jim Jones was hired by the U.S. Government to review a multimillion dollar contract they awarded to the ABC Company for the manufacturing of titanium bolts used on U.S. Air Force jets. During contract negotiation Jim Jones intentionally withheld information from the U.S. Government that his wife was a senior manager and major shareholder in this company. Did Jim Jones do anything wrong? (1175-04.05)

- a. No, as long as Jim Jones conducts a fair and impartial investigation, he's committed no violation.
- b. No, Jim Jones would only violate rules and regulations if he informed his wife of the investigation and provided her with insider information that could change the outcome of the investigation.
- c. Yes, this is a direct and clear conflict of interest. He should have informed the government of his association and declined the investigation.
- d. Yes, this is an issue of conflict of interest, but as long as he can remain loyal to the client, he can remain on the case.

93) A licensee who fails to complete the required number of continuing professional education hours each calendar year has how many weeks to comply following the expiration date of their license before their license becomes invalid? (1175-2-.08)

- a. Zero
- b. Three
- c. Six
- d. Eight

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

94) If you are in a fixed-Mobile Surveillance you are most likely doing what? (The complete idiots guide to Private Investigating)

- a. Sitting in a parked motor vehicle conducting surveillance
- b. Pre-stage your vehicle at a fixed location, engage the surveillance equipment such as video camera, then leave the vehicle locked and unattended. Return to pick up the vehicle when the surveillance is over.
- c. Pre-stage your vehicle at a fixed location, engage the surveillance equipment with wireless monitoring equipment and monitor the surveillance from a secondary fixed location like another car parked away from the target.
- d. Fixed mobile surveillance is simply when one or more PI's who are conducting a mobile surveillance on one target vehicle. No matter what happens, the PI's stay fixed on that one target and vehicle.

95) Is this a true statement? In a civil proceeding, confidential communications between married persons are privileged and inadmissible if either spouse objects? (Rule 501: Privileges recognized only as provided: [www.tncourts.gov/rules/rules-evidence/501](http://www.tncourts.gov/rules/rules-evidence/501))

TRUE / FALSE

96) A PI is conducting surveillance in downtown Nashville on a divorce case. He is sitting in his car taking photographs of his clients spouse while on a date. While sitting there he is approached by a police officer who is dispatched to a suspicious person sitting in a car. The PI tells the police officer he's a PI on duty but forgot to bring his license because he was running late and left it in his desk. The police officer took down his information and called his agency. The agency confirmed he was a PI with them and conducting a legitimate surveillance. Did the PI do anything wrong? (62-26-208(f))

- a. No, when on surveillance you never want to carry your PI license it could blow your cover.
- b. Yes, although he does not need his license while on surveillance, he does need to notify the police department ahead of time when he's going to be conducting surveillance so his cover is not blown and they leave him alone.
- c. Yes, the PI needs to carry his license at all time while on duty and conducting PI business.
- d. No, as long as someone from the agency can confirm his identify it's okay. The license is supposed to stay at the agency so it's not lost.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

97) The Commission requires a certain number of continuing professional education hours each calendar year to be completed by every License holder. There are many classes provided in a full range of topics. However, the Commission has required that at least one hour each year is in what subject? (62-26-225(b))

- a. Commission authorities and responsibilities.
- b. Report Writing
- c. Computer Forensics
- d. Ethics

98) Jerry Jones, A private investigator for the ABC PI Agency, is also a reserve officer in the United State Marine Corps. He was called to active duty and will be deployed to Afghanistan in two months for a three year deployment. During his deployment, what will happen to his license since he will not be able to fulfill the continuing education requirements set by the Commission? (1175-2-.07)

- a. There are no provisions. He will be required to let his license expire. Upon his return the Commission will grant him a 6 month temporary license allowing him to work, but that he will need to catch up on all the training in that six months. If he fails, he will lose his license and need to apply like a first time candidate.
- b. Due to the fact that he is being called to service he need do nothing. Any adverse action by the Commission to a deploying soldier is a violation of their civil rights.
- c. Jerry Jones will need to write to the Commission and inform them of his impending deployment. Every six months Jerry Jones will need to ask for an extension and provide due cause until his deployment is over.
- d. Jerry Jones will need to write the Commission, let them know he has been recalled to active duty. The Commission will hold his license in abeyance until his return. During that time he will not be subject to Commission rules and regulations.



# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

99) In a mobile one-man surveillance, what does it mean to have an exit strategy? (The complete idiots guide to Private Investigating)

- a. While following the target plan your route ahead of time and know how to break from the surveillance without being noticed.
- b. Know the targets exit points prior to setting up the surveillance and set up at the most likely exit and pick up the tail at the exit point not the starting point. This technique is used throughout the surveillance.
- c. If you are burnt by the target know your escape route. Never let the target confront you.
- d. In a fixed surveillance such as a hotel room or office building, conduct an advance inspection of the area prior to the surveillance and identify all of the exits in case you need to make a quick getaway.

100) Jim Jones retired his license in good standing with the Commission three years ago. He's kept the Commission up on his status and all address changed throughout the years. Now, in year three, he is ready to reinstate his license. Has too much time elapsed? (1175-2-.09 & Notice of rule hearing 1175-01-.17))

- a. No, Jim Jones only needs to fulfill his training requirements and ask for reactivations of a retired license and be affiliated with a licensed private investigative company
- b. The Commission has advised only two years may transpire in order to reactive your license. Jim Jones will need to reapply as if starting the process of the first time.
- c. The Commission will require that Jim Jones complete 18 hours of continuing professional education hours prior to reactivation.
- d. Jim Jones will need to write the Commission a letter asking for reactivation of his retired license then wait a 6 month grace period for the Commission to file all of the appropriate paperwork. In the meantime, Jim Jones can begin working with a temporary license.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 101) When conducting a surveillance or tailing a suspect with multiple teams, what is most critical to a successful surveillance/tail? ((The complete idiots guide to Private Investigating))
- Trust in your partners
  - Blending into your environment
  - Communications
  - Batteries for your equipment
- 102) The Commission determines the amount of civil penalty by assessing various factors. These factors include all **BUT** what? (1175-01.15)
- Will the amount be a deterrent?
  - Was there a risk to the public?
  - How much did the violator gain as a result of their violation?
  - Will the civil penalty be a hardship to the violator?
- 103) If you are in a mobile surveillance you are most likely doing what? (The complete idiots guide to Private Investigating)
- On foot following the suspect
  - In a moving vehicle following the suspect
  - Following a suspect who is on the move no matter if on foot or the type of transportation being used.
  - Placing a GPS device on the targets vehicle which will alert you when he/she goes mobile.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

104) The ABC PI agency was hired by Mr. Smith to conduct surveillance on Mr. Jones who he thinks is embezzling money from his company. Unbeknownst to the ABC PI agency the local police department is also investigating Mr. Jones on a series of thefts from various companies he works with. When the local police find out that the ABC PI agency has been looking into this matter they demand all evidence and reports provided to Mr. Smith. Furthermore, they ask them not to report this disclosure to Mr. Smith to protect the secrecy of the investigation. (1175-04.07(1)(2))

- a. Under no circumstances can the ABC PI agency release the reports to the local police department.
- b. The ABC PI agency can provide the reports, only if given permission by Mr. Smith.
- c. Due to the fact it's a law enforcement agency they must comply and they cannot tell Mr. Smith or they can be arrested for obstruction of justice.
- d. The ABC Company can provide information to the police and not tell Mr. Smith only if a judge signs a subpoena and places a gag order on the ABC PI agency.

105) There are three main principles when conducting a foot surveillance, whether you are alone or part of a team. What are they? (The complete idiots guide to Private Investigating)

- a. Maintain visual at all times, change your appearance frequently, switch following positions frequently (move from behind to in front of the target)
- b. Maintain a barrier of some sort between you and the target, stay behind the target at all times and change your appearance during the surveillance.
- c. When possible walk in front of the target (They never suspect the person in front of them would be following them), wear sunglasses and a hat, continually talk on the phone. This gives the appearance that you are not paying attention to the target.
- d. Act casual and blend into your surroundings, wear casual and comfortable clothes, look down while walking near the target so he/she cannot see your face.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 106) A TN PI is hired to conduct a 24 hours surveillance for a week at a local establishment to document who comes and goes and document any unusual happenings. As he is only one person, he hired his brother, who is not a licensed PI, to help take an 8 hour shift. He told his brother to simply take pictures and take down license plate numbers, but nothing else. The brother worked for the week on the surveillance and there were no incidents.
- Since this is a short term contract there is no violation by the licensed PI.
  - Any person can conduct surveillance on public property, there is no expectation of privacy, and therefore there are no licensing issues.
  - This is in direct violation and is grounds for disciplinary action. No licensed PI can employ or contract with an unlicensed person or agency to conduct any business.
  - This is in direct violation only because it's a relative. There are rules against nepotism in the State of Tennessee.
- 107) What is the best and most recommended form of documenting what you see on surveillance? (The complete Idiot's guide to Private Investigating))
- Documenting your observations on a sworn statement. This is the preferred method of attorneys and judges. It will rely on your testimony to introduce the evidence. With pictures and video claims can always be made that the captured video/picture was somehow doctored or enhanced. This leave doubt in the jurors mind.
  - A still camera. Taking still photographs is still the easiest, most convenient and least likely for issues to produce incriminating evidence. Digital cameras should be the preferred camera of any PI.
  - Video camera is the most desirable because it shows continuous motion and allows the viewer to see the suspect in action. There is little to dispute when the suspect is seen engaging in incriminating behavior on video.
  - Audio capture is the most damaging of all evidence as you can hear the tone and meaning in the persons voice. There is little the suspect can say when you capture his own words.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 108) Mr. Jones suspects his secretary of stealing his identity and obtaining credit cards which she has used to purchase over \$10,000.00 in merchandise. He does not have enough evidence to file a police complaint so he hires Harley Magnum to conduct an investigation with hopes of finding evidence to bring to the police. Harley Magnum begins by conducting a late night trash pull of the secretaries' personal trash from her residence. Harley Magnum waits until midnight and takes the secretaries trash from the side of her residence. While looking through trash he finds credit card statements with Mr. Jones' name on it. He returns at 3 a.m. and returns the trash, less the incriminating evidence. The next day Mr. Jones goes to the police department and turns over the evidence. The police subsequently bring in the secretary, and, faced with the evidence presented before her, admitted culpability and is arrested. Will the secretaries' admission be admissible in court? (The complete idiots guide to Private Investigating)
- Yes, based on the court case of California v. Greenwood taking someone's trash is permissible from any location outside of the interior of the dwelling.
  - Yes, but only because Harley Magnum return the trash. Otherwise, it is illegal to remove the entire contents of the trash from the side of her residence.
  - No, Harley Magnum trespassed on the secretaries' property by taking the trash from the side of the home. He needed to wait until the trash is placed on the curb or another common area accessible to the public.
  - No, based on the court case of California v. Greenwood, the evidence obtained from the trash needed to be submitted by Harley Magnum and not Mr. Jones. Mr. Jones was not an eye witness and therefore the evidence obtained by the police is considered tainted as there was no chain of custody.
- 109) A PI got into a fight in a bar and was arrested by the local police. The PI was off duty and was not carrying a concealed firearm. Both parties claimed they fought one another in self-defense. Both parties, during plea agreements decided to plea nolo contendere to misdemeanor assault charges stemming from the fight. The Commission revoked the PI's license for 3 years and fined him \$500.00 dollars. Was that the appropriate punishment? (62-26-217)
- The Commission cannot revoke the license because a plea of nolo contendere is not an admission of guilt.
  - The Commission is simply following normal procedure and has the flexibility to render both punishments.
  - The Commission cannot revoke the license unless the PI is charged with a felony. Only then can the license be revoked for 3 years.
  - The Commission can only revoke the license if convicted of a felony and nothing else.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 110) A licensed Agency had their license revoked for a violation of Title 62 Chapter 26 by the Commission. The agency had a total of three officers. Two of them were aware of the violations but did nothing to stop or report the violation to the Commission. Because the Agency lost the license, should/will all officers lose their licenses as well? (1175-04-06(7))
- a. Yes, the officers are liable all three officers can/may have their licenses suspended or revoked.
  - b. Yes, since the office has been shut down, the officers cannot work and therefore don't need their licenses. It's an automatic suspension until the commission completes their inquiry.
  - c. If the third person can show that he neither knew nor should have known of the violations then his license might not be suspended.
  - d. The third person will not lose his/her license, but they cannot maintain a financial interest in the agency until the suspension is over and the license has been reinstated.
- 111) An officer of ABC Agency had his license suspended for three years as a result of a violation of the Agency for which he was employed. His friend, understanding that he can't work for that Agency anymore, offers him a job with his Agency and he accepts. Is this in violations of the chapter? (62-26-217)
- a. No, as long as he is not affiliated with the same Agency it's okay.
  - b. No, as long as he does not hold a position of officer, he's not violated this chapter.
  - c. Yes, the chapter is specific; he cannot work in any capacity by a licensed Agency.
  - d. Yes, but it's only in violation if he has not paid all of his fines.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 112) What is the best and most recommended form of documenting what you see on surveillance? (The complete idiots guide to Private Investigating)
- a. Documenting your observations on a sworn statement. This is the preferred method of attorneys and judges. It will rely on your testimony to introduce the evidence. With pictures and video claims can always be made that the captured video/picture was somehow doctored or enhanced. This leave doubt in the jurors mind.
  - b. A still camera. Taking still photographs is still the easiest, most convenient and least likely for issues to produce incriminating evidence. Digital cameras should be the preferred camera of any PI.
  - c. Video camera is the most desirable because it shows continuous motion and allows the viewer to see the suspect in action. There is little to dispute when the suspect is seen engaging in incriminating behavior on video.
  - d. Audio capture is the most damaging of all evidence as you can hear the tone and meaning in the persons voice. There is little the suspect can say when you capture his own words.
- 113) The Commission has the right to investigate any Agency for violations of this chapter. All staff associated with that agency must provide all records upon request and they shall truthfully respond to the Commission questions. Is that an accurate statement? (62-26-224)
- a. No, the Commission can only investigate an Agency if and when a complaint is received by the Commission.
  - b. Yes, that is an accurate statement.
  - c. No, the Commission cannot take files without a subpoena even if given written authorization by its officers.
  - d. No, the Commission has limitations on who they can interview and therefore the employees are not required to speak with a Commission representative.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 114) A PI from TN is visiting a friend in VA. She witnesses a hit and run accident. The PI from TN pulls out her PI badge and jumps in front of the fleeing car and yells "Stop or you'll be arrested". The suspect stops the car and is detained by the PI until the police arrive. A witness saw what happened and told the police who responded to the scene. The police arrested the PI for impersonating a police officer. (1175-04.06(3))
- The PI can sue the police officer in civil court for false arrest.
  - The PI violated TN Commission rules of professional conduct and the Commission can take disciplinary action.
  - The witness was unable to read the writing on the credentials and badge and therefore overreacted.
  - VA has reciprocity with TN therefore the PI was acting in good faith and should not have been arrested. The PI does not need to report this to the TN Commission as the PI was deemed making a civil arrest and not working as a TN PI.
- 115) Under Tennessee law, while working on a case, can you enter a suspect's residence during the performance of your investigation? ((The complete idiots guide to Private Investigating))
- It is never permissible to enter someone's private residence unless invited in?
  - Yes, as long as you were given permission by the client and the client has reason to believe that the person you're looking for has a warrant for their arrest.
  - Yes, but the door must be unlocked. You cannot force open a locked door.
  - No, but you can stand outside and look in the window. If you see the suspect inside, that would be considered extenuating circumstances and allow you to enter without a warrant or without police.
- 116) Which one of the below listed Constitutional Amendments will have more impact on a PI's day to day operation?
- 1<sup>st</sup>
  - 3<sup>rd</sup>
  - 4<sup>th</sup>
  - 5<sup>th</sup>



# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 117) Taking notes is critical in any PI investigation. Notes are usually taken to document critical facts that will later be reduced to a statement or will be used to write a report for the client. Once notes are used, should they be maintained or destroyed? (The complete idiots guide to Private Investigating)
- Notes should be maintained in the case file at all times. They are discoverable and can be entered into evidence in a civil and/or criminal case.
  - Notes are exactly that, notes. They can either be destroyed or maintained in the case file. Notes are not discoverable as the written report usually contains all of the facts and circumstances whereas the notes are cryptic and often are illegible to anyone but the author.
  - There is no law against destroying your notes. That is the best course of action for a PI. Do not take the risk of providing additional information to a defense attorney who can use the notes to discredit you, your report and ultimately your investigation.
  - Handwritten notes should be typed up so they are legible and the original notes can then be destroyed. Some staple the original notes to the typed version. This is permissible but not necessary.
- 118) The ABC Company suspects that their comptroller is embezzling money from the company, but they don't have enough proof to go to the police. They hire a retired detective from the Tennessee Bureau of Investigations to work full time in their security section for the sole purpose of investigating this internal matter. In a matter of weeks he collects enough evidence to bring to the State Attorney's office to prefer charges. The State Attorney reviews the case, finds out the retired detective does not have a Private Investigators License and determines: (62-26-223(b)(5))
- The ABC Company violated Tennessee Title 62, Chapter 26, Part II. The retired detective needed a PI license.
  - The ABC Company should have hired a licensed PI to work with the retired detective.
  - The ABC Company followed Tennessee Title 62, Chapter 26, Part II. The retired detective is working an internal investigation and an employer-employee relationship was established.
  - The ABC Company never had an employer-employee relationship because the detective was hired to work on this investigation only.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 119) Jim Jones, who has been a Private Investigator for 10 years, was terminated from the XYZ PI agency due to cutbacks and the poor economy. Two weeks later Jim Jones is hired by the ABC company. Must Jim Jones tell anyone of this change of companies? (1175-01-.05(2))
- No, due to the fact he was terminated in good standing, he needs to do nothing. His new company will simply put him on the payroll.
  - Yes, the commission must be notified by either the applicant or the agency in writing within 30 days.
  - Yes, the applicant or the agency must notify the Commission during their annual report to the Commission which is due the first week in January of every year.
  - No, The Commission needs only to be notified when an applicant or licensee finishes or terminates their apprenticeship.
- 120) Keeping a written record of people who handle evidence is known as what? (The complete idiots guide to Private Investigating)
- Evidence Acquisition Report
  - Chain of Evidence
  - Evidence Transfer Receipt
  - Physical Evidence Receipt
- 121) While on surveillance a PI witnesses a man run up to an elderly woman stealing her purse. The PI jumps out of his car and begins to pursue the strong armed robbery suspect, who has nothing to do with his surveillance. At this time, he is acting as a private citizen. The suspect is faster than the PI and is getting away. He pulls out his firearm and fires a warning shot in the air and tells the assailant to stop or he'll shoot. The assailant stops and gives himself up. The PI maintains cover on the assailant until the police arrive. They arrest both the assailant and the PI. Why was the PI arrested? (62-26-217)
- The PI should not have been arrested; he had a valid gun permit and acted within the law as a private citizen.
  - He acted as a private citizen and should have not been arrested; he does not fall under the same rules and regulations as if he were working as a PI.
  - Although he should be commended for subduing the assailant, he endangered other citizens by firing a warning shot. Warning shot are strictly prohibited and can be disciplined by the Commission.
  - Firing a warning shot is not why he was arrested; he was arrested for detaining the assailant. He's not a police officer so it would be considered a false arrest.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

122) Jim Jones, an employee of the ABC detective agency, overheard two of his supervisors and owners of the company discussing a client's investigation. They said they need to continue to bill the client for work even though the case has come to a logical conclusion and that there is nothing more to do. They advise they are doing this because they are in financial difficulties. Jim Jones feels uncomfortable, but understands business is business. He feels if the company is in that much financial difficulty he could lose his job if they don't continue to bring in money, so he says nothing. (1175-04.02).

- a. Jim Jones is under no obligation to say anything as long as he is not the lead investigator or billing the client. He can simply ignore what he heard.
- b. Jim Jones is obligated to report this misconduct to the Commission in writing and then cooperate with their investigation.
- c. Jim Jones is obligated to report this misconduct, but he can do it anonymously under the whistleblower statute.
- d. Jim Jones' only obligation is to protect the health, safety and welfare of the public and this does not fall into that category.

123) Jim Jones is in a bar with his friends and the TV is on. The 6 O'clock news has a headline story, "Big executive with the ABC Company is arrested for embezzlement." The friends are all talking about it and Jim Jones says he worked on the case and is the one responsible for collecting the evidence. Has Jim Jones violated the client/Private Investigator confidential relationship? (62-26-221(5))

- a. Yes, this is a clear violation. Jim Jones cannot talk about the case at all.
- b. Yes, the mere acknowledgment that he worked on the investigation is a violation and Jim Jones can lose his license.
- c. No, Jim Jones simply made a claim that he worked on the investigation. He did not provide information about the case and therefore it is not a violation.
- d. No, since the media reported on the story it's now public record and Jim Jones is free to talk about the investigation to anyone. Therefore, there is no violation of Title 62 Chapter 26.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 124) There are steps in a certain order that should be taken when documenting evidence. Which order below is the correct order of documenting evidence? (The complete idiots guide to Private Investigating)
- Video, Photograph, Collect
  - Photograph, Video, Collect
  - Video, Photograph, Collect, Video again
  - Photograph, Collect, Video (Document how you left the place in case a complaint is made that you destroyed, stole or broke personal items)
- 125) The Commission received an anonymous complaint that Jim Jones was drinking heavily and he was an alcoholic. The anonymous complaint reported his alcoholism was affecting his performance and co-workers were in fear of their safety and the safety of the public. What can the Commission do? (1175-04-03((1)(a)(b))
- The Commission does not act on anonymous complaints. They will take no action.
  - The Commission will contact the agency and request they tell the employee to seek help at AA for 6 months. If after that amount of time the PI has not been cured then they will need to terminate his employment immediately. .
  - The Commission will contact the employee directly and ask him if he is an alcoholic and ask him to voluntary admit himself into treatment.
  - The Commission can initiate an investigation and if they deem the allegation to be correct they can suspend or revoke Jim Jones' license.
- 126) Can a P.O. Box be used as a company's principle place of business mailing address? (1175-01 (amendments))
- A P.O. Box is fine for a branch office, but not the company's principle office.
  - A P.O. Box is never an option for a PI agency, no matter if it's a principle or branch office and will not be accepted by the Commission.
  - The issue is not where the mail is delivered, but the physical location of the principle office, therefore, a P.O. Box for mail is acceptable to the Commission.
  - A. P.O. Box is not recommended, but is used often by PI agencies who want to keep a low profile.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 127) Unbeknownst to Jim Jones, his agency was working an investigation on a close personal friend. During a Monday morning briefing the case was being briefed. No names were used during the brief, so Jim Jones had no idea who the investigation was on. That evening, while playing tennis, Jim Jones talked about the case to his friend. Later that week, Jim Jones was speaking to the PI working the case and he realized he made a mistake and that he briefed his friend on the case against him. What should Jim Jones do? (1175-04.05(5))
- This is a clear Conflict of Interest case. There is nothing Jim Jones can do except report his mistake and take the punishment of the Commission. He more than likely will lose his job for several reasons. One is the conflict of interest and the other is briefing an outsider a case.
  - Jim Jones will possibly suffer some ramifications for his actions with the Commission, but he must report this contact and make it part of the case file.
  - Jim Jones, in order to save his job, must contact his friend and tell him not to tell anyone he briefed him on the case. He should attempt to do it in such a way as to not let the friend know he is the subject of the investigation.
  - Jim Jones should write a letter to the Commission outlining what he did and ask for leniency in their punishment.
- 128) Before the Commission will issue a license to a Principle place of business or a Branch office they must have what? (1175-01(amendments))
- Telephone Number
  - Mailing Address
  - Physical Location
  - Employees
- 129) There are three main definitions used as evidence which are universally used in civil litigation and criminal proceedings. Which of the rules of evidence is NOT one of the three main ones? ((The complete idiots guide to Private Investigating))
- Material Evidence
  - Direct Evidence
  - Circumstantial Evidence
  - Real Evidence

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

130) Is this a true statement? No married person has privilege to refuse to take the witness stand solely because that person's spouse is a party to the proceeding? (Rule 501: Privileges recognized only as provided: [www.tncourts.gov/rules/rules-evidence/501](http://www.tncourts.gov/rules/rules-evidence/501))

TRUE / FALSE

131) Does a certified trainer who wishes to terminate his or her status as a trainer need to notify the commission? If so, what else do they need to do? (1175-3.08(2))

- a. Yes, they also need to provide a termination date and return their original trainers certificate.
- b. Yes, they need to write to the Commission within 10 days of their termination date and wait for a formal response from the Commission granting the termination request.
- c. Yes, they need to write to the Commission within 10 days and provide a copy of their PI license and a copy of their training license. The Commission does not want or need originals.
- d. No, they will simply allow their license to expire. This way they can train on their schedule. The Commission will allow the license to expire with no further action being taken.

132) The Commission received several complaints from students attending the ABC Training Academy relative to misleading representation on the part of the academy. In particular, the Academy has been telling the students each class is worth 2 credit hours and they are paying for 2 credit hours, but the Commission is only authorizing 1 credit hour per class. Can the Commission take any action? (1175-2-.05)

- a. Yes, the Commission can withdraw the programs approval to be used as a continuing education program.
- b. Yes, the Commission can take action, but not until the schools two year contract has expired.
- c. No, the Commission can take no action. They can only approve education programs and take action against licensed PI's, Companies, and Agencies. They have no authority over education programs. They would need to get help from the Tennessee Department of Education.
- d. Yes, but only as so much as to advise the education program that they must lower their credit hours per student and provide refunds for those students who already have taken the class.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 133) Betty Sue attended a class on Child Abuse from the ABC training academy in Nashville, TN. The ABC training academy sponsor told Betty Sue that she can expect 2 credit hours for this course of instruction. Can the academy give this information to Betty Sue? (1175-2.04(4))
- a. No, only the commission can approve the number of credit hours. That information must come from the commission upon review of the course program.
  - b. Yes, the Sponsor can advise their students of the approved hours. This is because the sponsor had to be approved by the commission in the first place and will be told by the commission how many credit hours are allowed for each course.
  - c. No, it would be ill advised due to the fact that the commission can alter or change approved hours and training at their discretion. You should only advise the students what is typically allowed for the course of instruction.
  - d. Yes, but it must be clearly articulated that the hours could change, and if they do, they will supply additional classes at no cost to make up for the denied hours.
- 134) One main difference between qualifying to be a trainer and an assistant trainer is education. Which statement is most accurate to highlight that difference? (1175-3-04(1)(a))
- a. An assistant trainer only needs a two year degree.
  - b. The assistant trainer is not required to have experience as long as they have the educational background.
  - c. An assistant trainer can substitute experience for a college degree.
  - d. An assistant trainer only needs a high school diploma or a GED.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 135) If the Commission disapproves continuing education credit hours claimed on a statement, is there any recourse allowed the sponsor or the licensee to remedy the reason why the hours were disapproved? (1175-2.06(3))
- No, all sponsors are given prior approval for their programs and understand any deviation will result in hours being disapproved. The Commission need only to provide an explanation why the hours were disapproved.
  - No, The Commission's ruling is final. There are no policies or procedures for appeal.
  - Yes, The Commission will submit to the Sponsor or the Licensee the reason for the disapproval outlining the deficiencies. They also MAY allow them time to correct the deficiencies.
  - Yes, the Commission, in their letter to the Sponsor or the Licensee will outline the deficiencies and give them 15 days to respond with corrective action.
- 136) A Certified Trainer must submit all of the following document(s) to the Commission when applying for a trainer license, but what? (1175-3-.03)
- Social Security Number
  - Date and Place of Birth
  - Résumé outlining qualifications
  - Name and address of the applicants business
- 137) The commission requires that anyone assisting in the implantation of the training program MUST work for a trainer certified by the commission and MUST meet at least two of the following requirements: (62-26-226(c)(1))
- MUST be at least 21 years of age and have prior military or civilian law enforcement experience.
  - MUST be at least 21 years of age and MUST have at least three years with an investigator company.
  - MUST have prior law enforcement experience in excess of five years and MUST have a valid Private Investigators license.
  - MUST be a member of the Companies Officers and MUST be an expert in all aspects of the training curriculum.



# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 138) In order to maintain a license as a continuing education program it must be deemed a formal continuing education program. How does the commission define a formal program? Of the list below, what would not be considered a formal program by the commission? (1175-2.03 & Notice of Rulemaking Hearing)
- a. Post Officers Standards and Training (POST) Commission courses closed to the public.
  - b. Program is conducted by a qualified instructor.
  - c. A course outline is preserved
  - d. One unit credit is defined at least 50 minutes in length
- 139) Betty Sue enrolled in the ABC School for Private Investigators, which is an approved continuing education school by the commission. Upon completion of her course of study, Betty Sue produced her own written report 10 days after the classes ended outlying the classes she completed. The classes are all certified classes, so she was perplexed when her hours were denied by the commission. Why? (1175-2-.06)
- a. There is no issue. Betty Sue should appeal the decision and have her hours credited towards her continuing education requirement.
  - b. Betty Sue failed to submit the document within the 7 day requirement.
  - c. Betty Sue should have also included the name of the instructor so they can check their records to ensure he/she is an approved instructor.
  - d. Betty Sue is not authorized to submit her classes to the commission. It's up to the sponsor.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 140) Betty Sue enrolled on-line to take an ID theft course provided by the ABC training academy based out of Knoxville, TN. The ABC Company followed all of the commission requirements and therefore Betty Sue took the 6 hour training class. Upon successful completion of the course the information was forwarded to the board for review. The board accepted the course, but only credited Betty Sue with two hours. What can Betty Sue do to get all 6 hours? (1175-2.03(4) thru (6))
- Nothing, the commission has the final say on how many hours to credit Betty Sue for training received.
  - Betty Sue can appeal to the Chairman of the Commission who has the final say, but must do so within 20 days of her official notice from the commission.
  - Betty Sue can resubmit the paperwork and ask for reconsideration.
  - Betty Sue can carry over the remaining 4 hours towards the following years training requirements.
- 141) Sponsors of a continuing education program **SHALL** keep all **BUT** the following records? (1175-2.04(2))
- Location of the education program
  - Names of each instructor and their qualification
  - List of all licensees attending the training
  - The licensees grade at the end of the training.
- 142) Betty Sue has enrolled into a Commission approved continuing professional education program, but refuses to provide the school with her license number. Can Betty Sue refuse to provide her license number to the schools Sponsor? (1175-2-.06(2))
- Yes, she is under no obligation to provide her license number to the schools sponsor. All Betty Sue needs to provide is her Name and her address.
  - Yes, the Commission is the only body who can demand that Betty Sue provide her license number.
  - No, it's a requirement of the Commission that the Sponsor will report the Name of the Student, their License number, and the number of hours attended.
  - No, she cannot refuse to provide the number, but she can ask the Sponsor not to provide the number to the Commission. They really don't need it anyway as they have Betty Sue's record on file. If there are any issues they will notify the School or Betty Sue personally.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

143) What of the following would disqualify you from becoming a certified trainer? ?  
(1175-3-.02)

- a. Be at least 21 years of age
- b. Hold a two year associates degree from an accredited college or university.
- c. Have at least three years of supervisory experience with an investigative company.
- d. Hold a valid Tennessee Private Investigators License.

144) How many years of experience will an assistant trainer require to obtain a license without a college degree? (1175-3-.04(1)(a))

- a. 2
- b. 4
- c. 6
- d. 8

145) The commission required all companies and individual trainers applying for certification as a trainer to agree to monitoring of the training program. How often does the Commission require monitoring to take place? (1175-3.08)

- a. The Commission does not provide a schedule, they are scheduled randomly and without notice.
- b. Monthly inspections are conducted.
- c. Quarterly inspections are conducted.
- d. Semi-annual inspections are conducted.

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

146) Jim Jones is an instructor at the University of Tennessee in their criminal justice program. He is also a licensed private investigator. He teaches three classes 8 times a year during the normal course of his work. Any one of those classes would be worth one credit hour towards anyone's PI license renewal. Can Jim Jones himself, as the instructor, use any or all of those points towards his continuing education program and thereby satisfy his training requirements? (1175-2.03(5))

- a. No, this is unethical and a violation of commission rules and regulations. If Jim Jones were to use any points towards continuing education that would be grounds for disciplinary action.
- b. Absolutely, Jim Jones can accumulate one hour for each class he teaches. In this particular instance, he would accumulate 24 hours towards his continuing education requirement.
- c. Absolutely, Jim Jones can accumulate hours towards his continuing education requirement as an instructor. However, the stipulation is that he is only eligible to receive credit for the first presentation. In the above scenario, he would be authorized 3 hours' worth of continuing education credit.
- d. Absolutely, however, as a teacher, and since he conducts multiple classes throughout the year, he is only authorized one half credit. Therefore, in this particular scenario, he would get 12 hours of credit.

147) Jim Jones applied to become a certified trainer and provided all of the appropriate documents. Since he put in his application one month prior, he changed companies but still wants to become a certified training. (1175-3.03)

- a. Jim Jones need do nothing. The Commission used his home address so he'll still get his license mailed to him.
- b. Jim Jones must reapply since he changed companies. The company needs to be vetted by the Commission to ensure it has been previously approved and has all the appropriate licenses.
- c. Jim Jones must write the Commission prior to the expiration of 10 days of his change in employment.
- d. Jim Jones must telephone the Commission within 15 days to notify them of the change in employment.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

148) As a private investigator a cellular telephone can be a great tool when conducting surveillance. However, cellular telephones, due to privacy laws cannot be used during official investigations. The official reason provided by the federal law and the FCC, is that cellular telephones cannot ensure security and authenticity of the information stored on its internal or external memory. (The Complete Idiots Guide to Private Investigating).

True / False

149) If you are using your cellular telephone on a surveillance to record evidence, what feature is the most critical to be engaged and accurate? (The Complete Idiot's Guide to Private Investigating).

- a. Autofocus
- b. Date and time stamp
- c. Auto save to external memory card for easy download
- d. Disengage the flash so as to not flash and give away your location

150) When taking photographs or videos from your cellular telephone is it better to save the pictures and video to an external memory card or internal memory. (The Complete Idiot's Guide to Private Investigating).

- a. External memory cards are unreliable and never advisable to save original video's/photographs.
- b. It is always preferable to save to your internal memory first then copy to an external memory card.
- c. It is preferable to save to an external memory card first only because if you save to your phone the entire phone is technically evidence.
- d. It is always preferable to save to an external memory card first as it is easier and more efficient to remove the memory card for saving, printing, e-mailing and incorporating into your report.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 151) An applicant denied for \_\_\_\_\_ is not eligible to reapply for licensure for a period of 6 months from the date of denial. (1175-01-.04(5))
- Material Misrepresentation
  - False Statements
  - Material Misstatement
  - Felony / Misdemeanor charges
- 152) Can the commission disqualify a candidate for being convicted of a misdemeanor? (1175-01-.04(6)(f))
- No, the commission can only disqualify a candidate for being convicted of a felony.
  - Yes, but only for the misdemeanor crime of domestic violence.
  - Yes, the commission can disqualify a candidate for either a felony or misdemeanor conviction or a charge. The commission does not need to wait until the applicant is convicted.
  - Yes, there are several misdemeanor crimes the applicant can be disqualified for a license once convicted.
- 153) A license candidate may be disqualified for all but the following acts. (1175-01-.04(7)(8)(9)).
- Habitual Drunkenness
  - Other Than Honorable Discharge from the Military
  - Applicant being subjected to a court order for domestic violence
  - Misdemeanor charge for assault and battery
- 154) In all but what instances is a private investigator required to list the PI's affiliation on printed or promotional materials. (1175-04-.06(5)(c))
- Telephone White Pages
  - Radio Advertisement
  - Television Advertisement
  - Business Cards

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 155) Of the individuals listed below, who has a privilege to refuse to testify in court? (Rule 501: Privileges recognized only as provided: [www.tncourts.gov/rules/rules-evidence/501](http://www.tncourts.gov/rules/rules-evidence/501))
- An attorney
  - An eye witness to a crime
  - A spouse when the crime was committed before marriage
  - A PI working for the prosecutor's office
- 156) PI's sometimes use their cellular telephones to take high definition photographs and videos. This is a very acceptable use of your cellular telephone. However, before using such a device, what should you do to protect the images and video? (The Complete Idiots Guide to Private Investigating).
- Turn off the automatic flash so you are not compromised while filming.
  - Make sure your time/date stamp is engaged on the camera.
  - Program your cellular telephone to save your photographs on a removable media card rather than to the memory of your camera.
  - Download your images as soon as possible so they are not overwritten or lost.
- 157) What are the three main credit bureaus? (The Complete Idiots Guide to Private Investigating).
- FMS, IRB Search and Merlin
  - PallTech, TLO and Tracers
  - NCIC, NCIS, NNANO
  - TransUnion, Equifax and Experian
- 158) What is the ideal ISO speed for taking pictures in low light when you don't want to use a flash? (The Complete Idiots Guide to Private Investigating).
- 1000
  - 1600
  - 2300
  - 3200

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 159) As a PI looking for a professional database to use, what is the most important feature to look for before selecting one or more? (The Complete Idiots Guide to Private Investigating).
- That they don't truncate the social security number
  - They provide the individuals full name and all alias'
  - That they provide both the full name and date of birth
  - They provide full addresses of all places lived for the past 20 years
- 160) You hire a PI in a divorce case to record the conversations of your spouse. Under the rules and regulations of the TN Wiretapping and Electronic Surveillance Act, what is the penalty if you violate that Act? (Tennessee Wiretapping and Electronic Surveillance Act)
- The PI can be fined \$100.00 a day for each day in violation and/or pay a maximum fine of \$10,000.00, whichever is greater.
  - It's a misdemeanor punishable by 60 days in jail and a \$5,000.00 fine.
  - TN has no punishment as TN is a two party consent state meaning no party needs to consent to the recording.
  - The fine is \$5000.00 for each known and proven act of illegal wiretapping.
- 161) Which is the best database to look up information on federal criminal and civil cases? (The Complete Idiots Guide to Private Investigating).
- TLO
  - PACER
  - TransUnion
  - IRB Search



# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 162) What is it meant by a pretext call? (The Complete Idiots Guide to Private Investigating).
- You telephone someone you need to get information from and lie to them to get critical information/evidence to help support your case.
  - You call a phone number just to see if it's still a working number.
  - You text the telephone number in hopes that someone will answer so you can track the location of the phone.
  - You text the telephone number when you are looking for a specific person and hope they answer and tell you where they are.
- 163) Who is responsible for notifying the commission when an employee of a PI agency is terminated? (1175-01-.06)
- It's the employee's responsibility because he must return his credentials within 30 days of termination or find another job.
  - It's the agencies responsibility to notify the commission in writing within 30 days of termination or death.
  - It's no one's responsibility, the PI's license will not be renewed when it expires.
  - It's the agencies responsibility to notify the commission only in the case where the PI dies while under their employment.
- 164) A PI can only be denied a license for a felony crime and a misdemeanor crime of domestic assault and all what other misdemeanor crimes but one below? (1175-01-.04)
- Shoplifting
  - Shooting a firearm or other weapon
  - Simple assault
  - Aggravated assault

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 165) What does it take to “Tap” a telephone line? (The Complete Idiots Guide to Private Investigating).
- The consent of the phone’s owner
  - A Warrant
  - The consent of all parties with access to the phone, which includes adults and children
  - They are the only ones who can Tap a phone and they need probably cause a crime was committed.
- 166) As a PI you want to conduct a trash pull of the subjects home prior to it being picked up from the trash collectors. You have to make sure it’s not on the owners curtilage before you do so. What should you do? (The Complete Idiots Guide to Private Investigating).
- Go the night before to conduct the trash pull while the trash is still by the side of the house.
  - Wait for the trash to be placed on the curb and off the curtilage
  - Wait for the trash to be picked up by the trash collectors then stop them to retrieve the trash. It sounds bad, but it’s your only legal option.
  - Ask their neighbor to collect the trash. Tell him you’ll pay them for their trouble.
- 167) As a PI you’ll benefit from getting a subscription to a database that supplies needed information on a person’s identity and other personal information. Truncating is a method of intentionally withholding personal information. When looking for database company you should want one that does not truncate what critical information? (The Complete Idiots Guide to Private Investigating).
- First and middle name
  - Last known address
  - Date of birth
  - Social Security Number
- 168) Which of the big database companies listed below do not truncate a persons Social Security Number? (The Complete Idiots Guide to Private Investigating).
- TLO
  - TransUnion
  - Equifax
  - Experian

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 169) PI Jones was on surveillance in front of a suspected cheating spouse home looking through an open window. An unknown person pulls into the suspects home garage and immediately the suspect closes the window blinds. The PI can no longer see through the window from his current vantage point across the street. The PI can see that the blinds are not fully closed, but he will need to go onto the curtilage of the home to see inside. Since the window blinds are partially open, can the PI look into the window and still collect information.
- No, once the suspect closes the blinds, even though he left it partially open, his intent was to maintain privacy and you can't legally look inside the home.
  - Yes, although he closed the blinds, and his intent was for privacy, he failed to close the blinds all the way.
  - No, it's illegal to look through open windows whether or not the blinds are closed. When in your house you have an expectation of privacy.
  - Yes, there are no legal ramifications of looking through a window whether or not the blinds are open or partially closed as long as you are looking from a common area and not on the persons property.
- 170) Under the TN electronic surveillance laws, TN is a "one party" consent state. What does that mean? (Tennessee Wiretapping and Electronic Surveillance Act)
- It means that any party can record the conversation of the other party without their knowledge as long as they are in the conversation.
  - It means that any party can record the conversations of another party as long as they are not part of the conversation.
  - It means one of the people in the conversation must be part of the conversation, but cannot know they were recorded until after the fact.
  - It means anyone can be recorded, but you cannot keep the recording until you get the permission from one of the people recorded.
- 171) In low light, besides picking the correct ISO speed for low light photography, you might also have to manually set the shutter speed. Of the list below, what is the best shutter speed for low light?
- 1/10
  - 1/20
  - 1/30
  - 1/40

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 172) Which of the below databases is the best for obtaining information about late payments on a mortgage? (The Complete Idiots Guide to Private Investigating).
- Equifax
  - TLO
  - PACER
  - TRACER
- 173) A credit bureaus sell credit header information to data suppliers, who in turn sell the information to PI's. Of the list below, what is not considered credit header information? (The Complete Idiots Guide to Private Investigating).
- Social Security Number
  - Checking Account Numbers
  - Date of Birth
  - Current and previous employment
- 174) What class felony does illegal wiretapping fall under? (Tennessee Wiretapping and Electronic Surveillance Act)
- It's a class "A" felony
  - It's actually not a felony, but a class "B" misdemeanor
  - It's a class "D" felony
  - It's a class "C" felony
- 175) When making pretext calls to obtain information, only one of the below answers is information you can obtain legally, which one is it. (The Complete Idiots Guide to Private Investigating).
- Place of employment records
  - Phone records
  - Credit Information
  - Social Security Number

## TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

- 176) Two individuals walk into a Sheriff's Office to obtain records on an individual. Neither are licensed PI's, but nevertheless, they show ID's which identify them as a PI. What can happen to these individuals if anything? (Title 62-26-204 and 62-26-228)
- a. Can be arrested and charged with a felony?
  - b. Can be arrested and charged with a Misdemeanor
  - c. Can be turned over to the Commissioner for prosecution.
  - d. Nothing can be done because they are not certified by the Commissioner.

# TENNESSEE PRIVATE INVESTIGATOR PRACTICE EXAMINATION

## ANSWER KEY

1- C	2- C	3- C	4- B	5- A	6- B	7- B	8- C	9- C	10- C
11- D	12- C	13- A	14- B	15- B	16- B	17- C	18- C	19- A	20- A
21- C	22- D	23- D	24- D	25- C	26- C	27- B	28- D	29- C	30- B
31- D	32- A	33- D	34- A	35- B	36- A	37- D	38- D	39- A	40- D
41- A	42- C	43- D	44- A	45- B	46- C	47- A	48- B	49- C	50- D
51- B	52- D	53- A	54- A	55- C	56- C	57- B	58- B	59- C	60- E
61- C	62- A	63- C	64- A	65- D	66- C	67- B	68- B	69- B	70- D
71- C	72- A	73- C	74- B	75- D	76- A	77- A	78- A	79- C	80- C
81- D	82- B	83- B	84- B	85- C	86- C	87- A	88- B	89- B	90- D
91- B	92- C	93- A	94- A	95- TRUE	96- C	97- D	98- C	99- B	100- A
101- C	102- D	103- C	104- B	105- B	106- C	107- C	108- C	109- B	110- C
111- C	112- C	113- B	114- B	115- A	116- C	117- A	118- C	119- B	120- B
121- C	122- B	123- C	124- A	125- D	126- C	127- B	128- C	129- A	130- TRUE
131- A	132- A	133- B	134- C	135- C	136- A	137- A	138- A	139- D	140- A
141- D	142- C	143- B	144- D	145- A	146- C	147- C	148- FALSE	149- B	150- D
151- C	152- D	153- D	154- A	155- A	156- C	157- D	158- D	159- A	160- A
161- B	162- A	163- B	164- D	165- B	166- B	167- D	168- A	169- A	170- A
171- C	172- A	173- B	174- C	175- A	176- B				

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