

Decoding digital evidence

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GRAND RAPIDS – An employee kept calling in sick on Fridays, citing the Family Medical Leave Act as the reason for her absence. So her employer turned to **Digital Forensics Worldwide** for help.

DFW went online and, using tracking information beyond the grasp of the average lay person, found the woman online, even locating a photograph posted on Facebook of her water-skiing. DFW scanned the photo's digital fingerprint to determine that it was shot on one of the days the woman called in sick.

Such are the perils of deceit in a digital age.

Michael LaFeldt and Dan Wells teamed up earlier this year to create Digital Forensics Worldwide, a company that LaFeldt said serves law firms and others that need to track digital information.



LaFeldt

LaFeldt, who boasts more than 20 years in the technology industry, said he and Wells, a 12-year veteran of the Grand Rapids Police Department, founded DFW in April. Prior to that, Wells had operated a similar company, called Integrative Solutions, since 2007.

LaFeldt said he and Wells teamed up this spring and “re-branded” the company in response to a law passed a year ago by the Michigan legislature. LaFeldt said the year-old law requires persons who collect digital information as part of an investigation be a state-licensed private investigator or a member of law enforcement.

“It really changed the way investigators work with evidence,” LaFeldt said, noting that the law addresses chain of cus-

tody issues involving evidence.

Because of the new law, LaFeldt said, out-of-state insurance companies or law firms seeking digital information must contact local law enforcement agencies or private investigation companies to perform tasks that they could have performed themselves before the law was passed.

LaFeldt, who describes himself as a technology expert and entrepreneur who has started several technology-related businesses, said there are a couple of digital forensics companies in the greater Detroit area, but he noted that Digital Forensics Worldwide is the only such company that he and Wells are aware of on this side of the state. He said the company is in the process of contacting all the state's law firms, informing them of the new law and offering the company's services.

He said the company's expertise in obtaining digital information and tracking digital activity has applications in the medical arena, in various legal investigations, and for virtually any company that uses digital services as commonplace as e-mail.

LaFeldt said the company could examine a digital medical record and determine what changes have been made to the record, when the changes were made, and in what order. Such information can prove crucial in a malpractice investigation if there is a dispute over whether a medical procedure was performed and whether it was performed at the right time.

He said other services involve retrieval of data that a computer user may think he or she has deleted from a machine. LaFeldt said Digital Forensics Worldwide can search a computer's hard drive and locate the information despite a user's attempts to erase it. Such retrieval can be pivotal in a divorce proceeding if a spouse is trying to hide assets, he said.

Wells, who served as a road patrol of-

ficer for 10 years and as a detective for two years at the Grand Rapids Police Department, said DFW can step in to do a job “when law enforcement can't or won't get involved.”

He said the company's services include e-discovery services, support for mergers and acquisitions, electronic counter-surveillance, cyber threat assessment, undercover operations, Workman's Compensation fraud investigations, background checks, and employee termination support.

Wells, who said he has extensive experience and training in dealing with digital crimes, said the company's investigators also provide expert testimony and have extensive experience working with local, state, and federal agencies on digital forensic cases.

“Electronic Stored Information is becoming commonplace in litigation,” Wells said. “Firms need to understand what questions to ask, the validity of evidence submitted, what data was possibly deleted, and what the relevant data means. And they need to be able to back all of that up with expert witnesses. We are those experts.”

Wells said the company uses court-tested technologies and follows strict chain-of-custody practices to ensure that a client's evidence is admissible in court.

He said not every client who turns to the company for help is an attorney or company executive. He said that in some cases, DFW has provided parents with tracking devices they can put on a car to track its use while the parents are out of town.

A tracking device user can remotely log on to a computer program to determine when the car was used, where it stopped, and more – making it tougher for Junior to get away with that joyride while Mom and Dad are away on a cruise. **MiBiz**