

An aerial photograph showing a collapsed bridge over a river. The bridge deck is broken into several sections, with a large section of concrete and rebar falling into the water. A yellow semi-truck is partially submerged in the water, with its trailer resting on the remaining bridge structure. Several cars are also on the bridge, some appearing to be in motion or stopped. Debris is scattered across the bridge deck and in the water. The river is dark and turbulent. The overall scene is one of a major infrastructure failure.

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INVESTIGATING
The
Minnesota
BRIDGE COLLAPSE



INVESTIGATING Catastrophic Events:



By Paul Jaeb



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It was 6 p.m. I was still in my office in downtown Minneapolis, in the middle of a conference call, when I heard sirens. A lot of sirens. By 6:05 p.m., my call was finished, but the sirens weren't. They wailed incessantly as I headed to my car.

Heading west on Interstate 394 towards home, I noticed the Hennepin County Sheriff's Water Patrol racing in their SUVs, pulling boats to the east. I turned on the radio. What I heard would change how I conducted my investigative business in a big way. The 35W Bridge, an eight lane span, had collapsed into the mighty Mississippi River.

Waiting on my voicemail when I went into my home-office were seven queries from potential clients. I responded to the first, a long-time legal client, and was retained on the spot. I learned my first lesson right then: In a catastrophe investigation, there is absolutely no delay. It was barely 7 p.m. We had work to do.



What I Learned From the Minnesota Bridge Collapse



The photos of the Minnesota Bridge Collapse were taken by:
Peterson Aerial Photography, Inc.

GETTING THERE, FAST

First, I called one of our best field investigators. With only one and a half hours of daylight left, at best, I dispatched him to the disaster site. One of the things I'd already learned in my long experience as a PI was how crucial preparedness is to successful investigations. At our firm, we are always ready -- mentally and physically, individually and as a team.

At Heartland Investigative Group, everyone has a kit ready, complete with all the equipment needed for investigations. We each keep a phone roster with all investigator contact information, so that team members can be gathered at a moment's notice. We always have some-

one ready with remote access to our computer system, prepared to assist those of us in the field by accessing our databases. We know how to locate that person at all times.

Our investigator rushed to the scene to face the unimaginable. We could not have known what he would see when he got there; wreckage, chaos and worse, human casualties. In the pandemonium, he was able to get close to the disaster site before it was cordoned off. He quickly began recording the scene with a still camera and time-stamped video. By doing this, he was able to capture critical images and information that we knew could change or be blocked from the

public at any time. Also, visibility was quickly fading. He had to act quickly to record the situation as it unfolded.

The investigator knew what I expected of him -- always be thinking ahead to the future litigation. Know that six or even sixty months from now, every piece of critical information is available and accessible. We knew this was a unique situation, however. This was not a typical crime scene. Not everything would be left in place until the investigation was complete, like it often is with a burglary or an assault case. My investigator was operating in a quickly changing scene of rescue and recovery. What he gathered now might be gone tomorrow.

It wasn't long before the media was out in full force. National and local coverage filled the airwaves with speculations, frenzied interviews with whoever would (or could) speak up, and visual images of the wreckage and destruction. The media and the Internet were having a field day. Within hours, amateur videos were showing up on the Internet. Another lesson: Know how to use the power of the media to your advantage without getting sucked into their agendas. More on that later.

In that first call with my client, I had nailed down the three questions the firm wanted answered:

1. What happened?
2. Who were the victims/potential plaintiffs?
3. Who was responsible and who could become potential defendants?

These seemed like simple questions, but there were no simple answers. By the end of the conversation, my client and I had rehearsed a mock interview with potential clients from among the injured and eyewitnesses at the event. We knew we had to carefully establish witness/victim guidelines that conformed to the Rules of Professional Conduct for lawyers. Extreme sensitivity to wording in interviews was essential. We also knew in this case that we would have to act fast to collect information,

before the crowd of investigators, press and spectators rushed in. We knew that in



Filtering the News

In the days following the bridge collapse, there was endless media coverage. We learned clever ways to use the media, but we understood that the press has its own agenda. In the way of lessons: Learn to filter what you garner from media sources.

For instance, we found that some of the "media darlings" whose efforts were featured day and night on shows on multiple channels turned out to have interesting pasts that could have been a problem in future litigation.

My advice: Let the media do the heavy lifting for you. Use what they provide, and don't duplicate their efforts. But don't get sucked in to the emotionality. Know when to use their resources, know when to use your own.

a catastrophe like this, everything would be happening at once.

That night, I reviewed some of the high-profile cases that my colleagues and I had investigated in the past -- Timothy McVeigh, Jon Benet Ramsey, major environmental cases and Enron. This catastrophe was everything we had encountered and more. First, I would be mobilizing my entire staff for a prolonged period of time on one case. That's putting all of your eggs in one pretty precarious basket. Second, everything was happening all at once. Each decision was critical and there wasn't much time for second guessing or prolonged group discussions. This is what I made clear to my group the

next morning at what was essentially a war room strategic conference. We all knew we had to act fast.

WHAT BLEEDS, LEADS

I chartered a helicopter and secured a trusted aerial photographer. One of my esteemed colleagues had once counseled me: "What bleeds, leads." He meant that the media will concentrate coverage on dramatic human emotional images. This led me to my next important lesson: Get your own coverage, immediately. Focus on any- and everything that could identify evidence that might be needed in future litigation.

By the time we'd arranged a fly-over of the site for that morning, an air space restriction





had already been established. Because of these restrictions on the air space around the scene, our photographer had to dangle out of the helicopter to get high resolution images that could be magnified later to detect close up details without losing clarity -- all this while gripping a huge camera with a 400mm zoom lens.

He ended up getting 150 photos. "Start macro, get micro," he explained. We were exploring the rubble, from wide establishing shots to small details, the big picture to the little elements that might later prove crucial in the investigation. We were exploring the unglamorous stuff that the media was neglecting.

By now, my entire Minneapolis team was assigned their tasks and out working. The entire job of one investigator was to scour the media and to develop leads using the tireless energy of the press to interview anyone they interpreted as connected to the event. Leading to one more lesson: Use the media to do some of your legwork when you can. Don't depend on them, as I explained above, but don't waste your time doing anything they can do for you.

IDENTIFYING VICTIMS AND RESPONSIBLE PARTIES

Using the information gathered from media sources, three of my team members went out to find and attempt to interview any potential litigants or anyone that could lead to those parties. We

mined all accessible databases, working diligently to piece together any clues that would lead to potential interviewees.

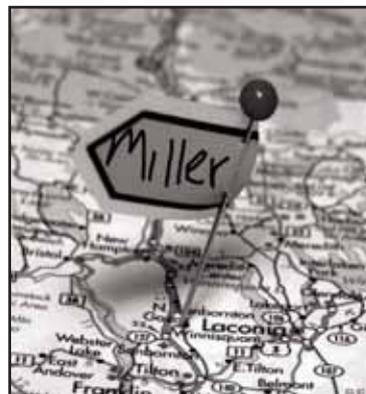
Every day, we sent one person down to the scene to record images with a time-stamped video. We were also dealing with the scene changing right before our eyes. Another lesson: Get the physical evidence before it's changed. Memorialize the scene before things disappear. Remember, we were not only looking for victims, but for responsible parties as well. As the rescue efforts and cleanup began, perhaps other clues and evidence would be unveiled. We could not miss any opportunity to gather new information that might be revealed as each layer of the scene was removed.

One member of our team was assigned solely to tracking down these responsible parties -- as soon as possible. This

involved not only gathering all physical evidence before it changed or was off limits, but attending all relevant events related to the actual catastrophe. We all, in fact, took part in this. We attended press conferences, memorial services - - any events of relevance to the bridge disaster.

LOOKING FOR WITNESSES

It did not take long for media from all over the world to descend on Minneapolis and the bridge. I assigned all of my staff to various television channels, having them record and review all reports on the collapse for possible leads for as long as necessary. We scoured all print and Internet sources for any new pieces of information. I was out interviewing as well. I knew that any interview could be potentially important, so I stuck it out,



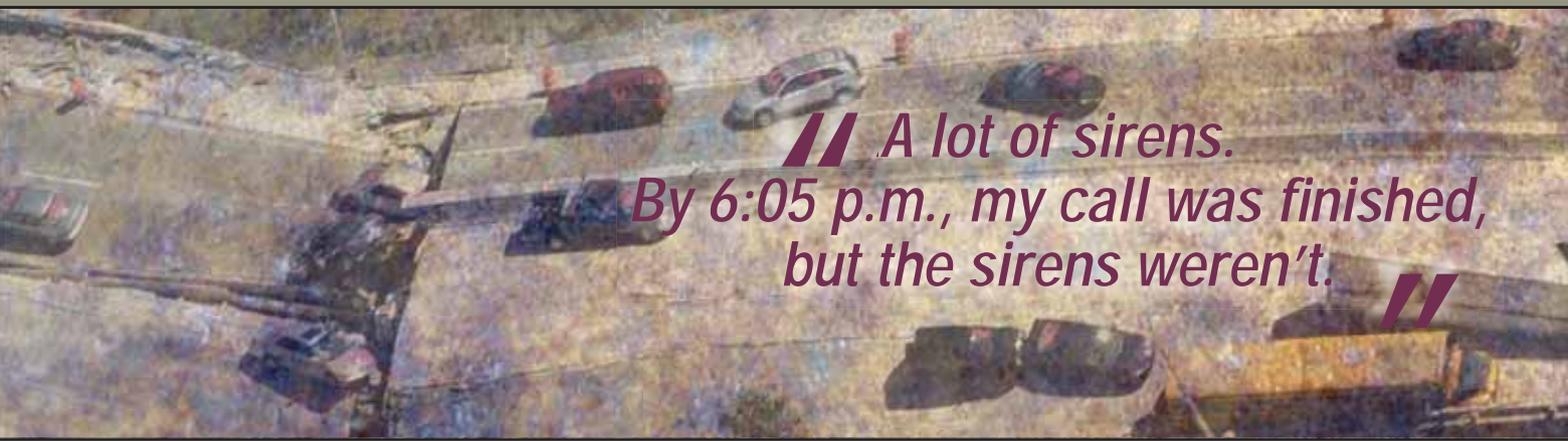
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*// A lot of sirens.
By 6:05 p.m., my call was finished,
but the sirens weren't. //*



KEEPING A PROFESSIONAL FOCUS

In the moments just after an catastrophic event, when it is most important to establish exactly what happened, to whom, and who -- if anyone -- was at fault, most of the focus is often, understandably, on the human suffering and rescue. We, as professionals, must remain focused on the goals of our work -- to gather the facts that will be needed later to determine responsibility.

To some we may appear exploitative simply because we must work fast amidst the pain and suffering, and this can be hard on an agency's staff. But, by staying objective, we are playing a critical part in bringing justice and relief to those who were hurt.

even when I came across those who were obviously disoriented or unable to provide any relevant information.

One woman, an engineer who had lived in earthquake-prone Japan, told me that she'd driven the bridge several months before and had experienced swaying and buckling. She said she had a bad feeling about the bridge's integrity. Interesting. Could she be a future witness?

Looking for future witnesses, as well as for hints as to how to proceed, I sent out a broad email to my professional colleagues using listserves accessed through my membership in the National Association of Legal Investigators and Intelnet. I asked for any information about retaining experts on bridge collapses and related disasters, and made a broader appeal for related information.

I received 100 email replies. Some were well-wishing notes, but others were invaluable to the actual investigation. This included the names of experts who had worked on similar cases --providing me with a file of names useful both for current research and as potential witnesses in future litigations.

IDENTIFYING THE DEFENDANTS

Also, keep in mind that some of the disappearances are not physical. For instance, it was revealed that the state of Minnesota had a one million dollar limited liability total for all litigants in an event such as the bridge collapse. With this disclosure, one potential defendant was eliminated.





So we needed to think deeper about who else might be responsible.

We learned how to screen other potential defendants as well. While others were focusing, for example, on a small contractor who may have been a party to the disaster but had little resources, we tried to look at it from other angles, exploring all possibilities that could implicate others who may have had some responsibility.

Another lesson I learned: Distinguish yourself. Know who everyone is going after and think of other possibilities. Look

for the clues that might lead to surprising and original conclusions about who was responsible for what.

CONCLUSION

Finally, the investigation was exhilarating, stressful and, no doubt, a life- and work-altering experience. I came away understanding that all my time-tested skills were critical -- only now these skills were tested under conditions of chaos and hysteria. I feel I can look back on the job we did sixty months from now and know our work would stand up in a court of law.

If I had to put my advice about catastrophe investigation into a few words, I'd say: "Keep your head. Be prepared so that you have all your resources ready when the chaos hits."

PI

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