

WE MUST CONTROL PRIVATE EYES

by SEN. EDWARD V. LONG

DEMOCRAT, MISSOURI



Modern look in undercover work—do-it-yourself private-eye kit for domestic relations cases—is exhibited by detective agency chief John Leon (r.), as he uses specially made transistor

radio to bug phone conversation of suspect spouse in nearby room (l.). With devices included in kit, close tabs can be kept on anyone—and at safe distances.

WASHINGTON, D.C. *H*ollywood has glamorized the private detective as a romantic figure who skulks through perilous dark alleys in a collar-up trenchcoat hunting out injustice. In the movies, he toils through the day and speeds through the night in pursuit of evil men. But in real life, he belongs to quite a different breed.

My Senate wiretap investigation has brought me into close contact with private eyes. I have learned how they operate, how they violate the law with impunity. Some are thoroughly honest and honorable. But all too many are men without ethics, who traffic in sordid information and would sell out a client for a higher bid. One investigator who gave up the business called it "crummy, crooked and illegal."

"It's a jungle," he said. "Anyone who isn't nasty has no business in it."

This country is literally crawling with undercover snoops who pry into the personal and business lives of private citizens. Though bound by the same laws as anyone else, they set thousands of telephone taps, plant electronic bugs and hidden cameras in the most private of places, infiltrate factories and businesses to spy on employees and competitors.

The day of the private detective who hailed a cab and shouted, "Follow that car!" is past. Today he is more likely to attach a tiny transmitter under the fender and trail the car by radio signal from a mile away. Modern technology enables him to watch a quarry or overhear a conversation from a safe distance. No longer does he need to burst in on a love nest with a flash camera. It's simpler



Leon at his desk: Electronic gadgetry has provided jet-age supersleuths with a score of insidious weapons for easier snooping.

to film the bedroom scene with a concealed camera.

One private detective agency offers a "ten-day blitz service" in domestic relations cases. "We came up with what was practically a do-it-yourself system for seeing and hearing what is happening around the house while you are away," explains John Leon, head of Washington's second oldest agency. First, a small "bug" is put on the telephone. It is so simple anyone can install it. Next, a special movie camera is mounted where it can't be seen but can photograph the bedroom. It takes pictures automatically every 30 seconds. Even the suspected spouse's car is bugged. Stuck into the dome light is a tiny transmitter that picks up conversations and records them on a tape recorder hidden in the trunk.

With a few minutes' effort, the do-it-

yourself investigator can have his wife's moves monitored for ten days. All the paraphernalia — along with simple instructions—can be leased from Leon for \$400, less than half what a good detective would charge for his peeping Tom service. Leon also provided my committee with the incidental intelligence that most marital cases today involve husbands checking on their wives. Only ten years ago, he said, 80 percent were wives checking on their husbands. Privately he attributes this reversal to the sudden popularity of birth-control pills.

The balding, 57-year-old Leon, who is a mild man and swigs low-calorie soft drinks from the bottle, hardly resembles the Green Hornet. He has skulked through his share of dark alleys during his 32 years in the business, but his only physical strain these days comes from the weekend gardening at his suburban home. Nor are leggy girls draped around his office—just photographs of his wife and three children.

BUGS AND BUG DETECTORS

In keeping with the new age, however, his innocent-seeming desk phone contains a tiny black box that records all conversations on his five telephone lines. Indeed, he has a drawerful of assorted miniature bugs. The Japanese transistor radio on his desk isn't a radio at all but a "bug" detector. It locates a hidden bug by picking up the radio signal. Once tuned to the bug's transmitting frequency, this handy detector can bug the conversation that the bug is bugging.

The typical private eye, once he hooks a client, has two pressing interests—getting the job done as quickly as possible and collecting as large a fee as he can. Of less concern are the methods. Leon told our committee candidly that he merely goes after the information the client wants and leaves the question of ethics to the client.

The hired snoop usually will begin a background investigation at any of a number of credit bureaus, which keep a fantastic amount of information on private citizens. Ten years ago, the New York Credit Bureau already had files on 5 million people and was adding 10,000 names a week. From contacts inside a credit bureau, an investigator can get a rundown on almost anyone.

He also has access to Western Union messages, unlisted telephone numbers, hotel registration cards, Internal Revenue tax records, social security employment records and military records. It is rumored that detectives can even arrange for private "mail covers." A locksmith told our committee that private eyes in the Washington area have master keys for all the major hotels. When asked how they procured the keys, he said, "Money buys everything."

Most investigators seem to have no qualms about using electronic devices. Many have confessed under oath that they use wiretaps freely. We came across

one investigator who'd fly around the country installing microphones and transmitters, then hop the next plane back to his Miami office. His fee was large, the possibility of getting caught small.

The same investigator was retained by Southern Bell Telephone Company of Louisiana to monitor over 40,000 telephone lines in an attempt to catch some employees who were selling long-distance service at a discount to bookies. To trap the culprits, the investigator invaded the privacy of thousands of unknowing subscribers.

Industrial espionage has become so widespread that business tycoons hire investigators to protect their secrets, much as ranch owners in the Old West needed fast guns to protect their property.

In a classic case, two rival cosmetic companies wound up hiring the same private eye, who happily collected from both camps. From a wiretap on the private phone of one company's president, a major competitor would learn what new products were planned and would beat his rival on the market with them. When the victims turned the problem over to the investigator, he triumphantly located the tap that he himself had installed for the competitor.

Another investigator planted a tiny television camera in a picture frame looking down on a conference room that had been chosen for an important business meeting. Guards were posted out-

side the room, while business executives studied secret industrial blueprints and production costs. Next door, investigator and client watched the proceedings on television over a bottle of Scotch.

Business leaders have become so wary of industrial espionage that many have adopted countermeasures. During the bidding on a \$10 million municipal contract, a detective was hired by one bidder to find out how much his chief rival would bid. The bids are kept so secret that each firm's own representative usually must put through a telephone call just before the deadline to get the final figure. The detective simply planted a bug in the telephone booth which the rival bidder would most likely use. Unknown to the detective the competitor had taken into account the possibility of a wiretap and had made advance arrangements with his representative to bid \$200,000 less than the figure quoted on the phone. The client, upon receiving the figure from the phone tap, submitted a bid only \$100,000 lower and lost the contract by \$100,000. The detective also lost a big commission, although not from lack of trying.

Detective agencies not only plant listening devices but undercover operatives inside business firms. Sometimes a company will hire a spy to watch its own employees and try to curb internal theft, which drains \$2 billion annually from business profits. Other times a company will plant a spy in a competitor's plant to filch trade secrets.

Such a *mouchard*—A. David Terpstra—was planted on the payroll of the H. L. Moore Drug Company of New Britain, Conn., which had been selling drug products for less than the manufacturer's "suggested prices." One of the big drug makers retained John Saviano, a New York City investigator, who had 43 undercover men operating across the country. He used false references to obtain employment for Terpstra with the H. L. Moore company. Gradually, Terpstra worked his way into a position of confidence, where he could study the company's mail-order operation.

He mailed daily reports to Saviano, who compiled a sort of peeping "tome"—142 pages of information, single spaced, giving rundowns on 22 workers' office gossip, overheard conversations and even what the owner's brother Sam Moore did on his Florida vacation. As a result of Terpstra's spying, the drug manufacturers discovered Moore's suppliers, threatened reprisals and all but dried up his sources.

WHAT CAN BE DONE?

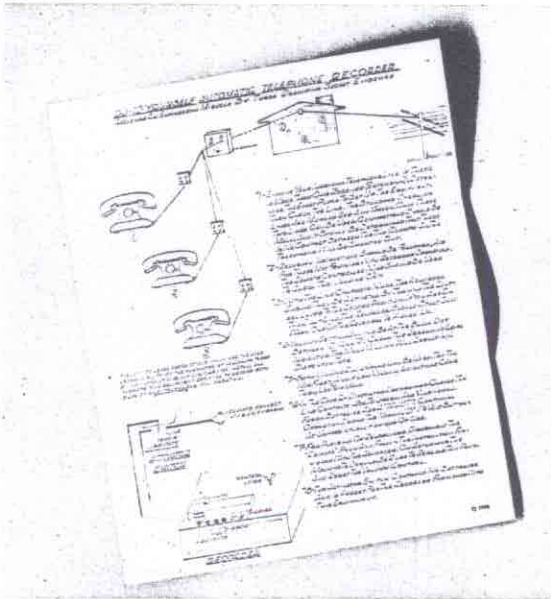
It must be remembered that all private investigators are not shady operators. Some organizations, such as the 100-company Council of International Investigators, propound ethics codes barring illegal or unethical wiretaps and requiring member agencies to counsel clients "against any illegal or unethical course of action." But I have come to the reluctant conclusion from my own studies that there are more bad than good guys in the snooping business.

What can be done to protect the rights of individuals whose privacy is invaded by the investigators?

Legislation is needed to curb electronic eavesdropping, and the laws already on the books must be enforced. Bernard Spindell, a former private investigator who is now devoted to detecting and preventing eavesdropping, claims that ten years ago we were 25 years behind in regulating electronic equipment. He added that we are now 50 years behind, and the gap is widening.

The problem, however, is primarily one for the states, which must adopt more stringent standards for licensing private investigators. Only 22 states require any license at all. Where licenses are required—usually for the agency but not for all its agents—qualification is easy and revocation is rare. The investigators are not likely to respect the public's privacy as long as they serve their clients' needs and are not convicted of felonies. Undercovermen often operate outside the states in which their agencies are licensed, blithely ignoring any local requirement that out-of-state agents be licensed.

The states should take action at once in this field. If they will not, then the federal government should move in to protect the privacy of all of us.



"Ten-day blitz" kit comes complete with diagram that shows do-it-yourselfer in eight steps how to tap mate's phone, tape

record all—with pious warning that device's use is "Subject to legal restrictions which are sole responsibility of purchaser."