

The Public: Bugged by Bugs

By John Twohey

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Twohey, who was press secretary to former Sen. Fred Harris, is co-author of a newly syndicated newspaper column.

IT TOOK Nicholas Beltrante about 45 minutes to find it. He'd been all through the 12-room ranch house in a fashionable neighborhood off Morning-side Drive south of Alexandria. Finally, he climbed into the attic. Crawling on his hands and knees, he ran his hand along the telephone line and, in one corner, behind a stack of dusty boxes, he spotted it.

The wires could barely be seen. But when he moved up close, Beltrante noticed that two black cords had been attached to the gray phone line. They ran up the wall and disappeared down into a hole leading to a hollow space behind the insulation. Beltrante pulled

and there, at the end of six feet of wires, was a metal box about the size of a man's fist.

Beltrante knew at once what it was: an FM transmitter—an electronic bug. When plugged into a phone line, it turns a phone receiver into an open microphone.

Beltrante is a private detective whose principal work is investigations. But two years ago his agency, Investigations, Inc., of Alexandria, introduced "debugging" into its services. For \$25 an hour, one of his 23 licensed detectives will sweep a home in search of electronic listening devices; it's \$50 a hour for offices.

Business has been good for Beltrante and the more than 250 other companies that provide debugging services across the country, especially since the Watergate break-in a year ago. The Nixon re-election committee's eavesdropping at Democratic national

headquarters evidently has convinced more and more husbands, wives, politicians, businessmen and others with secrets to keep that somebody out there is spying on them. The problem is that in many cases they are right.

The Beltrante sweep off Morning-side Drive, for example, was requested by a suspicious housewife. Separated from her husband, she still saw him on weekends when he came to visit the children. During these meetings, she told Beltrante, the husband made remarks that could only be based on knowledge of her phone conversations. The detective later determined that the man had assembled the eavesdropping device himself, installed it during one of his trips to the home and then monitored some of her calls on a receiver in his car several blocks away.

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BUGS, From Page C1

Beltrante, a former detective sergeant with the Metropolitan Police Department, says most of his debugging requests are from people involved in divorce proceedings. Lately, however, more calls have been coming from politicians.

In October, for example, Beltrante was hired to sweep the Capitol Hill offices of Democratic Rep. Bella Abzug of New York after mysterious noises were heard on the line. His search verified the presence of a third party on the line, but no source could be found. Beltrante also worked for Sen. George McGovern after the Watergate break-in, conducting weekly sweeps of the six phones in the senator's home and the 240 at his campaign headquarters. Nothing, he says, was ever found. In the past three months, he adds, he's received debugging requests from three other senators.

Allan D. Bell Jr., president of Dektor Counterintelligence and Security, Inc. of Springfield, Va., also has seen increased demand for his debugging services since Watergate. "Yes, people are more suspicious now than before," he says. "They see that there are people around, like McCord, willing to take the chance. Another reason is the sophistication of the equipment. Most people know you don't have to be an

electronics genius to install these things."

What are also on the rise are requests to install wiretaps and bugs. Beltrante says he gets about two a month, "mostly divorce cases. Now and then we'll get a call from a businessman wanting to check on the performance of a salesman on the phone. A few weeks ago a real estate operator here in Alexandria wanted us to tap the line of a salesman he thought was working for himself instead of the company. And just last week, I got a call from a man in the District who wanted me to supply him with clandestine equipment and instructions how to use it. The target was his wife. He said he didn't care what it cost."

Beltrante says he turns aside all such requests. He usually tries to convince the caller that his investigators can get the desired information through legal means. Most would-be buggers, he says, become clients on these terms.

"The Other Guy"

WHILE BELTRANTE insists he's never been involved in illegal tapping or bugging, he seems to know people who are. "There's a man working in the District right now who charges \$1,000 a day for planting and utilizing a listening device," he says. "The equipment he uses is worth about \$450 and he never goes back to retrieve it. Some

of his bugs are never found. He works mostly in domestic cases."

A random survey of 15 detective agencies in the Washington area proves conclusively that it's always "the other guy" who's doing it. Some typical comments:

Frank Godby, director of Arlington Detective Agency, Arlington: "Most of the agencies will tell you they don't do it, but many do. A lot of them don't actually perform the service them-

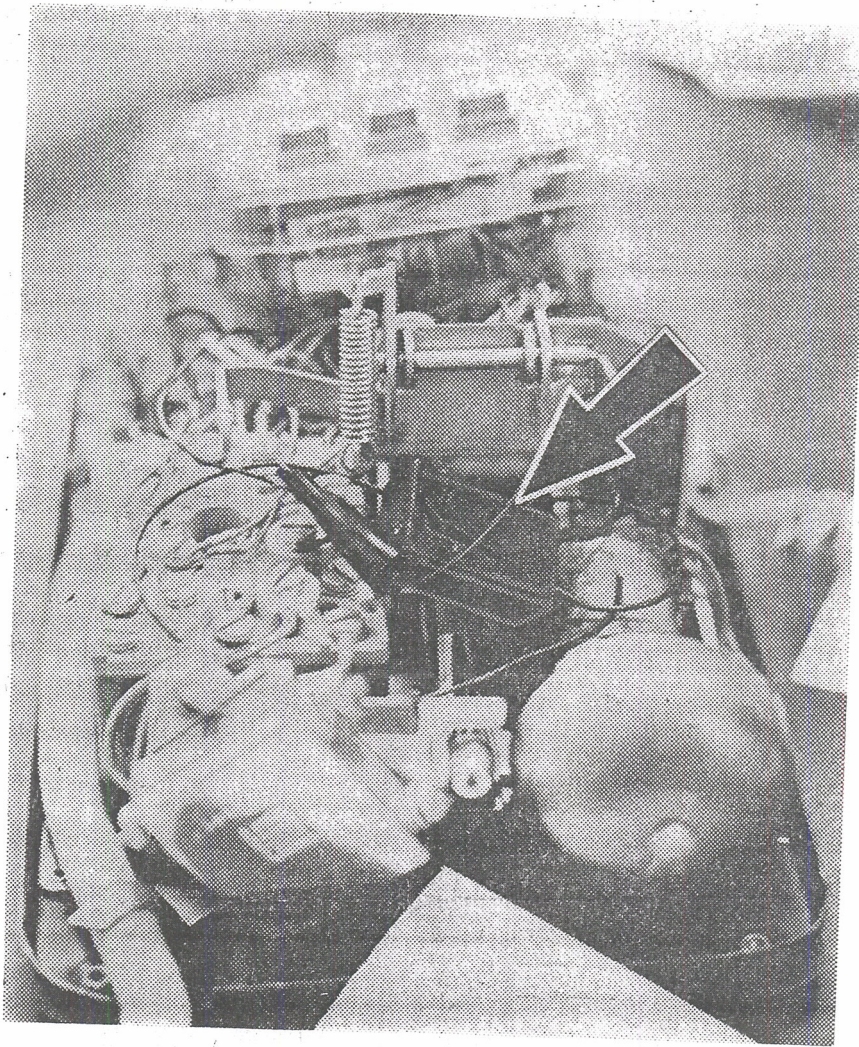
selves. But they'll give you the stuff and tell you how to put it in. With \$50 worth of ordinary equipment and two alligator clips, you're in business. It'd take you about 15 minutes. For the detectives who'll go ahead and install it for you, the going price is \$500 and up. That would cover installation and interception for a week. I'd say we get about 50 calls a year asking for taps or bugs. We say no, of course."

R. G. Richards, an investigator with Allied Investigating Service, Washington, 12 calls a year: "If people are willing to pay for it, they'll get it. The equipment's certainly around. Naturally, we don't get into any of that."

Doyle Burke, manager of Blackhawk Investigations, Rockville, Md., 12 to 20 calls a year: "Someone usually plants the seed, like a TV show or this Watergate thing, and they call us. People get it into their heads that this is the only way to get certain kinds of informa-

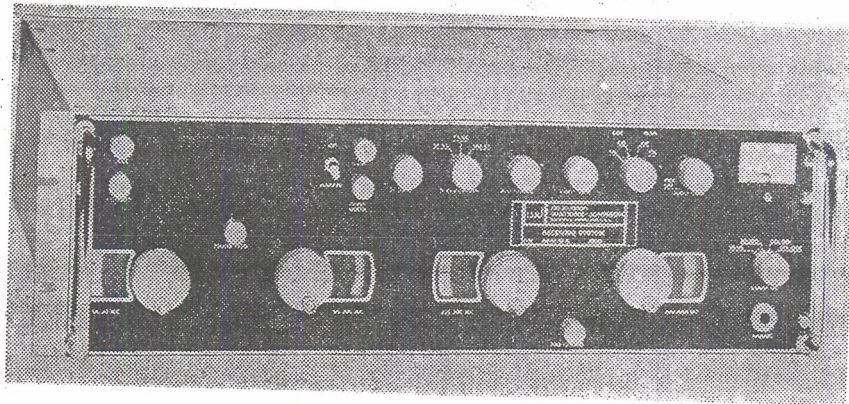


Drawing by John Twofhey



By Tommy Noonan

Miniature transmitter (arrow, above) found in telephone in Democrats' Watergate offices broadcast to receiver like that below.



tion. It isn't, of course. We always try to talk them out of it."

Jack P. Richards, director of All-State Investigations, Washington, 20 calls a year: "I won't do it, but, sure, other guys will. But you can bet your life they'll never admit it. The biggest demand is from the husband who's curious about what the wife's up to back at the house. Same goes for the ladies. A couple of months ago a woman called me to ask for a tap on her husband's office phone. I tried to discourage her by saying I couldn't possibly do it for less than \$10,000. She called back the next day and offered \$5,000. That was tempting, but I said no."

"An Amateur Job"

THE LISTENING DEVICE used most often by private snoops is the self-powered FM transmitter. According to Justice Department attorneys, such devices can be assembled by any college electronics major for about \$40. They have an effective range of between 200 yards and half a mile.

It was this type of equipment that E. Howard Hunt, G. Gordon Liddy, James W. McCord Jr. and associates chose for use at the Watergate, one factor that makes a number of private detectives sneer at that operation. "Listen, to bug phone conversations you don't even have to go near the phone," says Jack Richards at All-State Investigators. "There are high-powered microphones that can be aimed at people from hundreds of feet away. Didn't those guys have a room right across the street from the Watergate? They could have done it from there, beamed it right in."

(Other private eyes pan the Watergate job for different reasons, aside from the fact that the snoops got caught. Frank Godby at Arlington Detective Agency says: "Never go back to reclaim the equipment or to fool with it—that's a rule followed by all the experienced people in the business. I couldn't believe it when I read the papers... not just one went back, but five!" Beltrante adds: "Strictly an amateur job. And they call themselves professionals.")

One hot new item on the bugging market is the telephone "hook-switch bypass." This instrument, no larger than half a fingernail, can be hidden among the wires inside a phone. It circumvents the cut-off switch and can transform a receiver into a sensitive bug, capable of picking up all the noise in a room while still on its cradle. The sounds are then transmitted to a terminal box somewhere else in or

close to the building. It's technology like this that makes it so difficult to find the bugger, even once the bug is uncovered.

Those Who Get Caught

BUT SOME eavesdroppers, like the Watergate team, are caught. On May 14, Jeris Bragan, a local private eye, was convicted in federal court at Alexandria on charges of making, transporting and using a listening device in the home of an Agriculture Department employee. The government official, Charles Davenport, allegedly paid Bragan \$500 to tap his wife's phone. Bragan has been fined and placed on probation. Davenport's trial is still in progress.

Other recent convictions include that of Richard Kay Harpel, a sergeant in the Pueblo, Colo., police department. On May 4 he was sentenced to 18 months in prison for disclosing the contents of intercepted phone conversations of federal and state narcotics agents. His conviction was the first of a police officer for illegal eavesdropping, though others may soon follow.

In Pennsylvania, a former state police commissioner and six other men have been charged with tapping the phones of the state crime commission at a motel near Valley Forge. The taps, allegedly placed Nov. 28, are reported to have been part of a feud between the commission and the Philadelphia police force, caused by a commission investigation into Philadelphia police corruption.

The accused state police commissioner, Rocco P. Urella, was removed from office by Gov. Milton Shapp after the wiretap disclosures were made. Urella is charged with wiretapping, installing wiretap devices, unlawful entry and attempts to obstruct the state's investigation of the Philadelphia police. His co-defendants include five state police officers and a civilian.

The distinction of being the first lawyer indicted under the eavesdrop law belongs to an attorney in Greenville, Tenn., named Francis X. Santore. He was charged early in May with disclosing the contents of intercepted conversations. Indicted in the same case for actually intercepting the material was James Manier, a local private detective. Both were working for a husband who asked for surveillance of his wife.

James L. Whitten, a Justice Department lawyer who has prosecuted illegal tapping and bugging cases, says attorneys are the unsung villains of the eavesdropping world. "Let's say a law-

yer has a client in a divorce case," he remarks. "He'll say to that client, why don't you hire such and such a detective agency. He knows that the agency will get the needed information through illegal taps. But by suggesting it and keeping his distance, he stays clean."

Paltry Investment

THE LAW UNDER which all these persons were indicted is the 1968 Omnibus Crime Control Act. It makes it

illegal to eavesdrop on a phone call or private conversation without a court order. The statute also prohibits the manufacture, sale, transportation across a state line, or use of electronic listening devices. Those who disclose the contents of intercepted conversations and those who aid in any of the related activities are also guilty. (Thus, Hunt and Liddy, although they did not

help install the Watergate equipment, were found guilty of aiding and abetting.) The maximum penalty for violation of any of the provisions is five years in jail and a \$10,000 fine.

The first conviction under the 1968 law was of a journalist. At the Democratic National Convention in 1968 a NBC reporter, Enid Roth, was found to have placed a microphone behind a curtain in the Chicago Convention Hall. She pleaded no contest to the charge, was fined \$500 and given a suspended sentence.

Despite such auspicious beginnings, enforcement of the act has been disappointing. During the first three years of the new law, the Justice Department won only 15 convictions for illegal tapping and bugging, and in 1972 there were only 18 convictions. So far this year, the total stands at 17 (thanks in large part to the Watergate Seven).

Justice Department officials insist the problem of illegal electronic eavesdropping is no greater than the number of convictions suggest. But several factors cast doubt on this rosy assessment.

First is the paltry investment of public resources to combat private eavesdropping. There are five attorneys in the General Crime Division who spend some of their time on wiretap and bug cases, and only one is assigned to the problem full-time. Similarly, while the FBI is accomplished at

placing taps and bugs, it spends next to no time detecting those who place them illegally.

The Hunt Case

JAMES R. ROBINSON, one of the Justice Department buggers who sometimes works on eavesdropping cases, agrees that "the great majority" of illegal taps or bugs stem from troubles in the home. Most others are business-related.

One business case turned up earlier this year in Texas. Two of oilman H. L. Hunt's sons were indicted in Dallas Feb. 28 for violation of the 1968 law. They were charged with employing two private eyes from Houston to intercept the conversations of five employees in the family oil business. The two detectives have been convicted. The trial of the Hunts has been delayed until October.

Not long ago agents of Nevada businessman Robert A. Maheu were found to have carried illegal electronic surveillance equipment to Nassau in the Bahamas. Although the devices were discovered in an airport locker, a Justice Department investigation disclosed that they were intended for Howard Hughes' hotel suite. The case was dropped when the government

could not collect enough evidence to indict for transportation of the equipment across state lines.

A year earlier the Justice Department convicted a former associate of New Orleans District Attorney Jim Garrison for transporting listening devices across state lines. The man, Robert Novel, evidently planned to record conversations at a Paiute Indian tribal council meeting near Reno, Nev. He was reported to want information on the tribe's plans to accept bids for the development of Indian land near Pyramid Lake, Nev.

In the Judge's Chambers

BUT THE TAPS and bugs are certainly not limited to divorces and businesses. The Washington Post found that one-fourth of the politicians, judges, lawyers and businessmen responding to a questionnaire in early 1971 thought they'd been bugged or tapped by government or other agents.

Maryland Gov. Marvin Mandel pays a technician to sweep his executive offices every three weeks; in late 1971 the technician discovered a listening device inside Mandel's Civil Defense hot-line phone. In the spring of 1971, shortly before he opened secret hearings in the Pentagon Papers case, Federal Judge Gerhard Gesell found a bug hidden in his chambers. A few months earlier, a local debugging expert, Clyde Wallace, found electronic interference on the office phones of Democratic Sen. Mike Gravel of Alaska; the trouble, in the form of radio frequency energy, suggested that an eavesdropper might be listening to office conversation by converting the phone receiver into an open microphone but no source was ever found.

Taps and bugs also are believed to be widely used inside American businesses, but they often go unreported. The National Association of Manufacturers estimates that better than 9 out of every 10 corporations that fall victim to illegal espionage never make it public. The reason is simple: Management wants to keep the confidence of stockholders and customers. Few executives are going to call in the press to announce that their phone has been tapped or his research lab bugged.

Says Timothy J. Walsh, partner in a security consulting firm in New Rochelle, N.Y.: "Nobody likes to admit they've been gulled. Businessmen are like husbands. They don't want anyone to know they've been had by a wire-tapper."

Walsh, like others, feels that his business can only expand. He explains: "The paranoia is bound to grow. Part of it, I suppose, is the relaxed attitude toward secret surveillance. More and more of a man's peers seem willing to accept it now. After all, if administration officials are willing to risk it, why shouldn't your ordinary unscrupulous guy on the street?"