

The Metro Section

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Think a Boat Is Safe From Spying? Think Again, Experts Say.

By ALAN FEUER

Among the professional deceptions employed by private eyes there is the Flower Guy Ruse (delivering, say, roses to the door to make a sighting), the Fake Apartment Hunt ("Oh, hey, I heard your three-bedroom was for sale. Is that your wife?") and, of course, the Wrong Number, which needs no explanation.

While such subterfuges are of varying effectiveness, they all have one thing in common: they work best on solid ground.

But when news broke on Wednesday that federal investigators were trying to determine whether Jeanine F. Pirro, the Republican candidate for attorney general of New York, had illegally taped her husband, Albert, to see if he was having an affair, it introduced a nautical wrinkle to the typically landlocked practice of matrimonial work. She suspected an affair was taking place on Mr. Pirro's boat, *Cristine*, leaving anyone who wished to document, or "memorialize" it, as investigators say, somewhat at sea.

When asked how hard it would be to investigate hypothetical hanky-panky aboard a hypothetical pleasure craft, several members of New York's gumshoe community gave versions of the same answer: it depends. Nonetheless, they said that if Ms. Pirro did not run afoul of the law by reaching out to Bernard B. Kerik, the former city police commissioner, about a listening device, she certainly ran afoul of common sense.

Ms. Pirro has acknowledged talking to Mr. Kerik about planting a listening device on the boat but said that the plan was never carried out, and that she did nothing illegal. At the same time, New York's private investigators wondered why Ms. Pir-



Suzi Allman for The New York Times

Albert J. Pirro's 26-foot boat, *Cristine*, left, where Jeanine F. Pirro suspected an affair was being conducted, was docked last week in Rye, N.Y.

ro, the former district attorney of Westchester County, would risk her reputation by even considering electronic eavesdropping.

"You don't need a tape," said Jerry Palace, a former robbery detective who now owns the Check-A-Mate investigative service. "You just put cameras on the boat and watch. The only thing you don't get is the moaning and groaning."

Of course, putting cameras on a boat like *Cristine*, which was moored last week at a private dock in Rye, N.Y., is not quite the same as snapping pictures of a Carnival cruise ship as it lumbers from its berth. The task requires ingenuity on the investigator's part and, most likely, an open wallet on the client's.

Michael McKeever, a private investigator for 25 years, said, "You're talking about big-buck people here, so they might just spring for a boat,"

and added, "You could be the guy out there bobbing around fishing."

Mr. McKeever noted that watercraft are often used for "other than the intended family purpose," though he made clear that under the law, pictures can be taken only of those who cavort in plain sight.

"Having a boat is like having a secret apartment," he said. "You bring the doll over and whatever. If they kiss and canoodle and then go below decks, that's basically all you need."

In the digital age, documenting the waterborne adulterer is easy as saying Sony or Panasonic. T. C. Lasky, a 30-year veteran of the gumshoe game, recommends the prosumer type of digital camera, named so because it blends professional and consumer-level technology.

William Callahan, who does mostly corporate work, said "a parabolic dish mike" might be effective, but

figured it might run afoul of the eavesdropping law. "You ought to do what the paparazzi do," he said. "A long telephoto lens."

The most detailed scenario was provided by Joseph T. Mullen, a private detective of long standing with offices on West 53rd Street. To Mr. Mullen, whose résumé includes matrimonial work for Mike Tyson, Johnny Carson and Donald J. Trump, maritime surveillance — even at a dock behind a security gate — is no great challenge.

"You go in saying you're an ex-cop," he said. "You show an ID. 'We're looking for some guy who attacks children.' Or you say you're bringing your own boat up from Key Biscayne."

Or, if one is employed directly by the wife: "She gives you the code. It's 463. You hit the gate and walk right through. It's not a sub base."

Just as easy is obtaining the identity of the other woman.

"How she'd get there?" Mr. Mullen asked. "Her car. You get the license plate. You call your office. Twenty minutes later you get her name, Bimbo Brown."

"If she took a bus you follow her. She lives in a building somewhere in Westchester with a doorman. So you send a girl, a blonde, 5-foot-2. She's got a cheap earring, but it looks real. She tells the doorman the girl who just walked in must've dropped it. The guy calls up. 'Ms. Kelly? Did you drop something?' Bang. You got her name."

There are, of course, alternatives. "You walk over to Radio Shack," Mr. Mullen said. "You buy a tape recorder with some batteries. You leave it on the boat. He's caught. Were you taping? No, you made a mistake. 'Oh, there's that recorder, I was wondering where it was.'"