

Caught in the Act

Tracking Cheating Hearts in the Cyber-Age

This fall, amid the usual deluge of spam pouring into e-mail boxes nationwide, a new computer program made its debut: “*Lover Spy*,” a program you can install surreptitiously on your significant other’s computer to track every electronic move by your trusted mate—for the bargain price of \$89. As the antivirus software company Symantec describes it, “*Lover Spy* monitors and records all the activity that occurs on your computer, such as e-mail, websites visited, instant messaging communication, passwords, files, and keystrokes. Periodically, the spyware sends an e-mail to a predefined e-mail address containing the logged information.” Even the method of

installing the program is covert: the *Lover Spy* advertisement promises suspicious spouses the power to install the software simply and anonymously by sending a Trojan horse to their mates—an electronic greeting card that, when opened, secretly loads the spyware.

It is perhaps indicative of the sexual Zeitgeist and the power of the market that *Lover Spy* is not the only such product available. Software called “*Spector*,” sold by Florida-based *SpectorSoft*, is billed as the program for “when you absolutely need to know everything they are doing online.” Earnest testimonials from satisfied users pepper the company’s website. There is, for example, the stay-at-home mom with three

young children who discovers that her husband of eight years is preparing to clean out their bank account and abandon her for a woman he met in an Internet chatroom. Thanks to Spector, however, her story has a happy ending, as girl power meets spy power: “Your product empowered me and leveled the playing field and I’m telling everyone I know about it,” she vows, after ridding herself of her wayward spouse. The program is even popular with industry observers. In 2002, Spector was named *PC Magazine’s* “Editor’s Choice” for “Best in Activity Monitoring Category”—a rather Orwellian class of software beauty pageant.

Why is spyware becoming more popular? One reason might be the perceived crisis of “Internet infidelity.” Scholars have been studying the subject for a few years, coming up with various definitions—what is cybersex? what is cybersexual addiction?—and theories like the “ACE Model” to describe the lure of Internet affairs: “anonymity, convenience, and escape.”

A rash of articles about “cyberinfidelity” has also appeared in newspapers and magazines in recent years, with technology lambasted as the great enabler. An Ohio couple blamed technology for the crumbling of their union, when each found out the other was having cybersex with someone else. “The computer made it far too easy for us to communicate with other people,” the less-than-disconsolate husband told the *Columbus Dispatch* in September. “In my opinion, it prevented us from getting together to resolve our issues.”

Of course, entrapment-by-technology arguments are rarely persuasive, particularly when it comes to adultery, and in this as in many things, the cliché “information is power” is wrongheaded. People who deploy spyware against their spouses may fail to realize that the information they

glean is not the same thing as knowledge about why extramarital affairs develop in the first place.

Nevertheless, nabbing a cheater is an effective marketing ploy. Websites such as InfidelityCheck.org (“Working to save couples and families through technology”) and ChatCheaters.com promise to catch straying spouses in the cyberact. Some sites recommend fairly intrusive technologies to snoop on or entrap suspected cheaters: hidden cameras to sneak pictures of your spouse’s study; keystroke recorders to log every typed character so you can see if your mate is writing innocent missives or steamy mash notes; and, if you’re sufficiently desperate, GPS devices to track the movements of the family car.

Who is using spyware? According to a recent article in *The Observer*, one study of personal spyware users, sponsored by Symantec, found that women are more likely to spy on their mates than men (40 percent versus 25 percent). Overall, the use of spyware by both women and men has increased considerably in recent years.

But the use of spyware raises several legal issues, above and beyond the obvious violations of privacy such software encourages. As one divorce lawyer recently told the *Chicago Tribune*, “federal statutes outlawing interception of electronic communications can apply within a marriage.” Husbands and wives do have a right to privacy—even from their own nosy spouses.

In the end, spyware is merely the latest expression of an age-old problem for couples: how to deal with mistrust, suspicion, jealousy, and unhealthy curiosity. Today, instead of sending hired gumshoes after cheating husbands and wives, we can turn our homes into high-tech surveillance staging grounds. But like older techniques of spying, these technologies risk backfir-

ing on their avid users. As the journalist who wrote about spyware for *The Observer* explained, if his wife of 13 years had a one-time affair, he'd likely be able to forgive

her. "However," he says, "if I discovered that my wife had installed Spector on my computer, I think it might be game over."