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Wait, So Why Hasn't Ruth Madoff Been Questioned by Prosecutors?



Photo: Getty Images

This weekend's "Sunday Styles" story about the lonely life of Ruth Madoff, like all of the stories about the family so far, didn't so much answer our questions about the wife of the most despised man in New York as raise more of them. Among the burning queries that tormented us on an otherwise pleasant Sunday were: If Pierre Michel started refusing to dye Ruth's hair Soft Baby Blonde in March, then who has been doing it since? Recent photos show neither evidence of dark roots nor the tell-tale brassiness of a home dyeing kit. What do Ruth and her friend in Westport have "long conversations" about? Should we be feeling bad for her, despite the fact that the face she has presented to the world is that of a coldhearted bitch? And most important, why, exactly, have prosecutors not questioned her yet? That seems crazy!

The first two questions we were able to answer using the power of our imagination (Ken Pavés, obviously: He is used to dealing with secretive bitches, and probably with Susan Boyle). For the others, we turned to an expert.

The district attorney's office wouldn't comment, so we went to lawyer Jerry Reisman, who represents sixteen of Bernie's victims, and asked him to "pretend" we were stupid and explain what the hell was going on. "It's not that the DA's office hasn't asked to question her," he told us, it's more likely that her lawyers have refused to make her available, because she doesn't have to be available. "She's not required to testify," he explained. "No one is required to incriminate themselves." And she's not required to testify against her husband, either, because of spousal confidentiality. "Courts do not want to upset the husband and wife. If they did that it would erode the marriage." Well, you wouldn't want that.

But there are exceptions to the rule: for instance, if the government had evidence that Ruth and Bernie had conspired to commit the crime together. "Then the government could argue that their conversations were in furtherance of this crime, and Ruth could be subpoenaed," he said. "But they can't do that until they have completed an investigation."

So does this mean they just haven't found any evidence against her? Probably. "If they had enough evidence to prosecute her, they would have indicted her already," Reisman said.

But, he added, it's also possible that she is cooperating with authorities, and we just don't know about it. "You don't know that the FBI isn't in her attorney's office when she goes to see them," he pointed out.

Interesting! So maybe she is doing the right thing, and is completely misunderstood. But then why would she allow herself to appear to be such a, well, bitch? Why wouldn't she say, for instance, "I am sorry for the victims," to ABC when they ambushed her, or at least make a sorry face?

"She's been instructed by her lawyers not to be apologetic," Reisman explained. "She's been told not to say a word. Otherwise, she may say one word that could be the wrong thing, and that would incriminate her."

So maybe we should be feeling bad for her, after all? "Only if she's innocent."

The Loneliest Woman in New York [NYT]