

CELLULAR SERVICE PROVIDERS HAVE NEW PLAN: PRISON TIME MINUTES

Cellular Service Providers are selling services to convicts in prison, while at the same time trying to stop the law enforcement from jamming cell phones in prison.

**Howard Melamed
CEO CellAntenna Corporation**

Convicts are using cell phones behind bars and the cellular service providers know this yet they are doing nothing about it. Instead the carriers are stepping in the way of common sense and trying to stop jamming of cell phones in prisons. At the same time they are selling Prison Time Minutes and this needs to be stopped now. They are aiding and abetting criminal activity which is a felony and they should be prosecuted.

Over the past several years my company has been involved in attempting to get the Federal Communications Commission (FCC) and Congress to revise the 1934 communications act to allow local and state governments the ability to use 'cell phone jamming' equipment while making the punishment for the illegal use of this equipment far more harsh than currently is provided by law. Quite simply, we want local and state law enforcement to have the same ability to protect us as federal law enforcement does. Currently, state prison authorities are forbidden by federal law to use jamming equipment to block inmates from continuing their criminal behavior with smuggled cell phones. Indeed inmates have continued to conduct drug deals, harass domestic violence victims, and even order murders with illegal cell phones. Likewise, local bomb squads do not have the authority to use jamming equipment in preventing bomb detonations by cell phone – the tool of choice for terrorists. Should be simple right? Change the law to let local and state law enforcement protect us. Nothing is ever simple. We and law enforcement have been opposed in our efforts every step of the way. Not by criminals and terrorists but the cellular providers and their trade organization, CTIA – The Wireless Association.

Why would lawful businesses oppose something so simple as allowing law enforcement the ability to protect the public more effectively? It sounds insane that this would be the case. After all, the cellular providers spend millions annually in promoting all of their good works in our communities. Then why would they oppose something to ensure our safety? The answer is simple – greed.

Like Claude Raines in Casablanca, the cellular providers and CTIA will say they are shocked, shocked that their cell phones and prepaid minutes are winding up in the hands of criminals and terrorists. Yet it has been estimated the cellular providers are making at least \$50,000 per prison weekly on Prison Time Minutes with cellular phones that are smuggled into prisons. Take that nationally, with 1800 prisons and 2.5 million inmates and we are roughly talking about 1 to 2 % of the cellular providers \$156 billion annual revenues.

Obviously, the cell providers are not selling their phones directly to inmates and terrorists. However, they may be acting as middlemen (like we hear in arms deals) and are selling them to friends and family of inmates who then smuggle them into prisons, where criminals continue their drug deals, murders, and harassment of domestic violence victims from the very prisons that are supposed to protect them from the public. Yet if they know nothing of these problems and are so innocent, why are cell towers located by prisons and often aimed at the prisons. State and local law enforcement are openly saying illegal cell phones in prisons are one of the fastest growing problems they face. Indeed the criminals have grown so brazen that one death row inmate in Texas actually called and threatened a Texas State Senator. Not one of them, including the CTIA can hide their head in the sand on this issue. Yet the cellular service providers are not held accountable for any of this. Can we think of any other industry in the country is not held accountable for even harming person second hand? Think about it, we punish the tobacco industry for second hand smoke. New York is seeking to punish soda makers and the fast food industry for making us fat. Yet, the cellular phone industry is not held accountable in any way and then actually has the gall to oppose attempts to ensure public safety.

The cell phone industry argues that there are other methods to tackle the problem and 'cell jamming' isn't reliable. The cell providers argue that jamming in prisons will affect normal prison operations and affect the cell phones of people living or working near prisons. These are false arguments. Sure there are other ways to detect illegal cell phones. There are cell phone sniffing dogs and cell phone locators that are not only unreliable, but need to be deployed at the cost of the taxpayers and will mean higher taxes if introduced during these slim budget times (unless the cell phone industry wants to pay for these methods). Cell phone jamming is 3 to 4 times cheaper than the methods proposed by the cell phone industry.

As to the other argument, that jamming will affect prison operations and people outside prisons, that was disproved in South Carolina. Jon Ozmint, the Director of the South Carolina Department of Corrections recently contacted my company, CellAntenna Corporation to hold a cell phone jamming demonstration at one of South Carolina's prisons. He was contacted by CTIA and told what we were going to demonstrate was technically impossible. Dire predictions were made by CTIA such as prison staff would not be able to communicate with each other on their radios; outside cell service would be interrupted; they even suggested that some elderly woman would be in need of an ambulance but would not be able to call an ambulance because of our demonstration. Surgical Jamming, a phrase we use for what we do, is exactly that. Surgical. We can jam a chair, a room, or a building while leaving everyone else able to enjoy their cell phone to their hearts content (and that elderly woman can call her ambulance).

When that did not deter Ozmint, CTIA stated that the demonstration would be illegal. It is perfectly legal. Yet that threat from CTIA while not deterring South Carolina actually led the State of Texas to cancel a scheduled jamming demonstration even after the FCC implicitly agreed with us and said it could proceed. CTIA even called for my arrest prior

to the South Carolina demonstration and called the Governor minutes before the demonstration. None of which happened. I was not deterred from this threat but did comment that if I do get arrested, at least I can still use my cell phone behind bars while awaiting trial. The legal demonstration was done successfully in front of law enforcement, members of the media, and representatives from federal and state office holders. Yet despite this, CTIA and the cell providers will still argue, that jamming is impossible to do.

This week the FCC gave us permission to perform a simple demonstration at the Washington D.C. Prison. Instead of coming to the event, the CTIA once again is trying through court action to stop the event from taking place. Is it because Prison Time Minutes are in jeopardy?

Why would the cellular providers be so resistant to a jamming demonstration when if it failed they would be vindicated and the case would be closed? Why when after jamming has been shown to work and law enforcement says they want to use it to protect the public, do the cellular providers continue to oppose this? The answer is as I said earlier, greed. They will lose money if law enforcement is able to do their job of public safety by using jamming equipment.

It is time to hold the cell carriers accountable. They need to stop selling Prison Time Minutes to criminals. They need to stop preventing law enforcement officers from doing their jobs. Unless the cellular service providers join us and law enforcement in working with Congress to change the laws and allow local and state law enforcement the ability to use jamming equipment, we need to hold the CTIA and its members accountable for aiding criminal activities.

It is common sense and good public safety.