



DC cellphone jamming demo canceled

Trade association CTIA comes out on top

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Story posted: January 8, 2009 - 1:39 pm ET

The District of Columbia cancelled today's scheduled cellphone jamming demonstration at a city jail, but the controversy apparently is not over.

Cellular industry association [CTIA yesterday petitioned a federal appeals court](#) to overturn the Federal Communication Commission's Jan. 2 order permitting the D.C. Department of Corrections to host a demonstration using equipment supplied by CellAntenna Corp. CTIA, arguing the blockage of wireless signals is blatantly illegal, went to court after failing to get prompt regulatory relief from the FCC.

The U.S. Court of Appeals for the District of Columbia Circuit subsequently directed the FCC to respond to CTIA's filing by 8 p.m. Wednesday. The FCC told the court the cellphone jamming event had been cancelled by the D.C. Department of Corrections and was not rescheduled, making CTIA's petition moot. But the agency did not back down from the legal issue.

"Thus, while the commission strongly disputes the legal and equitable arguments set forth by CTIA, we do not plan to file a response to the merits of its petition," stated FCC General Counsel Matthew Berry in a one-page letter to the court. "If the FCC were to issue special temporary authority for a future test, CTIA or any other interested party will have the opportunity to seek judicial intervention at that time."

When contacted for comment, a spokesman for the D.C. Department of Corrections said the decision to cancel the cellphone jamming demo was made by the office of D.C. Mayor Adrian Fenty. The mayor's press office did not immediately respond to a request for comment.

"No one wants to keep wireless devices out of the hands of imprisoned convicts more than we do," said Christopher Guttman-McCabe, VP of regulatory affairs at CTIA. "Moreover, we firmly believe that this critical public-safety goal can be achieved without the use of illegal wireless signal jamming technology. Interfering with wireless communications within a prison can have serious and harmful consequences. To avoid this dangerous scenario, CTIA is committed to working with corrections officials, technology companies and other interested parties to help identify, detect and confiscate wireless devices within prisons. A solution to this challenge exists, and it can be implemented lawfully with no risk to critical wireless communications."

Given the events, CTIA withdrew its appeals court petition.

Indeed, there are indications the cellphone jamming dispute has attracted the attention of lawmakers in Congress. Whether the House and Senate have any intention of intervening is unclear. Wireless providers

appear worried that any policy changes could lead to a proliferation of cellphone jammers that citizens could use to halt annoying cellphone conversations at restaurants, movies and other public venues.

The FCC has worked closely with public safety on a range of issues under outgoing FCC Chairman Kevin Martin.

D.C. Department of Corrections Director Devon Brown requested permission for the jamming demonstration in a Dec. 16 letter to Martin. Brown said the proliferation of contraband cellphones has become a major security risk within corrections facilities around the country and that handsets are being used by prisoners to intimidate witnesses, coordinate escapes and conduct criminal enterprises.

In a Jan. 2 letter to Brown, FCC Wireless Telecommunications Bureau Deputy Chief Joel Taubenblatt said the agency agreed that a narrowly tailored demonstration would “limit impact on authorized wireless operations, while maximizing public-safety benefits.” The agency limited the demonstration to 30 minutes.

CellAntenna, based in Coral Springs, Fla., and a supplier of wireless jamming and repeater gear, was to have had its equipment used at a Dec. 18 jamming demonstration at the Texas Department of Criminal Justice before the event was cancelled due to controversy, even though the scheduled event had support of Texas Gov. Rick Perry and other state officials.

“I am shocked that the Department of the Criminal Justice of the State of Texas is canceling the cellphone jamming demonstration at the last minute,” said Howard Melamed, President and CEO of CellAntenna said at the time. “I have never heard of Texans ever backing down before from threats and outside pressure. I can only think that perhaps outside pressure, perhaps from CTIA, was put upon Texas’ authorities as we saw when we held a similar demonstration in South Carolina.”

Melamed did not immediately return a call requesting comment on the cancelled cellphone jamming demonstration in the nation’s capital.

Federal law forbids citizens as well as state and local law enforcement from using cellphone jammers, while U.S. agencies are not bound by the prohibition. An FBI agent, for example, is free to disrupt a cellphone signal meant to detonate an improvised exploding device.

CTIA wants the FCC to declare illegal the sale and use of jamming equipment (except when sold to the federal government) and the sale/use of wireless boosters and repeaters.

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