



## CTIA seeks to block cellphone jamming demo at DC jail

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Story posted: January 7, 2009 - 2:05 pm ET

The cellphone jamming dispute between the mobile-phone industry and CellAntenna Corp. has dramatically escalated, with a high-profile legal battle playing out in the nation's capital in advance of a planned demonstration tomorrow at a local prison to show how inmates' wireless calls can be blocked.

Cellular industry association CTIA today asked a federal appeals court to nix a Federal Communications Commission order permitting the District of Columbia Department of Corrections to host a demonstration using equipment supplied by CellAntenna.

“Operation of such ‘jamming technology’ is flatly illegal under Section 333 of the Communications Act, and the commission lacks the statutory to authorize violations of this congressional directive protecting the rights of authorized users of the wireless spectrum,” stated CTIA in a petition filed at the U.S. Court of Appeals for the District of Columbia Circuit. “Moreover, the decision to authorize the demonstration — made without notice to the public or affected parties, without opportunity for comment, without consideration of any evidence regarding the potential consequences to legitimate transmission of operating the contemplated technology, and with no exigent public-safety need — is the very essence of arbitrary and capricious decision-making.”

CTIA went to court after failing to get regulatory relief from the FCC.

“While we believe that prisoners should not have access to wireless phones while incarcerated, there are other, non-interfering and legal ways to find and take the phones out of their hands,” said Christopher Guttman-McCabe, VP of regulatory Affairs at CTIA. “There are several companies that provide wireless detection systems that can be used by jails to identify and confiscate phones, and that do not interfere with wireless communications. As the FCC previously acknowledged, Congress has been clear in prohibiting the use of jammers in state prisons.”

The FCC has worked closely with public safety on a range of issues under outgoing FCC Chairman Kevin Martin. “We have received the CTIA petitions and are reviewing them,” said FCC spokesman Robert Kenny.

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 intimate 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.”



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