

Breaking News

Florida company sues FCC to allow it to sell jammers to state & local law enforcement

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WASHINGTON—A Florida company that makes and sells radio-frequency jammers for the federal government and overseas market has filed a lawsuit against the Federal Communications Commission claiming it is being harmed by its inability to sell the devices to state and local governments.

“The plaintiff suffers, and will continue to suffer adverse economic impact created by the unreasonable prohibition of the sale of RF and cellular jamming devices to state and local law-enforcement agencies,” reads the complaint filed by Cellantenna Corp.

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Cellantenna acknowledges that the Communications Act prohibits the use of jammers, but claims that an exception is made for the federal government and argues a similar exception should be in place for state and local governments given the dictates of the Homeland Security Act.

“The legislative intent of Congress and the legitimate governmental interest and public-policy considerations expressed in the HAS, are in stark conflict with the Communications Act,” according to the complaint. “Whereas the FCC prohibits the sale of RF and cellular jammers to state or local police departments, the HAS consistently and repeatedly directs the Department of Homeland Security to take whatever measures are necessary to empower local law enforcement agencies and first responders in the fight against global terrorism.”

Cellantenna said it received a “letter of inquiry” from the FCC’s Enforcement Bureau in August and it fears reprisals from the commission. “Plaintiff has a reasonable apprehension of enforcement action by the FCC with respect to any sale of such equipment to governmental agencies not specifically exempted,” said Cellantenna in the document.

Jammers have proven effective in disabling improvised explosive devices in the Middle East.

In addition to using jammers to disable IEDs, some have called for jammers to be installed in theaters, restaurants and other public places where cell-phone use is considered rude. Indeed the National Association of Theatre Owners told RCR Wireless News earlier this year that it is considering asking the FCC to allow theaters to install equipment that would jam mobile -phone signals, but the trade group has yet to take such action.

In October 1999, CTIA applauded the FCC for issuing a public notice strongly warning against the manufacture or use of transmitters designed to prevent or jam the operation of cellular phones or any other commercial mobile radio service or radio-communications system. The public notice stated that the Communications Act of 1934, as amended, and the FCC’s rules do not permit the use of transmitters designed to prevent or jam the operation of cellular phones in hospitals, theaters, restaurants or other locations.