

**Before the  
UNITED STATES DEPARTMENT OF COMMERCE  
NATIONAL TELECOMMUNICATIONS & INFORMATION ADMINISTRATION  
Washington, DC 20230**

PREVENTING CONTRABAND CELL )  
PHONE USE IN PRISONS ) Docket No. 100504212-0212-01

**COMMENTS OF APCO**

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following comments in response to the Department’s above-captioned *Notice of Inquiry*, 75 Fed.Reg. 26733 (May 12, 2010), regarding methods of addressing contraband cell phone use in prisons.

Founded in 1935, APCO is the nation’s oldest and largest public safety communications organization. Most APCO members are state or local government employees who design, manage, and operate public safety communications systems for police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other public safety agencies. APCO is the largest FCC-certified coordinator for Public Safety Pool radio frequencies and appears regularly before the Commission on a wide range of issues regarding public safety communications. On July 15, 2009, APCO President Richard Mirgon testified before the Senate Commerce Committee on Commerce, Science and Transportation regarding “Contraband Cell Phones in Correctional Facilities: Public Safety Impact and the Potential Implications of Jamming Technologies.”

APCO applauds NTIA for its comprehensive and even-handed *Notice of Inquiry* regarding the difficult technical issues surrounding illicit use of cell phones in prisons. We agree that effective and efficient methods must be developed for prison officials to address this issue.

However, we remain deeply concerned that some technologies, especially cell jammers, have the potential to disrupt critical public safety radio communications and legitimate cell phone use, including the ability to call 9-1-1.

As NTIA notes, public safety agencies operate internal land mobile radio communications systems in some of the same frequency bands used for cell phones and other commercial mobile radio services (*e.g.*, 700 MHz and 800 MHz). Therefore, there is the potential that equipment intended to block cell phone calls in prisons would also block or otherwise disrupt critical public safety communications in the surrounding areas, as well as within a prison itself (*e.g.*, when sheriff's deputies are delivering prisoners, or in the event of a wide-scale public safety response to a prison riot). Jamming of all cell phones in the vicinity around a correctional facility (some of which are located near highways, commercial establishments or residential areas) could also block efforts by the general public to call 9-1-1 to report an emergency.<sup>1</sup>

Therefore, we are pleased that the *Notice of Inquiry* asks hard questions and seeks detailed technical information on cell phone jamming technologies. We are also pleased that NTIA is seeking information on several alternatives, and potentially less intrusive, means of addressing the underlying problem of illicit cell phone use in prisons. These technologies may be able to prevent illegal cell phone use without causing dangerous, unintended consequences.

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<sup>1</sup> While not the immediate subject of the *Notice of Inquiry*, we note that there is a growing problem with illegal use of cell phone jamming equipment in general. These devices are being purchased over the Internet (usually from offshore sellers) and are being installed in public places such as restaurants and even schools. Often, the purchaser is unaware that the proposed use of the device is illegal and a potential source of interference to public safety communications.

We look forward to reviewing the initial comments of various parties on these issues.

Respectfully submitted,

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