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Abstract       Article discusses an apparent truce in the phone company's fight against the phone phreaks, at least as regards prosecution in New York City. States that telephone company representatives are interested mainly in seizing blue boxes, not prosecuting.

Keywords     New York Telephone security; blue box

Source         Alan Rubinstein

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# SCENES

BY HOWARD SMITH & BRIAN VAN DER HORST

## MA BELL VS. THE PHONE PHREAKS

The New York Telephone Company's war on the phone phreaks has cooled down. In fact, the way some company executives tell it, they're practically buddies by now. The phone men have even changed their strategy in stopping the use of the phreaks' toll-avoiding "Blue" and "Black" box devices.

Among the several people I've spoken to who have been subject to Ma Bell's new ploy, the scenario always seems to be the same: At any hour of the night or day, a knock comes on the door. Two phone company security executives yell through the door that the occupant should talk to them, if they want to avoid trouble. Once admitted, they begin to talk tough, saying, "We know you've got a blue box. Either surrender the equipment now, or tomorrow we'll go to the district attorney's office and begin prosecution for theft of services. But we really don't want to do that. We'd rather avoid court cost and publicity. So if you'll turn over the box now, we'll just forget all about it."

When the occupant asks, "But how do you know I've got one?" the security men show him a computer print out of all the calls this particular individual has made in the past month with a box. They describe some of his conversations. By this time, the box user feels fairly well pegged. But the phone men then begin to play nice guy. They say, "Look we don't want to have you arrested. But our boss wants us to get that box today. We'll give you a receipt and release. Of course we'll be monitoring your line for a while to make sure you're not using another box, but that will be it."

In the cases I've heard described, apparently the phone representatives are satisfied with explanations of where the devices were obtained like this typical one: "I met this guy at a party who sold it to me for \$500." They walk away with the box, and except for sending a bill for some of the free calls, have never contacted the users again.

When I called the phone company to check on these reports, a spokesman for the security department told me my information was "quite correct. That's exactly what we do. We're really not interested in getting convictions, we just want to get the

boxes out of circulation. In the last five years we have recovered approximately 100 blue boxes and 200 black boxes, but only around 20 people have been convicted of using them. And there haven't been any trials—all have pleaded guilty—and no one's ever gone to jail in New York State for using a box."

Look, most of the guys in this business have been in the business 20 years. We're all got kids. It really makes me sad when we get a box without trouble. Where we draw the line," he continued, "is if someone's using a box to make a business call. I don't like a salesman making a business call with one. But we're not interested in a kid whose just boxing a call home to his family from school."

And in New York, we know all the phone phreaks, and they all know us. They call us up and tell us when some of our circuits are not working. They play around with us on a 'catch me if you can' basis."

But how are you catching them? I asked. It sounds to me like you've been wiretapping their calls. "No, we haven't had to do that since 1957," I was told. "Since then we've had the Dial Number recorder systems installed. A blue box's signals are different than a touch tone telephone's, so any calls made with it automatically get printed in red by our DNR computers. Both the number called and the number calling. There are better ways to use blue boxes, but we don't want to educate anyone."

It still sounded like wiretapping to me, so I called the American Civil

Liberties Union expert on the subject. John Shattuck is currently national staff counsel for the ACLU protest on the 30 million calls that the American Telephone & Telegraph Company recently admitted monitoring. "We think that nobody should open their door to the phone company without a lawyer," said Mr. Shattuck. "But a serious question raised on how this information obtained. In our opinion, AT&T has violated several clear and constitutional and statutory prohibitions against warrantless wiretapping. But he added the Justice Department doesn't seem to be ready to overturn 270 convictions based on these illegal wiretaps."

And according to the phone company's spokesman, "the printouts from the Dial Number Recorder systems have already been accepted as evidence in New York State in many convictions." So it appears that if the men from Ma Bell come knocking—at least they mean it when they say they want to avoid prosecution. And for a while, there's probably a truce between the phone phreaks and them.

That is, until the phreaks come out with their newest invention. Some I've talked to recently have just perfected a new generation of electronic devices: the red boxes. Black boxes enable you to receive uncharged-for incoming calls. Blue boxes let you dial out. But red boxes produce exactly the same tones used by the phone company in pay booths. So a phreak using a phone booth is virtually undetectable. As New York has been converting its public phones to single slot tone-generating machines,

chines, hundreds of red boxes have been manufactured. And most phreaks feel that as soon as they go on the market, the war will be as hot as ever.