



# ***Exploding The Phone***

db505

www.explodingthephone.com

Bibliographic Cover Sheet

Title           **Phone Phantom Given Probation**

Publication    *San Jose Mercury News*

Date            1972-11-30

Author(s)     Frein, Joe

V/I/P           p. 1

Abstract       John Draper plead no contest to blue box fraud charges and was sentenced to five years probation and fined \$1000.

Keywords      John Thomas Draper; Captain Crunch; blue box

*The following pages may contain copyrighted material. We believe that our use of this material for non-commercial educational and research purposes constitutes "fair use" under Section 107 of U.S. Copyright Law. If you wish to use this material for purposes that go beyond "fair use," you must obtain permission from the copyright owner, if any. While it will make us slightly sad to do so, we will nonetheless comply with requests from copyright owners who want their material removed from our web site.*

# Assembly

## MA BELL BEATS GENIUS

# Phone Phantom Given Probation

By **JOE FREIN**  
Staff Writer

John Thomas Draper, legendary "Captain Crunch" of "phone phreak" notoriety, pleaded no contest in U.S. District Court in Palo Alto Wednesday to a charge of using an ingenious electronic device to make an illegal long distance telephone call to Australia.

The 29-year-old electronic wizard entered the plea as he was scheduled to face a jury trial on a seven-count indictment returned by a federal grand jury in San Francisco Tuesday night to supercede an earlier true bill with three counts.

Judge Robert Peckham immediately placed Draper, part-time electronic engineer for Hugel International in Mountain View and a student at De Anza College in Cupertino, on probation for five years and fined him \$1,000.

Draper, who resides at 1475 Myrtle Ave. in San Jose, could have been sent to federal prison for a maximum of five years on the charge.

Judge Peckham told the bespectacled Draper that he had decided not to imprison him because of his age, because he had been honorably discharged from the Air Force in 1968 after four years of service, because he had no criminal record and because he had not engaged in "phone phreaking" to accomplish



**EXIT CRUNCHING** — John Thomas Draper, a public telephone sign looming symbolically overhead, leaves U.S. District Court of Judge Robert Peckham in Palo Alto after being fined \$1,000 on one count of using an electronic device illegally to make a toll-free call to Australia. Draper, 29, was known as "Captain Crunch."

—Staff Photo

grand jury in San Francisco Tuesday night to supercede an earlier true bill with three counts.

Judge Robert Peckham immediately placed Draper, part-time electronic engineer for Hugel International in Mountain View and a student at De Anza College in Cupertino, on probation for five years and fined him \$1,000.

Draper, who resides at 1475 Myrtle Ave. in San Jose, could have been sent to federal prison for a maximum of five years on the charge.

Judge Peckham told the bespectacled Draper that he had decided not to imprison him because of his age, because he had been honorably discharged from the Air Force in 1968 after four years of service, because he had no criminal record and because he had not engaged in "phone phreaking" to accomplish any other fraudulent purpose.

However, the judge sternly warned Draper that if he violated the law again with telephones or other electronic equipment he would be sent to prison for the full term.

Draper's nickname comes from a popular breakfast cereal of the same name which contained a whistle producing a special pitch that "phone phreaks" discovered could be used to confound and manipulate long distance relays.

On the motion of Asst. U.S. Atty. Paul Fitzpatrick, Judge Peckham then dismissed the six other counts against Draper. They included using a "multi-signaling device" to enter the long-distance network of the Western California Telephone Co. to complete toll free calls.

Fitzpatrick indicated that the Federal Communications Commission probably would institute civil action to strip

(Back of Section, Col. 5)



**EXIT CRUNCHING** — John Thomas Draper, a public telephone sign looming symbolically overhead, leaves U.S. District Court of Judge Robert Peckham in Palo Alto after being fined \$1,000 on one count of using an electronic device illegally to make a toll-free call to Australia. Draper, 29, was known as "Captain Crunch."

—Staff Photo