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Pasadena Man, Employee Indicted In Sale of Phone-Bilking Device

By BOB DISTEFANO

The owner and an employee of a Pasadena electronics firm were indicted by the County Grand Jury Tuesday for manufacturing, selling and using a device that allows telephone users to make long distance calls without paying the toll.

The firm allegedly sold the devices, made at a cost of \$25, to an unknown number of firms and individuals for \$750 to \$1000, Deputy District Attorney Dan Fletcher reported.

Indicted and scheduled for arraignment in Los Angeles Superior Court Friday are Louis G. MacKenzie, of 1455 Los Robles Ave., owner of MacKenzie Laboratories, 1367 N. Fair

Oaks Ave., and Robert LaFond, of Los Angeles.

The two men were indicted on one count of conspiracy and four counts of using an electronic device without the authorization of Pacific Bell Telephone and Telegraph Co.

Fletcher said Pacific Bell's investigation leading to the indictments was apparently triggered by the appearance some two years ago on the Walter Cronkite television news show of a man who demonstrated a device similar to that which the MacKenzie firm allegedly manufactured.

At the time the law in California covered instances where actual connection to the line was made. It left uncertain any

possible prosecution over electronic devices which are not physically connected to the lines.

This section of the California penal code has since been amended to include "any unauthorized connection whether physically, electrically, acoustically, inductively or otherwise."

Fletcher said telephone company investigators put a surveillance on the man who appeared on the television program and linked him to another man who in turn took a device for repair to the MacKenzie laboratories.

An undercover investigator for

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the telephone company posed as a photographer and leased space in the MacKenzie firm's building.

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He was able to gain what a work Pacific Bell spokesman called "eyeball evidence" on long distance calls placed toll-free to New York and Chicago. Fletcher said.

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Charles E. Bitner, chief special agent for Pacific Telephone, filed an affidavit in Municipal Court last Wednesday to gain a warrant to search the laboratory.

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Fletcher said "there were enough parts for about 10 devices" found during the daytime search of the laboratory. He said the undercover investigator had purchased one device, sold him for the cut rate price of \$250 because he rented space in the boulding.

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Fletcher said the device "simulates tones that telephone company equipment makes when you dial the telephone."

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Bitner's affidavit describes the metal box, called a multi-frequency tone generator, in this way:

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A caller lifted the telephone receiver, dialed the area code, and momentarily depressed the two small movable buttons beneath the receiver.

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Depressing the plunger leaves the caller in possession of the telephone trunk line, but disconnects the caller's telephone from the phone company's billing mechanism.

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The device's transmitter is then held close to the telephone receiver and the telephone number is activated on the device's keys.

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It then emits tones which acoustically activate the telephone dialing mechanism in the facility of the phone company locally and this in turn activates the terminating equipment in the area code. The caller is then connected.

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