



Department of Justice

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District of Massachusetts

FOR IMMEDIATE RELEASE
WEDNESDAY, MAY 25, 2011
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RADIO EQUIPMENT SEIZED FROM PIRATE RADIO STATION

Seizure of Datz Hits Radio 99.7 FM radio equipment comes after complaints of interference with signals of licensed broadcaster and FAA signals at Logan Airport

BOSTON, Mass. - On May 13, 2011, federal officials executed a warrant, which was unsealed yesterday, for the seizure of the radio transmission equipment of a pirate radio station broadcasting in Boston without a license from the Federal Communications Commission (FCC). The radio equipment, used to broadcast for "Datz Hits Radio 99.7 FM," was located at a residential building at 25 Outlook Road, in the Mattapan area of Boston. A civil action has been brought seeking forfeiture of the equipment. According to an affidavit filed with the civil complaint, the radio broadcasting equipment was first discovered by FCC officials at another address in Boston. After FCC officials warned the operators they were broadcasting illegally and asked them to shut down the station, the equipment was moved to 25 Outlook Road where the illegal broadcasting resumed. Proceedings were then brought to seize and forfeit the radio broadcasting equipment.

The Communications Act of 1934 (the Act) makes it unlawful to operate radio broadcasting equipment above certain low-intensity thresholds without having a license issued by the FCC. The Act authorizes the seizure and forfeiture of any electronic or radio frequency equipment used with willful and knowing intent to broadcast without an FCC license. The number of available radio frequencies is limited, and unlicensed broadcasting can interfere with the broadcasting of legitimate licensed radio stations, potentially causing chaos in the radio spectrum.

The forfeiture action was brought after complaints were received from a licensed broadcaster about interference with its radio signal, and from the Federal Aviation Administration who complained of interference with radio communications at Logan Airport.

"It is easy to take for granted the variety and quality of sound we enjoy in local radio stations. Underlying this is the licensing authority of the FCC, which ultimately ensures that legitimate stations can operate without interference from pirate stations," said U.S. Attorney Carmen M. Ortiz.

Michele Ellison, Chief of the FCC's Enforcement Bureau, stated, "The operation of unlicensed broadcast stations can cause interference to other licensed broadcasters and in some circumstances can endanger public safety. This is an important issue for licensed broadcasters

and for the public in general, as both groups rely on the vigilance of the FCC to keep the airwaves free of interference. This enforcement action reflects our continued commitment to that objective.”

U.S. Attorney Ortiz and Ms. Ellison made the announcement today. The case is being prosecuted by Assistant U.S. Attorney George B. Henderson of Ortiz’s Civil Division.

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