



Exhibit 1

Department of Justice

FOR IMMEDIATE RELEASE
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CRM
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MARTINS CHARGED IN CELL PHONE CASE

Charles R. Wilson, United States Attorney for the Middle District of Florida, and Scott Charney, Chief of the Computer Crime and Intellectual Property Section of the Justice Department's Criminal Division, jointly announced that identical one-count Informations have been filed today in Jacksonville, Florida, against John and Alice Martin of Columbia County, Florida. The Informations charge the Martins with using a radio scanner to intentionally intercept the radio portion of a cellular telephone call, in violation of Title 18, United States Code, Section 2511(1)(a) and 2511(4)(b)(ii).

The intercepted communication, a conference call among Speaker of the U.S. House of Representatives Newt Gingrich and other Members of Congress, took place on December 21, 1996. Also filed today were plea agreements, signed by the Martins.

Because the interception involved the radio portion of a cellular telephone communication, and because there is no evidence that the interception was for a tortious or illegal purpose or for purposes of direct or indirect commercial advantage or private financial gain, the U.S. Code class

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NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

this offense as an infraction. The maximum penalty is a \$5,000 fine.

"The Martins were charged with the most serious violation possible based on the applicable federal law and the circumstances surrounding the interception of the telephone call," said Wilson. "If the Martins are ever convicted of an illegal interception again, they would face a maximum penalty of five years imprisonment, a \$250,000 fine, or both."

"All Americans are entitled to privacy in their telephone communications," said Charney. "Americans should know that intentionally intercepting other peoples' calls is illegal."

The case was handled by the United States Attorney's Office for the Middle District of Florida, in conjunction with the Computer Crime and Intellectual Property Section of the Justice Department's Criminal Division. The investigation is being handled by the Washington Metropolitan Field Office of the Federal Bureau of Investigation.

An information is merely a formal charge that a defendant has committed a violation of the federal criminal law, and every defendant is presumed innocent until, and unless, proven guilty.

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