

**Welcoming Remarks**  
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**Workshop/Webinar**  
**On**  
**Combating Contraband Cell Phones in Prisons**  
**September 30, 2010**

Whether you are here in person or virtually here via the web, thank you all so much for attending and participating today in our Workshop and Webinar on Combating Contraband Cell Phones in Prisons, jointly sponsored by the Department of Justice National Institute of Justice (NIJ), and the Association of State Correctional Administrators (ASCA). I would like to thank Pat Caruso, President of ASCA, George Camp, Co-Executive Director of ASCA and Bob May, Associate Director of ASCA for ASCA's sponsorship and strong advocacy of solutions. I also want to thank Ellen Scrivner, Dr. Nancy Merritt, and Joe Heaps of NIJ, who have done so much to advance the discourse of solutions.

My name is Jamie Barnett, and I am the Chief of the Public Safety and Homeland Security Bureau here at the Federal Communications Commission.

Deadly serious. The crisis of contraband cell phones in prisons is deadly serious. Deaths have occurred because of inmates contracting for hits against witnesses, police officers and others. They continue to run criminal enterprises. This is why FCC Chairman Genachowski and the Commission have made finding technological solutions a top priority, solutions that are available immediately. The FCC has taken action and the first of those technologies is now deployed because of that action.

Several weeks ago, I had the privilege of attending the launch of an innovative technology solution we at the FCC call “inmate call capture” installed at the Mississippi State Penitentiary in Parchman, Mississippi. Commissioner Chris Epps of the Mississippi Department of Corrections was kind enough to invite me, along with corrections officials from all over the United States. Altogether, about 100 people gathered there on a bright sunny

day when we entered the 18,000 acre facility to see the first-in-the-nation deployment of this new technology in a large scale prison facility. Chris Epps is with us today, but I am going to steal a little of his thunder. The demonstration was a huge success! Over 216,000 contraband cell call attempts were captured and kept from connecting in the first month alone! State corrections officials demonstrated how several call attempts by inmates using cell phones with unauthorized numbers were blocked from ringing through to their intended destination. In fact, no one could reach me on my cell for a few hours, and when I tried to make a call it would not go through while inside the prison. The technology works!

We are joined in that effort by a large community of interest that includes state corrections departments; federal agencies, such as the Department of Justice's National Institute of Justice, the Federal Bureau of Prisons, and the Department of Commerce's National Telecommunications Information Administration; national organizations, including the American

Correctional Association and Association of State Correctional Administrators; technology vendors; and wireless carriers – all exploring the most effective and precise technological options to defeat contraband cell phone use.

As part of this effort, we have consistently stressed the need to identify effective solutions to stop and prevent the illegal use of cell phones in prisons, which often serve as the vehicle for sustained illegal activities by inmates and attacks on prison personnel and the civilian population. The FCC's goal has been to identify technologies that are lawful and address the particular challenge at issue, are available immediately or in the near future, without creating new ones. Today's workshop continues that effort. Some of the topics that will be covered in today's workshop will include the technologies currently available and in use to combat contraband cell phones in prisons. We'll also look at legal constraints and policy concerns relating to cell jamming and other interfering technologies. There are many intricate and interdependent issues involved, including technical efficacy and

adaptability, legal considerations, interference concerns, preserving legitimate consumer, public safety, and 9-1-1 wireless communications, the relative costs, including the potential impact on prison pay phone rates, and avoiding unintended and harmful consequences.

To help us work through these issues, we have gathered a distinguished panel of Federal and state experts. We will open our workshop with their remarks, starting with our co-sponsors of this event, ASCA and the National Institute of Justice.

ASCA provides the essential viewpoint of prison administrators and practitioners, and General Gary Maynard, who has a tremendous record of service and is a retired general in the Oklahoma National Guard, who is the Director of ASCA's Southern Region and also is here as the Secretary of the Maryland Department of Public Safety and Correctional Services. Also representing ASCA is Jon Ozmint, Director of the South Carolina Department of Corrections since 2003, a graduate of the University of Alabama School of Law, a former prosecutor and a

Commander in the Navy Reserve. Director Ozmint has been a leading proponent of jamming as a solution.

They will bring valuable insights to share with us today. ASCA has been a tremendous resource for the FCC, and I appreciate the opportunities they have enabled for us to address their membership in the past, and their willingness to serve as a co-host of today's event.

Our other co-sponsor, and also a great help to us is the National Institute of Justice, and we are privileged to have Dr. Ellen Scrivner, Deputy Director of the National Institute of Justice, here to make opening remarks. The NIJ has been a great partner of the FCC and has done much to bring clarity and focus to this issue, including hosting a number of meetings with a wide range of correctional experts and practitioners, as well as helping to establish a Federal intra-agency working group tasked with identifying the necessary next steps that the Federal partners should take to advance workable solutions to this problem.

Also making opening remarks is Larry Atlas, Senior Advisor to the Assistant Secretary of the National Telecommunications and Information Administration. NTIA has conducted a number of tests of a jamming device in both a laboratory environment and at a commissioned Federal prison facility in Cumberland, Maryland. We believe that these controlled tests have produced results that have added to our understanding of jamming technology.

Further, NTIA is charged by Congress, in coordination with the FCC and the Federal Bureau of Prisons, with developing a plan to investigate and evaluate how wireless jamming, inmate cell capture, detection, and other technologies might be utilized for law enforcement and corrections applications in Federal and state prison facilities. Congress asked that the plan consider the adverse effects that these technologies impose on commercial wireless and public safety communications services in areas surrounding the prisons. NTIA has been working to develop a final report, and we appreciate the opportunity we have had to provide input into this important document.

Rounding out our opening remarks speakers is Tom Kane, Assistant Director of the Information, Policy and Public Affairs Division of the Federal Bureau of Prisons. We've had the pleasure to meet with the Bureau of Prisons on a number of occasions, and they bring tremendous expertise to addressing the problem of contraband cell phone use. The Bureau of Prisons has spent over ten years investigating technologies to combat contraband cell phones, and we welcome and look forward to hearing about BOP's experiences with various technologies.

Our experience to date has taught us that technology can provide a range of solutions. Our focus here at the Commission has been on the technologies that are not only lawful, but also specifically target the problem at hand without jeopardizing other essential public safety, federal and state law enforcement activities, or the lawful use of cell phones by the public, including the ability to make 9-1-1 calls. In order to better understand the technical aspects of the available technologies, Julie Knapp, Chief of the FCC's Office of Engineering and Technology, will walk us

through these various technology choices following the opening remarks.

The central purpose of this workshop, however, is to initiate a free-flowing discussion of what has been accomplished to date, the lessons learned from trials, demonstrations and full scale installations of these technologies, and the direction we need to take and the obstacles to overcome to arrive at a range of workable solutions for prison administrators as they confront this challenge. Therefore, we will spend a good deal of our time today in a question and answer session featuring the return of Larry Atlas and General Maynard, as well as some new faces including representatives of the cellular industry and two states that have done much in this area, Mississippi and Maryland.

In addition to General Maynard, we are pleased to have join by phone bridge Commissioner Chris Epps of the Mississippi Department of Corrections, who, like General Maynard is wearing two hats by also representing ASCA, since Commissioner Epps serves as Treasurer for ASCA. We also are fortunate to have

Jack Fox, who is the Chief of the Office of Security Technology with the Bureau of Prisons, Christopher Guttman-McCabe, Vice President of Regulatory Affairs with CTIA – The Wireless Association, to provide the viewpoint of the cellular industry, our own Julie Knapp, and last but definitely not least, Dr. Nancy Merritt from the National Institute of Justice who has been a very close and abundantly helpful and resourceful partner.

In order to facilitate certain technology solutions, the commercial wireless service providers have worked cooperatively with the FCC to develop the regulatory steps, including executing spectrum leases where necessary, to enable the operation of systems such as inmate cell capture on their licensed spectrum. I am very pleased that with the carriers' active support to enable testing and deployment of non-jamming technologies, we were able to effectively work together to achieve this goal. Carriers appear ready to support these promising initiatives and a working regulatory model is in place. And, we are cautiously optimistic that these technologies, perhaps coupled with other applications

and approaches, will prove effective in addressing this national problem.

Lastly, and importantly, I encourage all of those in attendance here at the Commission as well as those logging in via WebEx to submit any questions or observations you may have for the panelists. I cannot promise that we will have the time to address all submissions, but this is an ongoing dialogue and your input has been and will continue to be a critical aspect of our efforts at finding solutions to this problem of contraband cell phones in prison.

With that, I will now turn to General Maynard to bring our opening statements.