

## **Summary of the *Safe Prisons Communications Act of 2009***

- The Director of the Federal Bureau of Prisons or a governor (depending on whether a facility is federal or state-operated) may submit a petition to the Federal Communications Commission (“FCC”) requesting to operate a wireless jamming device in a particular correctional facility. In determining whether to grant the petition, the FCC must consider, among other things, whether the jammer would interfere with emergency or public safety communications outside the prison’s walls.
- Upon notice to the prison and the FCC from a wireless provider that a jammer is interfering with wireless services outside a prison, the FCC will require the prison to cease the use of that jammer and investigate.
- The FCC will test and approve devices for use by correctional facilities. In order to avoid interference outside a prison’s walls, a device must operate at the lowest technically feasible transmission power, and be capable of directionalized operation.

## **Talking Points for the *Safe Prisons Communications Act of 2009***

- The number of cell phones being smuggled into prisons is increasing.
  - Corrections departments across the country are reporting a sharp increase in cell phones being smuggled into prison facilities. In some states, the number of cell phones confiscated has doubled over the past two years, while in others, smugglers are using brazen attempts, such as using a slingshot to propel cell phones over prison fences.
- Prisoners are using these cell phones to commit crimes.
  - Victims of crimes and public officials are being threatened and harassed by prisoners with access to cell phones.
  - Across the nation, cell phone crimes are revitalizing gang activities behind bars. Moreover, prisoners have been using cell phones to steal credit card information and engage in credit card fraud.
- Although new technologies are being developed to detect and locate cell phones, *ONLY* cell jamming technologies stop these dangerous phone calls.
  - Making cell phones useless on prison grounds would deter further smuggling of cell phones into prisons.
  - Prisons are being overwhelmed by hundreds of cell phones at a time, and simply locating and removing cell phones one by one is a challenge.
- This legislation makes conserving wireless network integrity the highest priority.
  - If a jammer is causing interference outside a prison’s walls, upon notice from a wireless provider the prison must immediately stop using the device and the FCC will investigate.