

TESTIMONY OF COMMISSIONER HOMER BRYSON
GEORGIA DEPARTMENT OF CORRECTIONS
AT FCC COMMISSIONER PAI'S FIELD HEARING ON CONTRABAND CELLPHONES
COLUMBIA, SOUTH CAROLINA
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On behalf of the Association of State Correctional Administrators and the state of Georgia, we have long been concerned with inmates gaining access to cell phones because they are used to carry out criminal activities both inside and outside the prison and place the public, staff and other inmates at great risk of harm. Contraband in prison is an issue officials have dealt with since the inception of our correctional system. It's a continual battle to keep items such as tobacco products, drugs and, most recently, cellphones out of prison facilities, and the methods of smuggling these items in are constantly evolving.

Since becoming Commissioner in February 2015, we've arrested more than one hundred staff members and close to 200 civilians for introducing contraband and cell phone seizures are in the thousands each year. Contraband, especially cell phones, is a continual battle. We are serious about this issue and dedicated to ridding our prisons of these devices and those who bring them in.

We have the ongoing support of our Governor Nathan Deal and our legislative body, and they are taking all the steps available to them to assist in the effort. Bringing in contraband is a felony under Georgia law and is punishable by up to five years in prison.

Additionally, we were encouraged to have the opportunity to meet with Commissioner Pai late last year, and discuss the cell phone issue facing corrections systems. Since that meeting, GDC continues discussions with the FCC and we appreciate working together to try to solve the issue. In the meantime, we have been proactive in addressing the issue internally.

With cell phones representing a significant threat to the public and staff, it would seem the simplest way to keep inmates from using them would be to render them ineffective. At present, however, that is beyond our ability because of current federal restrictions.

So without the simplest solution available to us, we are using a multitude of other approaches to combat the issue. These approaches include training on contraband detection, improved package screening of items entering facilities, staff screening during shift change, cell phone detection K-9s, secure evidence storage procedures, BOSS scanners, cell sense devices, through-body scanners, thermal imaging, perimeter netting and infrared cameras. But, despite all of these efforts, cell phones still make it into the hands of inmates.

To the average citizen, the scope of the problem may be difficult to grasp. On its face, it seems to be a simple issue to solve. You have people living in a controlled environment, behind bars and fences with people to guard them. Why then, is it so difficult to keep contraband out of the hands of inmates? What citizens may not understand is that a prison facility is much like a city --- it is not a "static" environment, meaning there is constant movement in and out of the facility. There are visitors, physicians, nurses, educators, administrative staff, maintenance staff, food service staff, work details, deliveries, etc., all constantly coming-and-going in and out of the facility. Data indicates that traffic, which is defined as staff, visitors, inmate visitors, and inmates, entering our facilities through the front gates and rear gates on a weekly basis exceeds 120,000. That dynamic atmosphere lends itself to a variety of methods of introducing contraband, and makes it difficult to intercept.

Though every effort at keeping them from getting inside is made, once the cellphone is in the facility, the problems they bring go far beyond inmates having access to social media or making phone calls home. A cell phone gives them free access to the world outside the prison. They can continue operation of criminal enterprises through outside contacts.

A couple of examples in Georgia of serious public safety implications related to inmate cell phone use include:

1. Two high-profile Gwinnett jewelry store heists this year that netted more than \$1 million in stolen goods and left one customer bashed with a hammer were ordered by a prison inmate with a history of robbing people himself. He was running a crew of four armed robbers from his prison cell at Georgia State Prison in Reidsville.
2. The case of a Hancock State Prison inmate would appear to be the worst. The purported gang member is accused of helping plan the murder of a young man who was gunned down in November.

Less frequent, but more troubling is the issue of staff introducing contraband into a facility. While the vast majority of officers and staff are honest and conduct themselves with integrity, occasionally this is not the case.

GDC partnered with the FBI and the U.S. Attorney's Office on a two-year investigation uncovering a nation-wide fraud and money-laundering scam being run by inmates using contraband cell phones. Posing as law enforcement, the inmates called potential victims using cell phones, and accused the victim of failing to appear for jury duty. Threatened with arrest unless they pay a fine, the victims were instructed to purchase a pre-paid cash card and provide the account number. The investigation led to Federal indictments against more than 50 former GDC officers and more than 50 inmates and non-incarcerated co-conspirators. We will continue to vigorously prosecute any staff member or civilian found to be bringing contraband into a facility.

With the extensive efforts to prevent cell phone usage by inmates, the Department confiscates thousands of devices in facilities each year. [In fiscal year 2015, a total of 7,644 phones were confiscated](#), but rooting out the cell phone problem in GDC's facilities takes more than just officers and staff.

We are formally requesting the FCC and the wireless providers work with the correctional system on this national public safety issue. Simply rendering cell phones ineffective in our prisons will protect the public from criminal scams and save lives.