

**TESTIMONY OF BRYAN P. STIRLING, DIRECTOR OF THE S.C. DEPARTMENT OF CORRECTIONS  
AT FCC COMMISSIONER PAI'S FIELD HEARING ON CONTRABAND CELLPHONES**

**COLUMBIA, SOUTH CAROLINA**

**APRIL 6, 2016**

Preventing the influx of contraband in prisons has always been a serious concern of, and a difficult challenge for, U.S. corrections administrators. Today, the means by which prisoners and their contacts outside the prison walls can introduce contraband have increased, and these criminals are now incorporating state-of-the-art technology to include the use of drones. South Carolina is one of multiple states that has already faced a drone delivering contraband cellphones. These incidents are an example of inmates' adaptation of technology for criminal activity; however, the state still has plenty of "throw-overs," the most unsophisticated yet brazen of ways to introduce illegal contraband, illustrating the prison system's debilitating disadvantage. Prisons are designed to keep people in and not to keep contraband out.

Recently, the agency has installed thermal imaging cameras and magnetic static detectors while it continues to build surveillance towers at two maximum security facilities. We have asked for assistance from the public and created an online tool to anonymously report the use of cell phones or social media behind the wire. After nearly 20 years, the front gate at broad river road allowing access to five prisons, is fully staffed 24 hours a day, seven days a week. The department has even worked with legislators to support Bill 1093 that would charge individuals who provide an inmate with a telecommunications device with a felony. And yes, we have arrested staff for introducing cell phones. Even with all those policies and procedures in place we continue to lose the war on contraband. Canine detection, scheduled disruptions, frisk searches, pat downs, x-ray machines and metal detectors, boss chairs, vehicle searches, stationary and roving perimeter posts and magnetic static detectors fail to put even a dent in the massive wave of telecommunications devices that infiltrate our institutions. The effort to stop the onslaught becomes more dangerous by the day because money talks and the inmates will stop at nothing to ensure their prison economy thrives.

A cell phone in the hands of an offender is a weapon, just as lethal as a prison-made shank. Look no further than South Carolina's own contraband Captain Robert Johnson, who found himself within inches of his life in retaliation for successfully impeding the flow of contraband at Lee Correctional Institution. The events leading up to the assassination attempt, detailed in his own testimony, must never be repeated.

In 2015, the South Carolina Department of Corrections, which maintains 24 state facilities and holds more than 20,000 offenders, confiscated 4,107 cell phones and accessories. The Department of Corrections saw more than 100 attempts to throw contraband over its fences that we are aware of. There is no telling how many successful attempts furnished offenders with phones, tobacco and drugs. Most attempts occurred at maximum security institutions, giving offenders the ability to commit crimes and thereby allowing them to circumvent what is supposed to be "their" primary purposes – repaying a debt to society and rehabilitation. South Carolina alone has had 3 different attempts by drones to smuggle in cell phones, drugs and tobacco and those are the attempts that our officers were able to thwart. In 2015, the South Carolina Department of Corrections reported 2,481 convictions for disciplinary offenses related to cell phones and social

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media. Some incidents resulted in the physical assault of officers and staff, creating an even more hostile work environment for the dedicated institutional staff.

Prisons must be allowed to implement cost-effective technologies to stop this dangerous threat to public safety. The solution varies from state to state and facility to facility. What works in rural South Carolina may not work for Maryland's metropolitan institutions. Additionally, what one state is able to afford, another may not have the funds to implement, maintain, and ultimately monitor. South Carolina is a rural state with many institutions located in less-populated areas, so the ability to jam signals is far more feasible here than it is elsewhere.

The issue of contraband cell phones is a common topic of discussion among prison administrators across the country. When discussing Mississippi's experience with Managed Access, Commissioner Marshall Fisher noted the Mississippi Department of Corrections captured 9.2 million transmissions in texts and calls since the agency installed the Managed Access System at the Mississippi State Penitentiary at Parchman, the oldest prison in 2010. Approximately 4.3 million calls and texts have been captured at South Mississippi Correctional Institution, our newest prison, since it was installed there in 2012.

The Managed Access Systems works provided that these variables are in place:

- Must have RF signals constantly balanced. (If too low, inmates' calls can get out. If too high, calls outside your targeted area will be disrupted.)
- Must keep antenna aligned. (If not, the signal will be in the wrong location.)
- Must maintain power setting. (Any power outages can disrupt the system.)
- Must have alerts in place and a second source of power (generator) when power setting goes out or is off.
- Must have a partnership with cell phone carrier.

Additionally, Leann Bertsch, President of the Association of State Correctional Administrators stated, "Technology continues to advance and so does the risk of that technology being used in a dangerous method inside a prison. Cell phones are no longer only phones, they are powerful handheld computers. Prison administrators must be able to use the latest and most up to date technology to keep their staff, facility, and public safe and secure. Prison administrators must be able to respond to the risk posed by advance technology with the technology that can neutralize or minimize the danger and risk posed by cell phones in prisons."

If South Carolina is not able to use jamming technology, the solution will be an expensive, multi-faceted approach using canine detection, highly trained contraband officers, infrared cameras, and more - a herculean effort that requires extensive manpower and other resources. Captain Johnson, the men and women in South Carolina who risk their lives on a daily basis in service to their state deserve nothing less than additional research, testing, and productive

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discussion about detection and jamming technology in jails and prisons. The safety of the public and lives of our officers depend on it.