

# Congress of the United States

Washington, DC 20515

May 27, 2010

The Honorable Larry Strickling  
Assistant Secretary for Communications and Information  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230

Dear Larry:

As the National Telecommunications and Information Administration (NTIA) commences Docket No. 100504212-0212-01 regarding Preventing Contraband Cell Phone Use in Prisons, we thought the enclosed article from the May 17, 2010, edition of the Omaha World-Herald entitled, "Prison phone smuggling reduced" might be of interest.

The article discusses the dramatic drop in contraband cell phone use in Nebraska prisons after the State decided not to seek a profit from inmate phone calls and significantly decreased the rates prisoners pay to use the prison phone system.

We ask that you please include the article in the record of the proceeding.

Sincerely,



Rick Boucher  
Member of Congress



Bobby Rush  
Member of Congress

Enclosure

Published May 17, 2010  
Published Monday May 17, 2010

## Prison phone smuggling reduced

By Paul Hammel  
WORLD-HERALD BUREAU

LINCOLN -- Two years ago, a cell phone was smuggled to a death-row inmate in Texas, who made 2,800 calls in a month, including some threatening calls to a Texas state senator.

It was later discovered that a guard had been bribed to smuggle in the phone. Texas launched a \$10 million initiative to install new metal detectors, body scanners and cell phone trackers in prisons by the end of 2009 and to increase pat searches of corrections officers. Altogether, 1,110 wireless phones were confiscated last year from Lone Star State prison cells.

While penalties for smuggling cell phones into prison are stiff, the cell phone allure remains strong either to continue criminal enterprises or just avoid prison recording devices during conversations.

But Nebraska seems to have dodged this cell phone dilemma.

State Corrections Director Bob Houston said Nebraska has made it so cheap for prisoners to use the regular prison phone system that there's no monetary incentive to smuggle in phones.

Only six cell phones were confiscated from Nebraska inmates during the past year, Houston said. He attributes the low number to a decision made years ago not to seek profit from inmate phone calls.

In Nebraska, inmates pay only 50 cents for a local telephone call on the regular prison lines. Long-distance calls cost 70 cents to place, plus 5 cents per minute.

"If you go to other jurisdictions, it's going to cost much more than that," Houston said. "The interest in smuggling in cell phones isn't there if you make it relatively inexpensive to call."

By contrast, Iowa charges \$2 per local call. A 15-minute long-distance call within the same area code costs \$4.85, \$3.50 more than a similar call in Nebraska.

Iowa prison spokesman Fred Scaletta said a committee has been formed to consider reducing inmate call fees.

Scaletta said the cost study is not linked to a problem with cell phone smuggling, but to make it easier for inmates to communicate with family members on their allowed call list.

He said Friday he did not have specific numbers about confiscated cell phones but could recall only a couple in recent months. Still, he said, there has been discussion about buying "scrambling" devices to thwart cell phone calls from inside prisons.

Since 2007, Iowa has required all inmate phone calls to be prepaid. Scaletta said fewer phone companies were allowing collect calls from prisons -- and 60 percent of the collect call charges were never paid.

Collect calls are still allowed in Nebraska.

Houston said several states and even private prison corporations have contacted Nebraska about its relatively few problems with cell phone smuggling. He has recommended that they lower their phone call rates.

Several states, Houston said, rely on revenue from inmate calls to fund prison operations and equipment purchases.

Cell phones are also a problem in federal prison.

Last fall, U.S. Sen. Chuck Grassley, R-Iowa, introduced legislation to clarify that cell phones are illegal in federal prisons. Few inmates and guards had been punished because of the lack of clarity about that, Grassley had said.

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