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Via electronic filing at <http://fjallfoss.fcc.gov/ecfs2/>

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Marlene H. Dortch
Secretary Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities, GN Docket No. 13-111, FCC 17-25

CoreCivic appreciates the opportunity to comment on the Federal Communications Commission (FCC) proposed rule regarding, "Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities" [GN Docket No. 13-111], dated Thursday, May 18, 2017. CoreCivic also greatly appreciates the Commission's prior and ongoing efforts to support the control of contraband communication devices in correctional facilities and efforts to look at a wide range of technological solutions to this complex issue.

We are a diversified government solutions company with three distinct business offerings: CoreCivic Safety, a leading provider of high-quality corrections and detention management; CoreCivic Properties, offering a wide range of innovative government real estate solutions; and CoreCivic Community, a growing network of residential re-entry centers to help address America's recidivism crisis.

CoreCivic Safety represents the fifth largest correctional system in the U.S. As the operator of 89 facilities in 20 states in partnership with federal, state, county and city government agencies, we have first-hand experience with the introduction and use of unauthorized communication devices by dangerous offenders. These devices are used for a variety of reasons such as to coordinate the introduction of contraband into correctional facilities, including drugs and weapons; facilitate escape attempts; plot staff and inmate assaults; and manage continuing criminal enterprises in the community from within the walls of secure facilities. In a challenge persistent across the corrections field, as our sanctioned inmate telephone system controls and monitoring have continued to improve each year, the inmate population has increasingly obtained and utilized unauthorized contraband communication devices to circumvent our security systems.

While the current proposed rules are focused on the detection by a Contraband Interdiction System and then disabling of an unauthorized device by a carrier, we encourage the Commission and the industry to continue to explore and authorize all options in this fight including Managed Access Systems, "quiet zones," network-based solutions and others. Correctional facilities vary greatly in

both construction and location, from dense urban areas to remote rural areas, and so a variety of potential solutions are needed to match the specific challenges of each facility. We understand the difficult balance that must be struck in every solution between the security and public safety missions of correctional facilities and the liabilities and operational concerns of communication carriers. We fully support the Commission's clear and stated stance on this balance, "The Commission seeks to streamline the process for identification, notification, and disabling of contraband devices to the greatest extent possible, while also ensuring the accuracy, security, and efficiency of such a process." See 82 FR 22780, 22795.

We support the proposed regulations specifically as they allow a Designated Correctional Facility Official (DCFO) to directly request to a carrier that an unauthorized device be disabled or terminated. We believe that a requirement of a court order, FCC order or FCC transmission of the request to seek such a termination would significantly hamper the speed of the termination process, allowing the unauthorized communication to continue and potentially threatening public safety and the safe and orderly operations of correctional facilities. We support what are deemed sufficient information requirements for the DCFO to provide to the carrier so that the carrier can conduct its due diligence, and would recommend that such requests be based on a common data format and standardized information requirements to reduce the administrative burden on correctional facilities. We defer to the Commission to determine the time limits that carriers have to process, accept or reject such a request and notify the correctional facility of their action given the carriers' burdens and constraints, but would recommend that that time period be no later than 24 hours to protect public and facility safety. We also support any efforts by the Commission to reduce the liability of carriers in this process so that they may be more effective and expedient in responding to such requests.

We do believe, however, that the definition of a DCFO is overly constraining and does not reflect the totality of stakeholders who operate correctional facilities and therefore should be modified. The current proposed definition of a DCFO is found at proposed section 20.23 (b) (2). See 82 FR 22780, 22797:

For purposes of this section, a Designated Correctional Facility Official means a state or local official responsible for the correctional facility where the contraband device is located.

This definition is too narrow. It excludes federal officials, which would exclude the Federal Bureau of Prisons, the largest correctional system in the country, but it also excludes privately operated correctional facilities. According to the most recent report from the Bureau of Justice Statistics (BJS), "Prisoners in 2015", over 126,000 prisoners under state and federal jurisdiction are housed in privately operated facilities, or 8% of the US prison population. Additionally, there are several thousand prisoners under county and city jurisdiction housed in privately operated jails not counted in that BJS number. Any exclusion of private facilities from the definition of a DCFO threatens public safety and institutional security and safety as much as any exclusion of a

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government operated facility. Government and private facilities house the same offenders under the same legal authority – it is just a matter of who operates the correctional facility to which the offenders are designated by the government corrections agency and where they are then housed. As a result, we propose that the definition of a DCFO be modified to:

For purposes of this section, a Designated Correctional Facility Official means an official who operates a correctional facility for a federal, state or local government at the facility where the contraband device is located.

This would be inclusive off all correctional officials - federal, state, local and private - that oversee and manage our country's national offender population.

As a separate matter, CoreCivic would also like to express the importance of prompt response from the carrier to the requesting official. In various sections of the NPRM, the Commission describes a range of time periods and seeks comment on what timeframe is *reasonable*. See, for example, 82 FR 22780, 22784 ("GEO, a private manager and operator of correctional facilities, agrees with the Commission's proposal to require carriers to terminate service to contraband wireless devices within one hour of receipt of notice from a qualifying authority.") CoreCivic is unable to state with certainty what response time is reasonable as it is not a telecommunications systems company, but stresses in the strongest terms the importance of resolving requests for disablement of contraband devices in the shortest time period possible. As has been thoroughly demonstrated by the Commission's diligent and extensive review of this issue, every moment of illegal contraband cellular device possession increases the danger to facility residents and employees, and to members of the public.

CoreCivic again thanks the Commission for the opportunity to comment on the proposed rules and the Commissions' outstanding work in reducing this significant threat to corrections and the public.

Sincerely,


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CoreCivic