

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Promoting Technological Solutions to Combat)	GN Docket No. 13-111
Contraband Wireless Device Use in)	
Correctional Facilities)	
_____)	

COMMENTS OF OMNIPROPHIS CORPORATION

Dated: August 27, 2020

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INTRODUCTION

OmniProphis Corporation (OmniProphis) is a Massachusetts Woman-Owned small business and has been a leader in the Corrections industry for over twenty-five years. With twenty-one Managed Access Systems (MAS) deployed in the U.S., including MAS Evolved pilot programs in California and Mississippi, OmniProphis has more practical and technical experience than any other MAS provider. Currently, OmniProphis deploys systems that cover all 8 bands (600, 700, 806, 850, 1900, 2100, 2300, 2500) and covers all currently deployed protocols (2G, CDMA 1x, 3G, CDMA2000, EVDO, UMTS, 4G, 5G NSA). OmniProphis appreciates the opportunity to provide these comments in response to the Commission’s effort to refresh the record on this important public safety issue.

I. DISABLING DEVICES

OmniProphis has been involved in the process of disabling contraband wireless devices since the inception of the idea. In February 2018, OmniProphis submitted comments to the FCC, which outlined a process that utilized MAS data to identify and disable devices. Later in 2018, the California Department of Corrections and Rehabilitation (CDCR) used the data collected by the OmniProphis MAS at Kern Valley State Prison (KVSP) in the first round of contraband wireless device terminations. OmniProphis worked closely with CDCR as well as the wireless providers and CTIA to effectively work through the process of disabling the devices identified at KVSP as well as a number of other facilities in CA. The process was a success and in California, to date, there have been a total of 1,402 devices and 1,494 accounts/ SIM cards disabled.

OmniProphis also worked with the Mississippi Department of Corrections (MDOC) to educate stakeholders in the potential use of a court order process to terminate contraband devices. In 2019, MS codified MDOC's ability to utilize a court order process in order to terminate these devices with the wireless providers.¹ OmniProphis continues to work with both MDOC and CDCR to utilize MAS data and their respective state processes to disable contraband devices.

OmniProphis believes that a federal rule-based approach would be more efficient. In our experience, utilizing a state-level approach is time consuming and

¹ Miss. Code Ann. § 47-5-193 (LexisNexis <2019>).

cumbersome. Stakeholders at all levels (corrections agencies, prosecutors, judges, etc.) must fully understand the issue and why the disabling of devices is necessary. A federal rule-based approach would eliminate the inefficiencies of working through this process at the state-level each time MAS is deployed in a new jurisdiction.

Regarding the use of the Stolen Phone Database to disable devices, OmniProphis believes that this process is working.

II. NOTIFICATION BY WIRELESS PROVIDERS TO SOLUTIONS PROVIDERS

Over the past eight years, OmniProphis has formed strong relationships with the wireless providers and they have always been cooperative when it comes to working through the issues surrounding the deployment and maintenance of managed access systems. In California, AT&T's willingness to reduce the power of a signal on property at Mule Creek State Prison in Ione, CA and Verizon's amenability to adjusting the tilt of an antenna pointing toward Pleasant Valley State Prison in Coalinga, CA, exemplifies the cooperative nature of this relationship. However, there is more that the wireless providers can do to assist both state correctional agencies and MAS providers with achieving cost-effective, sustainable systems.

The implementation of roaming agreements between MAS providers and the wireless providers is an important step toward effective, sustainable systems. Currently, OmniProphis has roaming agreements in place with Verizon, AT&T, and T-Mobile/Sprint, which allow our MAS Evolved systems to communicate directly with wireless devices operating under the MAS, resulting in the need for less powerful, less expensive equipment to operate the system. These roaming

agreements also allow the OmniProphis MAS to provide superior service to correctional agencies' authorized devices by providing an IP based backhaul to the wireless providers' networks, which makes the system a more viable option for agencies who must balance the importance of ending contraband phone use with the need for wireless communications and authorized functionality for those such as facility administrators and healthcare workers.

The wireless providers should proactively work with the state correctional agencies and MAS providers to ensure cost-effective and sustainable MAS solutions. Currently, OmniProphis, the Mississippi Wireless Communications Commission, and the Mississippi Department of Corrections are working with the wireless providers to ensure the two new cell towers at the entrance of two of the Mississippi correctional facilities, and the new signals at the third facility do not impact the existing MAS deployments. Over the next several years, all wireless providers will be deploying 5G-standalone technology. At facilities where MAS is deployed and the MAS is providing authorized cellular coverage, the need for 5G-standalone technology should be evaluated. New towers and technology upgrades will require costly upgrades for each state correctional agency where MAS is deployed.

During a recent meeting between the FCC, CDCR, MDOC, and OmniProphis, it was proposed that, in order to prevent situations such as the one described above, the wireless providers should freeze technologies at the correctional facilities where MAS is deployed to prevent impact to the functionality of the existing system and

avoid the need for costly upgrades.² In the event that a wireless provider needs or wants to deploy new technology that would cause impact to an existing MAS, the wireless provider could be financially responsible for upgrading the MAS, thus insulating state correctional agencies from these costs. CDCR stated their belief that the wireless provider's financial investment in a successful MAS could promote their continued collaboration and cooperation in making sure MAS is a viable, cost-effective, and sustainable solution to combatting contraband wireless device use in prisons. Wireless providers would still need to continue providing the agency and the MAS provider with sufficient advance notice for development and testing of new or upgraded technology.

Finally, OmniProphis suggests that wireless providers operating signals on the footprint of correctional facilities maintain manageable power levels of -85 dBm or lower, which is optimal when operating a MAS. This manageable power level will allow MAS providers to deploy a much more cost-effective solution.

Regarding the CTIA Stakeholder Checklist, we do agree with CTIA's suggestion that state correctional agencies find a MAS vendor willing to "update/upgrade its equipment to incorporate new commercial services, including spectrum bands, technologies (e.g. 5G), and new service provider entrants,"³ however, as stated above, the wireless providers should freeze technologies at the correctional facilities where MAS is deployed to prevent impact to the functionality of the existing system. In the event that a wireless provider wants to deploy new

² GN Docket 13-111, OmniProphis Notice of Ex Parte (June 24, 2020).

³ Managed Access Systems (MAS): Stakeholder Checklist, 1.

technology, the wireless provider could be financially responsible for upgrading the MAS.

While some upgrades can be made for little expense (i.e. adding new signals on bands or protocols already present), others are expensive and the cost is borne by the state correctional agency. As a result, OmniProphis supports the idea that wireless providers should be required to freeze technologies on the footprint of corrections facilities where a MAS is deployed. OmniProphis does not believe there is any reason why the wireless providers need to deploy new bands and new technologies at correctional facilities where a MAS is in place considering that the MAS provides service to authorized devices and all other devices are considered contraband.

III. OTHER TECHNOLOGIES

For OmniProphis' comments regarding other technologies, please see those included in an earlier submission.⁴

IV. MAS EVOLVED

OmniProphis does not believe there is any reason why a wireless provider would need to provide 5G-standalone technology on the footprint of a correctional facility where MAS is present. In such situations, the MAS provides service to authorized devices and 5G is not needed to do so. However, roaming agreements are necessary where 3G, 4G, and 5G technology is present.

⁴ GN Docket 13-111, Comments of Screened Images, Inc. (July 17, 2017).

Regarding roaming agreements, which are also discussed in Section II, while we have found the process of obtaining, implementing, and compatibility testing to be slow, we acknowledge that this was the first time the wireless providers were undertaking roaming agreements with a MAS provider. However, we believe that MAS needs to be a priority at the wireless providers' national level.

Another concern regarding roaming agreements is whether agreements with the major U.S. wireless providers (AT&T, Verizon, and T-Mobile/Sprint) will also cover regional and international carriers that roam to the major wireless providers' networks. It is not feasible for MAS providers to obtain roaming agreements with every regional and/or international provider that may roam onto the major provider networks. It is important that the major US wireless providers make encryption keys available to the MAS provider and this should include encryption keys for cell phones roaming on the major provider networks from regional and/or international networks.

Currently, OmniProphis has roaming agreements in place with the major U.S. providers (AT&T, Verizon, and T-Mobile/Sprint). These roaming agreements cover all twenty-one facilities where the OmniProphis MAS is deployed.

As a roaming partner, utilizing the MAS equipment and the wireless providers' location-based services, the MAS can offer a geofencing solution for authorized and unauthorized devices. However, there would need to be laws in place to allow the wireless providers to share location-based services with MAS providers.

V. LEASING RULES

Over the years, OmniProphis has found it to be easy to work with the FCC to obtain the spectrum leases required to operate MAS and MAS Evolved. The elimination of the need to apply for Private Mobile Radio Service modifications was particularly helpful as the PMRS modification process was cumbersome.

CONCLUSIONS

In light of our experience and involvement in the process to disable contraband devices in California and Mississippi, OmniProphis believes that a federal rule-based approach would be more efficient, allowing state agencies to focus their resources on the identification and disabling of more contraband devices.

While OmniProphis has formed a strong working relationship with the wireless providers, we believe there is more they can do to ensure that managed access system installations are effective and sustainable. These efforts should include prioritizing roaming agreements to ensure that the execution, implementation, and testing of roaming are completed in a timely fashion. The wireless providers should also provide advance notification of signal changes, ensure that signals operating on the footprint of correctional facilities with MAS do not exceed -85 dBm, and freeze technology on the footprint of facilities where MAS is installed.

OmniProphis has found the FCC's leasing rules to be effective and has not had any issue obtaining the spectrum licenses required to operate both MAS and MAS Evolved.

Respectfully submitted,

/s/ Joseph S. Noonan

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CEO

OmniProphis Corporation

Dated: August 27, 2020