



STATE OF INDIANA  
Department of Correction

Indiana Government Center – South  
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Mitchell E. Daniels, Jr.  
Governor

Bruce Lemmon  
Commissioner

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JAN 16 2013

FCC Mail Room

January 10, 2013

Chairman Julius Genachowski  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

RE: Petition for Rulemaking  
Indiana Department of Correction

Dear Chairman Genachowski:

Please find enclosed for filing an original and two copies of our Petition for Rulemaking. Can you have the documents filed and return a file-stamped copy to my attention.

If you have any additional questions or concerns, feel free to contact me directly. Thank you for your assistance in this matter.

Sincerely,

Robert D. Bugher  
Chief Counsel

Enc.

EOE

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

**Received & Inspected  
JAN 16 2013  
FCC Mail Room**

In the Matter of )  
)  
Authorization of CMRS Jamming Within Correctional )  
Institutions in Order to Improve Public Safety ) RM No. \_\_\_\_\_  
Under Conditions that Protect Legitimate CMRS )  
Users )

**Petition for Rulemaking of Indiana Department of Correction**

**SUMMARY**

Pursuant to 47 C.F.R. § 1.401, the Indiana Department of Correction requests that the FCC initiate rulemaking to promote public safety by permitting jamming of Commercial Mobile Radio Services (CMRS) within its correctional institutions under strict rules both to prevent unintended harmful interference to other legitimate parties in or near correctional facilities and to prevent any diversion of jamming equipment to other uses. Most of the information contained herein was included in the Petition filed by the South Carolina Department of Corrections in 2009. Other information included is based on events which have occurred in the State of Indiana.

CMRS use within prisons is an unintended negative consequence of the growth of CMRS in recent years. While the industry can be proud that many uses of this technology have enhanced public safety, *e.g.* through E-9-1-1 systems and Amber Alerts, the introduction of this technology into correctional facilities has caused major security problems for facilities, the judicial system, and the general public. Although correctional managers are reluctant to make public details of security problems, Attachment I provides examples of publicly reported incidents documenting this problem.

There may be no single solution that will solve this problem in the wide variety of correctional facilities in our State. Given unlimited resources, Petitioner might attempt to address the problem through a variety of technical and nontechnical measures. But Petitioner does not have unlimited resources. The real problem is finding the most cost-effective solutions for correctional facilities that vary greatly in their physical characteristics. While jamming cannot prevent all illicit CMRS use in our facilities, Petitioner asserts that carefully regulated correctional facility jamming must be part of the package of solutions to protect public safety.

The regulations proposed herein are exceedingly limited. They consistently err on the side of avoiding any harmful interference to CMRS users outside of correctional facilities and to all other legitimate spectrum users. Recognizing CMRS operators' concerns about an expansion of jamming beyond the scope of this petition, Petitioners propose to carefully limit the scope of jamming to correctional facilities. Affected facilities range from small work camps to large

prisons with thousands of inmates. Most are in isolated rural areas with large buffer spaces, but a few are in densely populated urban areas with little horizontal buffer space.

Petitioner stresses that funding in correctional systems is a critical constraint. Alternatives to jamming, like cell phone sniffing dogs or detection equipment, can provide only partial relief from the threat created by cell phones, and these alternatives are more expensive and less effective than jamming. Accordingly, Petitioner maintains that jamming must be part of the package of solutions to protect public safety.

The present use of jamming without Commission authorization is illegal. At a minimum, Petitioner recognizes the following protections for the CMRS industry and CMRS users:

- Jamming should be subject to a license with strict eligibility.
- Jamming must result in no harmful interference on *any* CMRS users outside the property of correctional facilities. Thus, there will be no impact on E-9-1-1 systems.
- Jamming must result in no harmful interference on *any* legal non-CMRS spectrum user anywhere - licensed or unlicensed.
- Strict technical standards and equipment authorization procedures should be implemented for all jamming equipment.
- The sale of jamming equipment must be strictly controlled and limited with direct shipment of equipment from the manufacturer/importer to the FCC licensed correctional facility where it is to be used.
- Equipment must be permanently labeled with a warning of criminal penalties if used without a license and a requirement to return to manufacturer/importer for destruction.

### **I. The CMRS Use In Corrections Facilities Problem**

Correctional facilities have been established by the Indiana legislature to protect the public. All correctional facilities control and restrict inmate communications in order to prevent potential illegal activities. In general, inmates are permitted restricted communications under controlled circumstances. In fact, all offender telephone calls (other than conversations with legal representatives) are tape recorded and monitored to uncover and prevent illegal or inappropriate activities. Uncontrolled access to communications through contraband CMRS equipment bypasses the control system established to protect the public. The public information in Attachment I describes some of the impact of the present CMRS use problem.

In an ideal world, correctional facilities with unlimited budgets would not have contraband problems. Drugs, weapons, and CMRS equipment would be prevented from entering our facilities. However, Petitioner does not operate in an ideal world, and Petitioner has serious problems controlling CMRS use within the reality of budget constraints, staffing levels, and

existing facilities. Petitioner seeks to use CMRS jamming only in cases where it can be shown that it will not result in harmful interference to either CMRS services within the correctional facilities or to other radio services.

Cell phones and wireless technology illegally possessed by inmates within our correctional facilities are a serious threat to safety within the institutions and are increasingly used to conduct criminal activity outside those walls. Inmates have used wireless technology to coordinate escapes, run gangs, make threats, extort money, engage in credit card and tax fraud, and make drug deals.

## **II. Options for Countermeasures to Illicit CMRS Use in Corrections Facilities**

While this petition focuses on jamming as a countermeasure for CMRS use in correctional facilities, Petitioner recognizes other countermeasures should not be abandoned. Such countermeasures include, but are not limited to:

- Improved interception of all contraband items;
- Search for contraband using "sniffer dogs;" and
- Timely detection and localization of actual CMRS transmissions within correctional facilities.

With respect to this last point, Petitioner notes that many mobile units used illicitly in correctional institutions are anonymous prepaid units presently sold widely at discount and convenience stores. While prepaid cell phones are popular and serve a useful function, the ability to purchase and use them without *any* record keeping and with complete anonymity is questionable as a desirable public policy.

The alternatives listed have widely varying costs, which in some cases are directly proportional to the size of the facility. The options have direct implications on correctional facility budgets and staffing levels. The budgets and staffing levels for our institutions are controlled by the state legislature, and economic reality limits resources. Petitioner's mission in administering the facilities with which it is entrusted is to protect the safety of the public, their staff, and their inmates within the resources provided. While staffing levels might be increased to a level that reduces all contraband to zero. However, such levels are not practical. Prompt detection of a small CMRS mobile unit is of limited value if adequate staffing is not available immediately to respond before the location of the mobile changes.

Petitioner contends that decisions about how best to utilize state and local funds to protect the public from inmates with CMRS should be made by state and local corrections officials who have the expertise to manage correctional facilities. Petitioner believes the appropriate role of the Commission is to set out a framework which protects other legitimate spectrum users

Again, Petitioner acknowledges that CMRS jamming will not solve the illicit CMRS problem in all cases and that jamming may not be feasible in all correctional institutions. However, if

jamming is properly regulated by the Commission, it is an essential, constructive, and cost-effective tool for combating this threat to public safety. In the sections below, Petitioners outline a specific proposal that we believe balances the concerns of the CMRS industry and public safety issues.

### **III. Area of Likely Agreement with the CMRS Industry**

Petitioners recognize the CMRS industry has a variety of concerns about rules allowing jamming. This section addresses the areas of agreement.

#### **A. No Harmful Interference Should be Permitted to CMRS Services Outside of Correctional Institutions and No Harmful Interference Should be Permitted to Any Other Radio Service**

The CMRS industry and other user groups may be concerned that poorly implemented jamming could cause harmful interference to legitimate users of their systems or to other radio services. Petitioner accepts as a precondition that this should not be allowed. CMRS jamming should be secondary in allocation status to *all* other radio services except CMRS use within correctional facility property.

#### **B. "Slippery Slope" Concerns**

Petitioner recognizes that the CMRS industry has a legitimate concern that an exception to current limitations on jamming might open a new series of problems if jamming systems are illegally diverted for use in non-correctional facilities such as hotels, restaurants, and theaters, or if the Commission were to authorize such use at a later date.

Such non-correctional facility use could adversely impact both the business plans of the industry by making CMRS services less attractive and the vital public safety aspect uses of CMRS such as 9-1-1 and Amber Alerts. Such activities are illegal and should be addressed through rigorous enforcement activities, including appropriate criminal prosecutions.

Petitioner also asserts that the appropriate action for the Commission is not to rule out limited, strictly regulated use of jamming in correctional facilities. Rather, the Commission should adopt a strict framework that restricts jamming only to those correctional facilities where it can be configured to eliminate the impact on *any* legitimate spectrum users.

#### **C. Equipment Diversion Issues**

The CMRS industry may have a concern that if jamming is authorized, some equipment could be diverted to non-correctional locations. Such diversion could possibly result in occasional illegal unauthorized use of jammers.

In the proposed rules in Section IV, Petitioner makes proposals which include steps to prevent equipment diversion to address that concern.

## IV. Proposed Rules

### A. Amend §22.3(b)

The Commission should modify § 22.3(b) of its Rules to read as follows:

(b) Authority for subscribers to operate mobile or fixed stations in the Public Mobile Services, except for certain stations in the Rural Radiotelephone Service *and except for subscriber units located in the property of correctional facilities*, is included in the authorization held by the licensee providing service to them. Subscribers are not required to apply for, and the FCC does not accept applications from subscribers for, individual mobile or fixed station authorizations in the Public Mobile Services, except that individual authorizations are required to operate rural subscriber stations in the Rural Radiotelephone Service under certain circumstances. See Sec. 22.703.

(Addition to present text shown in italics.)

This change will confirm that CMRS use in corrections facilities' property is a violation of § 301 of the Act and will remove any doubt as to whether § 333 of the Act applies to CMRS jamming authorized by the Commission.

### B. Authorize CMRS Jamming as a Licensed Service with Strict Eligibility Requirements

The Commission should add a new Subpart BB to Part 90 of its rules authorizing state governments operating correctional facilities to transmit jamming signals in all CMRS bands on a secondary basis to all legal spectrum use.

Eligibility for jamming licenses should be restricted to state governmental entities operating correctional facilities. All licenses should be site based under strict eligibility requirements and accountability to the Commission.

The proposed jamming system should not cause harmful interference to other parties. The Commission should determine the minimum CMRS signal strength for each CMRS band that must be protected from harmful interference outside the correctional facility property.

All CMRS operators in the area should be notified of the proposed jamming to allow them to comment on the application. The applicant would provide assurance to the Commission that an application has no risk of harmful interference to CMRS operations outside corrections facility property or to other radio services.

**C. Strict technical standards and equipment authorization procedures for all jamming equipment.**

The rules for jamming should require low emissions on all non-CMRS frequencies.

**D. Restrictions of Equipment Marketing**

The Rules should restrict marketing and sale of jamming equipment to state governmental entities holding licenses for its use. No retail sale and delivery should be allowed. All sales must result in direct shipment from the manufacturer or importer to the licensed end user.

**E. Equipment Labeling**

Equipment must be permanently labeled with a warning of criminal penalties if used without a license, and a requirement to return to manufacturer/importer for destruction.

**CONCLUSIONS**

The requested rules are vital to the preservation of public safety. While Petitioner agrees with concerns related to preventing interference to legitimate spectrum use, Petitioner asserts that the decision as to whether CMRS jamming is the most cost-effective method to prevent illicit CMRS use within correctional facilities must be left to the public officials entrusted with the management of those facilities subject to strict Commission regulations preventing harmful interference to legitimate spectrum users.

Questions concerning this petition should be addressed to:

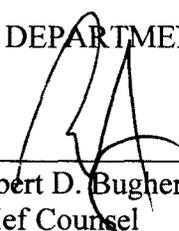
Bruce Lemmon  
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E334, Indiana Government Center South  
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Robert D. Bugher, #157419  
Chief Counsel  
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302 W. Washington Street  
Indianapolis, Indiana 46204  
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Respectfully submitted,

INDIANA DEPARTMENT OF CORRECTION

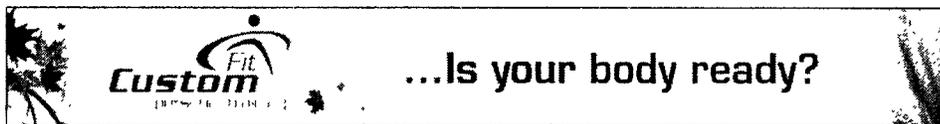
By:

  
\_\_\_\_\_  
Robert D. Bugher  
Chief Counsel

Date:

1 / 10 / 2013

# **ATTACHMENT 1**



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Cell phones pose menace in Indiana corrections system

By Mark Wilson
Posted January 9, 2011 at 12:49 a.m.

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Thousands of cell phones are confiscated every year in Indiana prisons, but corrections officials say that so far, incidents such as the drug ring an inmate allegedly operated from New Castle Correctional Institution are not a common occurrence.

A proliferation of cell phones being smuggled into prisons across the country is allowing inmates to communicate with each other as well as family and others on the outside.

While law enforcement and prison safety are some of the problems posed by the smuggling of cell phones into corrections facilities, the efforts to combat the problem also have raised issues pertaining to federal law.

Most of the phones confiscated from Indiana prisons are not smartphones with Internet access capability, said Doug Garrison, a spokesman for the Indiana Department of Corrections.

"We haven't seen nearly as many of those as we have basic, regular cell phones," he said.

But Garrison expects that to change as more and more phones come with Internet access.

In April, a federal grand jury indicted a New Castle inmate for allegedly using a cell phone to coordinate the activities of a Terre Haute, Ind.-based methamphetamine trafficking operation from the prison with the help of his girlfriend.

Since March 2009, four staff members, including contractual workers, at the Wabash Valley Correctional Facility in Sullivan County, Ind., have been caught smuggling cell phones into the prison, said Rich Larson, a spokesman for the facility. Larson said Wabash Valley staff confiscated 92 cell phones in 2010, down from 150 in 2009.

Those caught sneaking the phones into prisons can face a class C felony charge punishable by up to eight years in prison themselves, Larson said.

Article Highlights

Thousands of cell phones are confiscated every year in Indiana prisons, but an alleged drug ring run by an inmate is probably an anomaly



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But Garrison said smuggling cell phones and other contraband into corrections facilities for inmates can pose other dangers for prison staff.

"They are putting themselves and maybe even their loved ones at risk of harm," he said.

Having done it once, makes it difficult to say no to doing it again, he said

Indiana prison officials suspect the most common use of cell phones from within prison walls is to arrange for contraband to be brought in during visitations.

"We know that guys are talking to people on the outside," Garrison said. "When someone is caught bringing something in, often they will say they just got a call asking them to do it."

In 2010, the Indiana Department of Correction began putting into use "touch DNA" technology allowing prison officials to identify anybody who may have handled a cell phone for prosecution.

However, the strategy is dependent on a person's DNA already being recorded in the correction department's DNA registry.

Another strategy prison officials nationwide have considered adopting — blocking cell phone transmissions from prisons — has drawn criticism for impinging on federal law that forbids interfering with radio wave transmissions.

The problem being, Garrison said, that the blocking technology is not precise enough to not also interfere with unrelated cell phone traffic outside prisons.

He said state officials are keeping an eye on the development of more precise systems that can identify specific cell phone signals, then block them.

Internal affairs officials at Wabash Valley have found a way to make something positive out of the struggle. Larson said confiscated cell phones are donated to the Sullivan County Sheriff's Office for use in a 911 cell phone bank program. The phones are reprogrammed and given out to domestic abuse victims and seniors who may need a rapid way to contact 911.

"It at least puts them to a legitimate use," Larson said.

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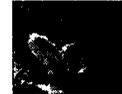
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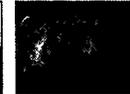
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## **Cellphones, tobacco found inside package at correctional facility** **(<http://heraldbulletin.com/breakingnews/x1095949153/Cel-tobacco-found-inside-package-at-correctional-facility>)**

**The Herald Bulletin (<http://heraldbulletin.com>)**

PENDLETON, Ind. — The discovery of cellphones and tobacco hidden inside an envelope mailed to a prisoner has resulted in an arrest warrant, Indiana State Police said Wednesday.

On Aug. 30, the Correctional Industrial Facility at Pendleton received a package in the mail addressed to an offender.

The return address on the package label listed the address for the Branchville Correctional Facility.

Enclosed in the package were what appeared to be cans of soda and snacks.

Upon further investigation by mailroom staff and Internal Affairs Officer Mike Rains, cellphones and tobacco were found hidden inside the contents.

In a collaborative effort with Rains, the Tell City post office, Branchville investigator Jeff Hendershot and the Madison County prosecutor's office, a warrant was issued for Barbara J. Shreves, the reported sender of the package.

She will be charged with trafficking with an inmate, a Class C felony, according ISP. Her address was not provided by investigators.

"I commend the mailroom staff and Mr. Rains for the excellent security work which resulted in the detection and seizure of this contraband," said CIF Superintendent Donna Carneygee.

Carneygee also expressed her appreciation to the Tell City post office, Hendershot and the Madison County prosecutor's office for their assistance.

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## Putnamville Correctional Facility donates 100 cell phones to CODA

Saturday, October 15, 2011  
Greencastle Banner-Graphic

PUTNAMVILLE -- The Terre Haute branch of the Council on Domestic Violence (CODA) has received a donation of 100 cell phones from the Putnamville Correctional Facility.

Chad Evans, a correctional officer from Brazil, recently notified the staff of the correctional facility that the CODA was in need of cell phone donations.

"I was watching the news and heard that the CODA needed the phones for domestic violence victims," Evans explained. "I knew that we confiscated cell phones from offenders, and thought that this might be a great way to help others."

Yvonne Creekbaum, the assistant director for CODA, was overjoyed with the donation. Each phone they turn in, they receive a new one with GPS service as well as 3,000 minutes.

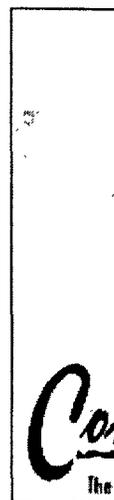
The phones will be given to victims of ongoing cases.

"When a victim is in distress, we will have the capability of tracking their location," Creekbaum said. "The new phone's GPS service will also enhance our ADT system."

Prison staff confiscates approximately 20 cell phones per month from offenders who obtain them through illegal means.

Over the past year, several hundred phones have been confiscated and are earmarked for donation to a company that will pay for the phones. The proceeds will be donated to the Correctional Professionals Assistance Fund of Indiana, a fund that assists the families of fallen correctional officers.

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# Cellphones don't belong in these cells

Print

November 27, 2011 12:00 am • By Marisa Kwiatkowski marisa.kwiatkowski@nwi.com, (219) 662-5333 (0) Comments

## Cellphones confiscated from larger Indiana prisons in 2010

Facility	Cellphones confiscated
Branchville Correctional Facility	102
Putnamville Correctional Facility	197
Indiana Women's Prison	0
Rockville Correctional Facility	0
Pendleton Correctional Facility	334
Miami Correctional Facility	41
New Castle Correctional Facility	91
Wabash Valley Correctional Facility	103
Indiana State Prison	210
Westville Correctional Facility	683
Total	1761

## Cellphones confiscated from Illinois prisons

2007: 6

2008: 2

2009: 4

2010: 5

2011: 8

Source: Illinois Department of Corrections

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Sarah Pender orchestrated her escape from Rockville Correctional Facility in 2008 using contraband cellphones and a network of accomplices.

Pender, who was featured as one of "America's Most Wanted's" Top Ten Fugitives before her capture, showed state prison officials the danger of prisoners using technology behind bars.

UPI  
SPE

Todd Tappy, deputy chief of internal affairs in the Indiana Department of Correction, said cellphones rival weapons as a top threat to safety in Indiana's prisons.

Uphr

Prisoners have used cellphones to traffic drugs and tobacco, organize assaults, intimidate witnesses and victims, order people killed or coordinate escapes — as Pender did. Unlike calls made through the prison system, prison officials can't monitor inmates' cellphone calls.

Vie

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"We have serious concerns about their introduction into any of our facilities," said Traci Billingsley, spokeswoman for the Bureau of Prisons.

TO\

More than 1,760 cellphones were confiscated from Indiana state prisons in 2010, Department of Correction data show. The Bureau of Prisons confiscated more than 3,600 cellphones nationwide last year from its federal prisons.

THE

Illinois prison officials, on the other hand, confiscated only five cellphones in 2010, data provided by the Illinois Department of Corrections show.

SNC

CIA

Stacey Solano, communications manager for the Illinois Department of Corrections, said she couldn't explain the difference. She said Illinois' numbers might be so low because of officials' vigilance in searching prisoners, staff and visitors.

BEF

"We do everything we can within our power to make sure cellphones and other contraband don't make it into our facilities," Solano said.

The proliferation of cellphones in prisons can have dire consequences.

Fi

In South Carolina, an off-duty prison official was shot six times in the chest and stomach last year in his home. He survived the attack, which was ordered by an inmate using a smuggled cellphone.

In

A New Jersey inmate used a contraband cellphone last year to order the slaying of his former girlfriend in retaliation for her initial cooperation in a police investigation about him.

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In Tennessee, a Nashville police officer was shot in 2009 by a man who had escaped from a Mississippi prison with the help of a cellphone.

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Tappy said Indiana prisoners buy cellphones for anywhere from \$400 to more than \$1,000 — depending on the difficulty of getting them into a facility.

Indiana prison officials search prisoners cells, use metal detectors and conduct more thorough searches of their own staff, contractors, visitors and prisoners. Tappy said Indiana also uses dogs trained specifically to sniff out wireless devices.

Na

"It's dangerous not only to the offenders but to the public," Tappy said. "We have to do everything we can to keep (cellphones) out of our facilities."

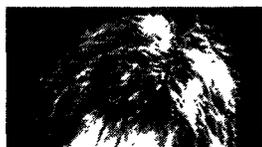
**Tags** Cellphones, Prison, Crime, Threats, Indiana, Illinois, Local News, State News

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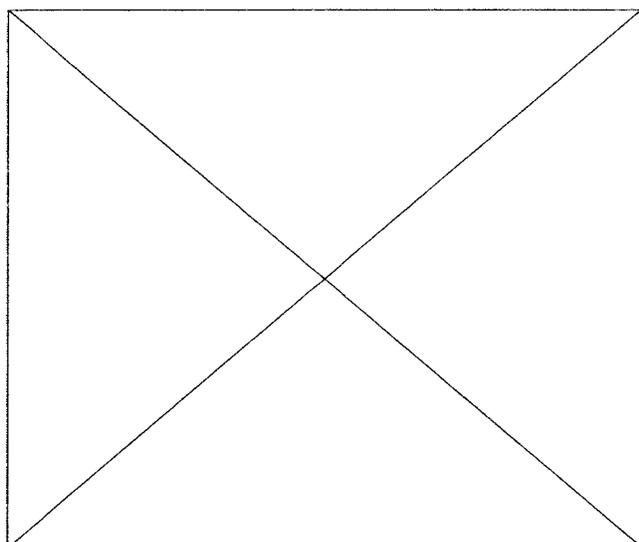
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## Cell phones causing issues in prison

### CELL Block: Part 1

Updated: Tuesday, 08 May 2012, 6:17 PM EDT  
Published: Monday, 07 May 2012, 4:52 PM EDT

CARLISLE, Ind. (WTHI) - They make the communication world go round. Now-a-days it's nearly impossible to get through a day without them.

We're talking about cell phones, but behind bars, they're much more powerful, and prison workers said they're gaining steam, quickly becoming some of the most dangerous pieces of contraband in prisons.

"If they're going to use a weapon, it's going to be a one time use and we're going to get that. A cell phone may go undetected for months. Sometimes years," Officer Robbie Marshall from the Wabash Valley Correctional Facility in Carlisle, Indiana said.

Last year, News 10 told you about a massive drug bust, run from the inside of another prison, with cell phones, and that definitely wasn't an isolated case.

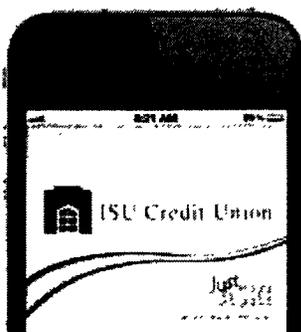
In fact since 2010, Officer Marshall's department found almost 200 cell phones at the Wabash Valley Correctional Facility.

With such intense measures used just to get inside prison, how phones getting through?

"More than likely, there are visitors that are bring the cell phones in to them. They'll conceal it on their person, or inside themselves," Marshall said.

-He said visitors will frequently put the phones in

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unmentionable, and at times unthinkable places.

-They've also been known to try sending them to facilities using secret compartments in pieces of mailing packages.

-Marshall also admits some have gotten help from the prison staff.

What is most disconcerting to Marshall is why he thinks some inmates are using cell phones.

He recounts one experience:

"We confiscated a cell phone that an inmate had in his possession and learned through that cell phone that he had tried to obtain personal information about one of our staff members. We don't know what the intent was, but he definitely was trying to obtain personal information on a staff member, Marshall said.

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## Inmate talks about cell phone use

### CELL Block: Part 2

Updated: Tuesday, 08 May 2012, 6 20 PM EDT  
Published: Tuesday, 08 May 2012, 5:47 PM EDT

Rondrell Moore

CARLISLE, Ind. (WTHI) -

You've learned about cell phones in prison, and how they get in , but what happens once an inmate has one?

News 10 spoke with an inmate who had a cell phone. He agreed to talk about his experiences; however, for safety reasons, he asked that we mask his identity.

He will be called Inmate P.

"It was someone in here that had it already, and I got it for them," Inmate P said when asked how he obtained the phone.

Though a cell phone has many uses, he said he had one real reason for using it.

"I did nothing but talk to my family, my friends, people I hadn't talk to in years," said P.

Though Inmate P's connection with the outside world provided him a luxury, it was also extremely dangerous for him. In prison, a cell phone made him a target to the inmate that wanted it and to the guards who didn't know he had it.

Inmate P tried to keep it concealed, which worked for about a year, until one random cell search.

Guards went through his room, but he hid the phone on his person. Then came a shower search, that's when Inmate P said he slipped up.

"It was just a little corner that was hanging out underneath my shoe, and the officer did his job, and he was getting ready to hand me my clothes back, but he looked back and they seen it, and they give me that," Inmate P said.

The cell phone was immediately confiscated and Inmate P was punished. Officials took away his prison job and he's been heavily monitored since.

News 10 asked him if he had the chance, would he do it again.

"I'm going to say no, because it's a matter of repercussions. It was far too great for, you know, everything that I gave up ar lost," P said.

However, there are plenty who still would, and unlike Inmate P, many have not been caught.

Click on the associated story to find out what officials are trying to do to fight the cell phone problem.

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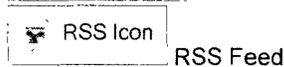
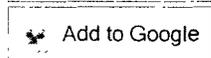
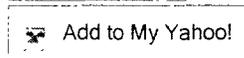
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## Prison officials support cell jammers

### Web Exclusive: Cell Block Pt. 3

Updated: Tuesday, 08 May 2012, 6:32 PM EDT  
Published : Tuesday, 08 May 2012, 5:50 PM EDT

CARLISLE, Ind. (WTHI) - News 10 has told you about the issue of cell phones in prisons , and talked with an inmate that had one , but how are Officials planning on dealing wit the problem?

They get in in ways that are hard to imagine, and once they're inside, they're hard to track. Prison official Robbie Marshall knows that first hand.

He works at the Wabash Valley Correctional Facility in Carlisle. It's one of his jobs to track cell phones, but he said his job could be a lot easier with one change.

"Well, I mean the obvious solution is to put cell phone blockers or jammers at each facility or each penal location, Marshall said.

He's talking about devices that cancel cell signals, basically rendering the phones useless. It seems like a quick fix, but right now, he can't use them.

"It's prohibited by federal law to have a jammer at any location. So, that's preventing us from keeping the cell phones out of our population right now," Marshall said.

It's pretty complicated, but it has to do with the Communications Act of 1934.

That federal ruling officially outlawed the blocking of any radio signal without specific FCC allowance. That includes

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prison facilities.

Marshall said the law is outdated. However, he thinks there is a reason to be optimistic.

"From what I understand, they're going to assess the Communication Act of 1934 and possibly redirect that particular law," Marshall said.

In the meantime, he said his prison is doing its best with the current resources.

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## Breaking News



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Indianapolis FBI field office. (WISH photo)

## FBI uncovers prison meth scheme

### Raids resulted in 40 arrests Wednesday

Updated: Wednesday, 22 Aug 2012, 6:16 PM EDT  
Published: Wednesday, 22 Aug 2012, 4:36 PM EDT

INDIANAPOLIS (WISH) - Statewide FBI raids on Wednesday resulted in the arrested of 40 people, in what appears to be an inmate drug scheme.

Most of the 40 suspects appeared before a federal judge Wednesday for initial hearings.

The suspects are believed to be part of a meth ring operate in Indiana prisons.

Correction officers are accused of smuggling methamphetamine and cell phones in for inmates. The inmates would use the phones to coordinate the meth, which was sent via Indiana post offices.

One of the facilities named in the indictment was Wabash Valley Correctional Facility.

Investigators say there are four people on the run in this case: Jermaine Coleman, Audra Echman, John Smith and Kyle Whitlow.

The break came in the case when one of the inmates confided in an informant.

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These people were arrested around the state in November.



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The U.S. Attorney's Office declined to comment on the case but could hold a press conference on Thursday.



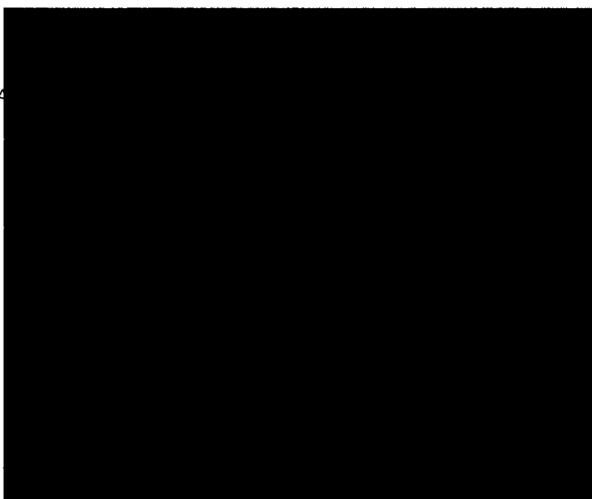
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DISQUS lets you login with several different options, including Facebook, Google, Twitter, Yahoo or OpenID. We expect it to allow more conversation and better moderation. If you have any questions, please feel free to comment below.

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## INDIANA OPINION

### Raids a step in right direction

September 11, 2012 | From The Herald Bulletin, Anderson, Ind.

Nearly 300 federal agents recently spread out across Indiana to stop operation involving prison inmates and resulting in the arrest of 40

A common response was heard from the public: Do we need to invest money and FBI manpower to cut down on drug trafficking inside prisons such a huge problem that it couldn't be stopped with more efficient prison officials?

This drug operation goes to the heart of what we're paying prison guards to prevent the continuation of illegal activities by criminals in prison.

The tentacles of this system indicated a well-oiled manufacturing machine were able to sneak cell phones into prisons, assisted by some guards and housing ring members. By using cell phones, inmates could conduct methamphetamine, LSD and PCP from California and heroin from California and 65 and 94 between Indiana and Illinois.

There was a time, dating back to the Nixon era, when America was in battles, the fight against drug abuse was, and is, best conducted with

By 2011, a 19-member international commission declared the war on those with an addiction combined with law enforcement reducing the

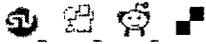
The recent Indiana raids are a step in that direction. Using 300 agents are an efficient way to stem the overwhelming tide of dangerous drug

These raids were not a simple crackdown on drug use inside Indiana of cell phones into a prison can lead to extremely serious crimes. So

state police report those kinds of arrests.

In a larger sense, the raids showed a unified effort by the FBI, the In enforcement officials to strike at the head of a major drug operation

# Ind. prison drug ring shows contraband phone risks



RICK CALLAHAN | August 23, 2012 07:36 PM EST | Associated Press<sup>AP</sup>

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INDIANAPOLIS — A drug ring that two Indiana inmates allegedly ran behind bars using cellphones to orchestrate drug purchases and sales shows the risks posed by the widespread problem of the phones being smuggled into the nation's prisons, officials said.

Contraband cellphones are so common that even Charles Manson, one of the nation's most notorious inmates, has been caught at least twice with cellphones in the California prison where he's serving a life sentence for his role in the 1969 murders of seven people.

Texas state Sen. Joan Huffman said about 2,000 contraband cellphones are seized each year from Texas prisons, frustrating prison officials and law enforcement officers because it allows inmates to circumvent prison-monitored land lines.

"There's been criminal activity being orchestrated from prison as well as actual threats to individuals," said the Houston Republican who's vice chairwoman of the Texas Senate's Criminal Justice Committee. "There have even been instances where they've tried to contact witnesses or victims with threats, calls about changing their testimony."

A federal indictment unsealed Wednesday in Indianapolis charges two inmates at different Indiana prisons — Oscar Perez, 26, and Justin Addler, 28 — with using cellphones smuggled to them by prison guards to run a ring that moved heroin, methamphetamine and other drugs in cities around the state.

A total of 40 people were indicted on drug-related charges, including distribution of heroin, methamphetamine, PCP and other drugs. Two of those individuals remained at large Thursday, said FBI Special Agent Wendy Osborne.

The indictment alleges that Perez, who's serving time for murder and criminal gang activity, and Addler, who was convicted on drug and gun charges, instructed their co-defendant on the details of transferring money for drug purchases and how and where to sell the narcotics.

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Some of those calls were allegedly three-way calls, including one between Perez, Addler and a third man in which they discussed "pooling their financial resources" to get a discount on heroin, the indictment says.

In one May 2012 call, Addler stayed on the phone with a woman "throughout the duration" of a drug deal as she sold about 20 grams of heroin at a truck stop in Crawfordsville, Ind., for \$2,500, the document states.

Although the indictment alleges multiple prison guards smuggled cellphones into state prisons as part of the scheme, it names only one prison guard, 37-year-old Jon Dobbins.

Dobbins, who worked at the Wabash Valley Correctional Facility, is accused of delivering a package containing 13 grams of pure meth and a cellphone into the southwestern Indiana prison in July, allegedly for use by an inmate.

Prison spokesman Rich Larsen said Dobbins, who was arrested in July on state charges that preceded the federal charges, was fired July 15 after working at the prison for 16 years.

Federal prosecutors declined Thursday to comment on the indictment, including whether additional people, including prison guards, might be charged.

Indiana Department of Correction spokesman Doug Garrison said hundreds of cellphones are seized each year from inside Indiana's prisons and many more elude detection.

"Despite our best efforts, sometimes it happens," he said.

Garrison said many are thrown over fences or smuggled in by visitors, who sometimes conceal them in their body cavities – a technique that's difficult to detect even with screening procedures.

Chris Burke, a spokesman for the Federal Bureau of Prisons, said the federal agency is reviewing new technology that might be able to detect contraband cellphones at its 117 prisons around the country.

"We have serious concerns about their introduction into any of our facilities," he said.

Huffman, the Texas state senator, said many lawmakers in her state would like to use new technologies to jam cellphone signals in Texas' prisons, but that is currently forbidden by the Federal Communications Commission.

"That would nip the problem in the bud, because it's almost impossible to keep them out of our prisons," Huffman said. "It's very frustrating to us that we can't have the local control, state control, to regulate our prisons the way we'd like to see them regulated."

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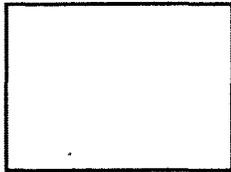
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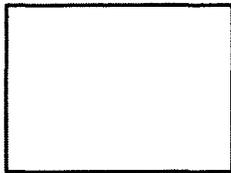
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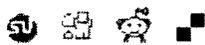
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