

## Senate Resolution 858

By: Senators Grant of the 25th, Hill of the 4th, Goggans of the 7th, Carter of the 1st, Unterman of the 45th and others

## A RESOLUTION

1 Urging the Congress of the United States to amend the Communications Act of 1934 and the  
2 Federal Communication Commission's rules so as to permit the use of "cellular jammers" for  
3 the prevention of illegal cell phone use in prisons, jails, and youth detention facilities; and  
4 for other purposes.

5 WHEREAS, there is currently a nation-wide epidemic of organized crime and gang related  
6 violence, particularly within this country's prison systems, and the threat to public safety is  
7 to not only those "inside the wire" but also to the members of the general public whom we  
8 are elected to protect; and

9 WHEREAS, the rampant illegal cell phone use in prison facilities across the United States  
10 is a major contributing factor supporting the growing threat of organized crime, gang  
11 violence, and terrorist threats; and

12 WHEREAS, inmates and detainees illegally use cell phones to coordinate attacks and  
13 protests against staff, expand gang activity, and increase their money and power from behind  
14 bars; and

15 WHEREAS, in 2011, the Georgia Department of Corrections confiscated more than 8,500  
16 illegal cell phones as contraband and arrested more than 300 visitors and 60 staff employees  
17 for attempting to bring illegal cell phones into our state's prisons; and

18 WHEREAS, recent illegal cell phone use in Georgia prisons has caused inmate gang fights,  
19 the hospitalization of 15 inmates, and serious injury to a correctional officer, and unless  
20 something is done to stop the illegal use of cell phones in prison facilities, more serious  
21 injuries and fatalities will occur; and

22 WHEREAS, a study by the Georgia Department of Corrections found that the only  
23 cost-effective technology to resolve the problem of illegal cell phone usage in prisons is the

24 use of "cellular jammers"; however, the use of "cellular jammers" in prison facilities is  
25 prohibited by FCC rules; and

26 WHEREAS, the Communications Act of 1934, 47 U.S.C. § 302a(b), and FCC rules at 47  
27 C.F.R. § 2.803(a) are outdated federal laws which prohibit the manufacture, importation,  
28 marketing, sale, and operation of "cellular jammers" within the United States, and these  
29 provisions have not been updated to meet the security needs of our nation's prisons; and

30 WHEREAS, carving out an exception for the use of "cellular jammer" technology in  
31 detention facilities is a sound, affordable policy to protect inmates and corrections employees  
32 and promote public safety.

33 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body  
34 urge the Congress of the United States to amend the Communications Act of 1934 and the  
35 Federal Communication Commission's rules so as to permit the use of "cellular jammers" for  
36 the prevention of illegal cell phone use in prisons, jails, and youth detention facilities.

37 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed  
38 to transmit appropriate copies of this resolution to the members of the Federal  
39 Communications Commission, Chairman Julius Genachowski, Commissioner Mignon  
40 Clyburn, and Commissioner Robert M. McDowell, each member of the Georgia  
41 congressional delegation, and Governor Nathan Deal.