

September 8, 2009

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable John A. Boehner
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Senator Reid, Senator McConnell, Speaker Pelosi and Representative Boehner:

We write in strong support of the Safe Prisons Communications Act of 2009, legislation that the Senate Commerce, Science, and Transportation Committee approved on August 5, 2009. As Governors, we urgently need this legislation to combat the pernicious problem of inmate cell phone use in our state prisons and jails. Every year, inmates make thousands of illegal calls on cell phones smuggled into our country's state and federal prisons and jails. Many prisoners continue their criminal enterprises from behind bars, by threatening and intimidating witnesses, and in some cases, ordering murders.

As Governors charged with overseeing state correctional facilities, we are using every tool currently available to us to confront this growing national problem. However, one tool not yet available to us is technology to defeat inmate use of cell phones. Current federal law prohibits states from using wireless technology to thwart illegal cell phone use, even in the narrow confines of a prison or jail. Moreover, current federal law prohibits states from even petitioning the federal government for such authority or from conducting necessary tests or demonstrations of the technology.

The Safe Prisons Communications Act of 2009 would give Governors and the Director of the Federal Bureau of Prisons the ability to petition the Federal Communications Commission for authority to use wireless prison technology in the limited confines of a prison or jail. Targeted technology exists to defeat illegal inmate calls without compromising public safety or interfering with legitimate cell phone use. Passage of this bill would give us access to this urgently-needed technology.

On July 20, 2009 at the National Governors Association Annual Meeting, we adopted policy on "Curbing Wireless Technology Use in Prisons."¹ The policy was adopted with unanimous bipartisan support. We believe the legislation is consistent with this policy.

With 10 co-sponsors from both parties in the Senate, and 43 co-sponsors from both parties in the House, our delegations in Washington understand the importance of this legislation and the need to demonstrate and fully evaluate the performance of wireless prison security technologies. We urge you to thoughtfully consider and swiftly pass the Safe Prisons Communications Act of 2009.

Sincerely,



Governor Martin O'Malley
Maryland



Governor M. Michael Rounds
South Dakota

¹ 16.2.5.1 Curbing Wireless Technology Use in Prisons. Adopted July 20, 2009.

Governor Joe Manchin III
West Virginia

Governor Mark Sanford
South Carolina

Governor John P. deJongh Jr.
Virgin Islands

Governor Mark Parkinson
Kansas

Governor Theodore R. Kulongoski
Oregon

Governor Steven L. Beshear
Kentucky

Governor John Hoeven
North Dakota

Governor Haley Barbour
Mississippi

Governor Chester J. Culver
Iowa

Governor Jim Gibbons
Nevada

Governor Gary R. Herbert
Utah

Governor Bobby Jindal
Louisiana

Governor Pat Quinn
Illinois

Governor Bob Riley
Alabama

Governor Donald L. Carcieri
Rhode Island

Governor John H. Lynch
New Hampshire

A handwritten signature in black ink, appearing to read "M. Jodi Rell". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Governor M. Jodi Rell
Connecticut

A handwritten signature in black ink, appearing to read "Arnold Schwarzenegger". The signature is highly stylized and cursive, with a large, bold initial "A" and a long, sweeping tail.

Governor Arnold Schwarzenegger
California