

**Department of Legislative Services**  
Maryland General Assembly  
2010 Session

**FISCAL AND POLICY NOTE**

House Joint Resolution 10 (Delegate Love, *et al.*)  
Rules and Executive Nominations

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**Targeted Interference with Wireless Communication Service Within Correctional Facilities**

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This joint resolution urges the United States Congress to pass legislation allowing targeted interference with wireless communication service within correctional facilities.

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**Fiscal Summary**

**State Effect:** Compliance with this joint resolution can be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Under current federal law, the Federal Communications Commission (FCC) does not allow cell phone jamming of any kind.

The federal Safe Prisons Communications Act of 2009 (S.251 and H.R.560) would amend the Communications Act of 1934 to authorize the director of the Federal Bureau of Prisons or the chief executive officer of a state to petition the FCC to permit the installation of devices to prevent, jam, or interfere with wireless communications within the geographic boundaries of a specific prison, penitentiary, or correctional facility.

S.251 has passed the Senate and both federal bills have been referred to the House Judiciary Committee's Subcommittee on Crime, Terrorism, and Homeland Security.

**Background:** Prisoners using cell phones to organize crimes outside of a prison or other detention facility is becoming a more common occurrence around the country. The Associated Press has reported that in July 2009, corrections directors in 26 states, including Maryland, submitted a petition to the FCC asking federal regulators' permission to jam cell phone signals inside state penitentiaries. Nongovernmental radio communications fall under the jurisdiction of the FCC while the National Telecommunications and Information Administration has authority over federal uses of the radio spectrum.

Among concerns over the federal bills expressed by cell phone companies is that targeted jamming runs the risk of blocking signals in areas adjacent to the prison. While waiting for action on S.251 and H.R.560, many prisons have been using specially trained dogs to sniff out cell phones.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Public Safety and Correctional Services,  
Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2010  
mlm/hlb

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