

SENATE JUDICIARY COMMITTEE
SENATOR DIANE LARSON, CHAIR
January 4, 2023

NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRESENTING TESTIMONY IN SUPPORT OF SENATE BILL 2105

Good morning, Chairwoman Larson and Members of the committee, my name is Colby Braun, and I serve as the Director of Facility Operations for the North Dakota Department of Corrections and Rehabilitation (DOCR). Senate Bill 2105 was introduced by the DOCR to amend subsection 8 of section 12-47-21 of the North Dakota Century Code relating to the use of wireless electronic communications devices at DOCR facilities.

This bill is to clean up this language because of changes to technology. Language prohibiting wireless electronic communications, except for law enforcement purposes, was added in Senate Bill 2116 in 2009. Around that time, adults in custody in DOCR prisons were allowed to purchase tablets that were used as a music player. The tablets were similar to MP3 players or original versions of an iPod, and they were not communication devices.

Since those original music players, however, we have seen a dramatic increase in technology, even in the prison system. The music player tablets have evolved to be devices that serve multiple purposes in addition to music, including learning resources and communication with friends and family. These devices are connected to a secure network with security systems for monitoring and recording all communications. The tablets provide opportunities for improved communication with family and friends, which helps with later efforts to reenter the community and find reliable housing and transportation.

The DOCR does not want to remove this subsection in its entirety because we still need the ability to prohibit unauthorized use of electronic wireless devices. Contraband like unmonitored cell phones or other communication devices can put staff, other adults in custody, or visitors in danger. The capability to monitor all communications through wireless devices is a key component of correctional safety and security.

I ask that you support the proposed bill to prohibit unauthorized wireless communication devices rather than all wireless communication devices, except those used for law enforcement purposes. This change will reflect today's technology, which improves safety in our prisons for both staff and adults in custody and provides adults in custody with opportunities to maintain their connection with their families to lower the risk they return to prison during the transition phase back to the community.