

In prisons across America, convicts are using smuggled cell phones to run gangs, plan escapes, even order hits. These guys may be in solitary, but they know where your family lives.

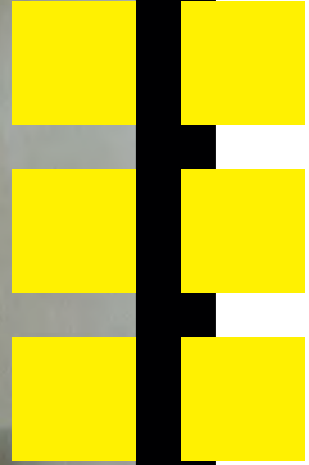
BY VINCE BEISER





DEADLY WEAPON

PHOTOGRAPHS BY ANDREW HETHERINGTON



IN

HIS 25-PLUS years as a Texas state senator, John Whitmire had never received a phone call like this one. ¶ “I know your daughters’ names,” said a nasal voice. “I know how old they are. I know where they live.” Then the caller recited the young women’s names, ages, and addresses. The senator, sitting at an antique rolltop desk in his Houston office, gripped the handset tighter. ¶ Whitmire is the bald-headed, blunt-talking chair of the state senate’s Criminal Justice Committee, a law-and-order man who displays an engraved pistol in his office. But that call last October 7, he says, “scared the hell out of me.” Richard Tabler, the man on the other end of the line, had murdered at least two people and possibly four. He was a prisoner on Texas’ death row, supposedly locked safely away. But from the narrow bunk of his solitary cell an hour’s drive north

of Houston, Tabler had reached out and touched one of the Lone Star State’s most powerful politicians with a smuggled Motorola cell phone. ¶ Tabler insists he was just voicing concerns to a public official. “I was talking to him about treatment on death row, how inmates are abused back here, not fed, not showered,” he says, sitting in a locked booth in the visiting room of Polunsky Unit, the sprawling facility that houses death row. He’s facing me through a thick pane of bulletproof glass. We talk, of course, by telephone. ¶ Tall, pale, and gangly, with wispy facial hair and big green eyes that bulge like an emu’s, Tabler looks considerably younger than his 30 years. A crudely tattooed tear leaks from one eye. Rows of thin white self-inflicted scars mark the backs of his hands and forearms. A former cook with a long, violent criminal history, Tabler wound up in Polunsky after resolving a disagreement with the manager of a strip club and his friend by shooting

them dead. Days later, two teenage pole dancers who worked at the club were also murdered. Tabler freely owns up to shooting the two men, which earned him his death sentence. He has at various times admitted and denied slaying the strippers. (He tells me he “gave the green light” for their murders.)

Whitmire didn’t believe Tabler when he announced who he was. So the inmate kicked the door of his cell, flushed his steel toilet, and held the phone out to the clanging and yelling from the row’s other residents. And, just to make sure he had the senator’s attention, Tabler rattled off those personal details about his daughters. Tabler claims he didn’t mean to threaten Whitmire. “I was letting him know that just because I’m on death row, it doesn’t mean I’m stupid,” he says. “It doesn’t mean I can’t get information.”

INMATES AREN’T ALLOWED to have cell phones in any US prison, let alone on death row. But the 21st century’s ubiquitous communications tools are nonetheless turning up by the thousands in lockups not just in Texas but across the US and around the world. Last year alone, officials confiscated 947 phones in Maryland, some 2,000 handsets and accessories in South Carolina, and 2,800 mobiles in California.

The presence of cell phones is changing the very meaning of imprisonment. Incarceration is supposed to isolate criminals, keeping them away from one another and the rest of us so they can’t cause any more harm. But with a wireless handset, an inmate can slip through walls and locked doors at will and maintain a digital presence in the outside world. Prisoners are using voice calls, text messages, email, and handheld Web browsers to taunt their victims, intimidate witnesses, run gangs, and organize escapes—including at least one incident in Tennessee in which a guard was killed. An Indiana inmate doing 40 years for arson made harassing calls to a 23-year-old woman he’d never met and phoned in bomb threats to the state fair for extra laughs.

“Cell phones,” says James Gondles, executive director of the American Correctional Association, “are now one of our top security threats.”

Talking to his own security threat, Whitmire stayed calm, hearing out the prisoner’s complaints. He noted Tabler’s number, then promptly called John Moriarty, the Texas prison system’s beefy, mustached inspector general, asking how the hell an inmate had gotten hold of a cell phone in what is supposed to be one of the state’s highest-security lockups.

Moriarty’s people subpoenaed the records for the phone that had dialed Whitmire. They were astonished by what they found: The device had logged more than 2,800 calls and text messages in the preceding month. At least nine other prisoners had used it, investigators say, including members of such notorious gangs as the Aryan Brotherhood and the Crips.

In response, on October 20, Texas governor Rick Perry ordered every one of the state’s 112 prisons locked down and all 156,000 inmates searched. Officials found 128 phones, including a dozen on death row, as well as scores of chargers, batteries, and SIM cards. That brought the total number of phones and related items confiscated from Texas prisons in 2008 to more than 1,000.

Tabler was chatting with a reporter from the *Austin American-Statesman* when Perry’s statewide search kicked off. “Give me 15 minutes and I’ll tell you what kind of car you drive,” he bragged. “I’ll tell you your Social Security number.” Minutes later, a team of riot-suited guards stormed his cell.

PRISONERS HAVE ALWAYS been able to communicate with the outside world, through whispered conversations with visitors, smuggled notes, and a litany of more ingenious methods. But the ease with which they can do it today is chilling. During a hearing on the activities of Blood gang members imprisoned in New Jersey, a state police officer testified that he listened in on a 45-minute conference call that linked Bloods in three different lockups with three others on the streets. And then there are all the worrisome things a prisoner might look up online, like recipes for making explosives, tips for faking medical conditions, or the home addresses of, say, a politician’s daughters—not to mention guards and various enemies.

Consider the case of Carl Lackl, a 38-year-old Maryland resident who had the bad luck to witness a street murder in Baltimore and the rare courage to agree to testify against the accused killer, Patrick Byers. According to prosecutors, Byers acquired a phone while awaiting trial in Baltimore’s City Detention Center. He obtained Lackl’s name, address, and phone number and allegedly texted that information to a friend on the outside, along with an offer of \$2,500 to get

One inmate awaiting trial for murder allegedly used a cell phone to text a witness’s address to a friend, along with an offer of \$2,500 to kill him.

rid of Lackl. On July 2, 2007, the friend rounded up a couple of thugs and drove out to Lackl’s modest suburban home, where authorities say the crew blasted him to death with a .44 Magnum.

Grim as that story is, it’s just an intimation of how dangerous cell-phone-connected inmates can be if their network is left to grow unchecked. Brazil provides an especially bloody lesson. For years, the country’s largest prison gang, Primeiro Comando da Capital, has been using mobile phones to strengthen its grip on the state of São Paulo’s inmates and establish a presence on the outside. In 2006, annoyed by the transfer of some of its members to more restrictive facilities, the PCC used its cellular network to launch simultaneous riots in dozens of prisons and a wave of attacks on police in the streets of the state capital. More than 40 officers and guards were killed in the first four days alone. Hundreds more died in the ensuing violence.



THE NORTH BRANCH Correctional Institution spreads out along a wooded valley in mountainous western Maryland. The massive, low-lying complex of concrete and razor wire is one of the most technologically sophisticated maximum-security prisons in the nation. Electronic cell doors are opened remotely. Touching the perimeter fence triggers a volley of microwaves that alerts video cameras to focus on the spot.

But despite the fancy surveillance gear, phones keep finding their way in. “Inmates come up with all kinds of methods,” says former NBCI warden John Rowley as he leafs through photos of mobiles found in hollowed-out soap bars and glued-together stacks of graham crackers. Elsewhere, phones have been tied to carrier pigeons and lashed to arrows shot over prison walls. Officials found 78 devices welded inside an air compressor being delivered to one Texas lockup.

But the easiest—and probably most common—way mobiles are moving into prisons is in the pockets of guards and other prison staff. “There’s no question that corrupt officers are involved,” says Texas inspector general Moriarty. The risk is small, the pay-off big. Correctional staff coming to work are typically searched only lightly, if at all, and a phone can fetch a couple thousand dollars. One California officer told investigators he made more than \$100,000 in a single year selling phones.

Prisoners face a similar risk-reward calculus. In most states, the laws haven’t kept pace with technology; getting caught with a cell phone is not a crime but a rule violation, like being found in possession of a cigarette. And there’s good money to be made on rentals.

Once a phone is in, prisoners have little trouble concealing it. Cellular components have been found stashed inside Bible bindings, shoe heels, peanut butter jars, and toilet pipes. Moriarty has an x-ray showing a handset *and* charger lodged up what he refers to as an inmate’s “keister.” (Which begs the question: ring or vibrate?)

To find concealed phones, North Branch uses a decidedly low tech piece of equipment: Alba, an irrationally exuberant, gingerbread-colored Belgian Malinois. It turns out that mobiles have a distinct scent, which specially trained dogs like Alba can detect. “I didn’t believe it would work at first,” says Peter Anderson, who has been head trainer of the Maryland prison system’s canine unit for a decade. But after learning the method from a British colleague who developed it in 2006, Anderson trained four dogs for Maryland. Last year, they flushed out 59 phones.

Brought into a white-walled conference room inside the prison, Alba trots around eagerly, snuffing at tables, chairs, and bookshelves—then stops and sits, staring intently at a piece of cloth under which I’ve hidden my iPhone. “Good girl!” shouts her handler, rewarding the three-year-old pooch with a chew toy that sends her into a spasm of delight.

It’s an impressive trick. But Anderson admits that even the best dogs don’t always find their target. “The scent sig-

nature isn’t very big, so they have to get fairly close,” he says. “Dogs aren’t the answer, but they help.”

Terry Bittner is taking a more technological approach. He heads up the Cell Hound product line of ITT, housed in an office park outside Baltimore. The company sells a system specifically designed to detect cell phones inside correctional facilities.

Hunkered before an oversize monitor showing a schematic map of the division’s headquarters, Bittner explains how it works. Sensors installed throughout the building search for cell signals by scanning the mobile-phone radio spectrum seven times per second. When they detect one, a circle appears on the monitor showing its location. The map of Cell Hound’s offices is crawling with red and green circles, the colors indicating the types of network in use. Some circles float around, indicating someone walking and talking. Others blink on for only a second—a text message.

Lockups tend to show a lot of wireless activity. “The maximum security sector of one prison we went to looked like a telemarketing center,” Bittner says. Three facilities so far have bought the system, which can cost from \$20,000 to \$500,000. But spotting a phone’s location isn’t the same as stopping it from being used. By the time a guard gets to the scene, the device could be stashed.

Senator Whitmire has a more straightforward approach. “Jam the damn things!” he bellowed at a recent Texas senate hearing. Sounds obvious, but there are problems with this tactic, too. For one thing, it’s illegal. The 1934 Communications Act prohibits anyone except the federal government from interfering with radio transmissions, which now include cell calls.

At the urging of frustrated state officials, a bill was introduced in Congress in January that would let the FCC grant waivers for jamming in prisons. But the telecom industry is fighting it. Jamming inmates’ phones would block calls by prison staff and other paying customers, they say. There are also technical shortcomings: A few layers of tinfoil can shield a phone from the jamming signal.

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WHILE THE SQUABBLING continues, what might be the most effective way of cutting illicit phone use is largely ignored: making it easier for inmates to place calls legally.

There’s no question that prisoners are using cell phones to foment all kinds of mayhem. But investigations have established that most calls placed on contraband mobiles are harmless—just saying hi to family and friends. Whatever their crimes, most convicts have parents, children, and others they’re desperate to stay in touch with. Letters are slow, and personal visits often involve expensive, time-sucking travel. Some prisons have public phones for making collect calls,





From left: Confiscated handsets from the North Branch facility; Alba, a phone-sniffing Belgian Malinois, demonstrates her keen nose.



but access is limited, conversations are often monitored, and phone companies often charge much higher rates than on the outside.

A Virginia woman whose husband is six years into a 40-year sentence says she won't let him use a cell phone because she doesn't want him to get in any more trouble. As a result, "my phone bill last December was \$800," she says. "That was my whole Christmas bonus." Between calls she drives seven hours each way, twice a month, to see him in person.

"Cell phones are the best thing since conjugal visits," says a California con I'll call Jack. "And being a lifer, I don't get those." Jack doesn't want his real name printed because I spoke to him—several times—on a contraband handset he had procured in the pen, where he's doing time for second-degree murder. "I call my mom three or four times a week," he says. "And I text my daughter every night."

But the most compelling reason to let inmates like Jack talk to their families isn't that it's nice for them or even their mothers. It's that it could reduce crime and save the public a bundle by cutting recidivism. Most of the more than 2 million men and women behind bars in the US will eventually be released, and decades of research show that those who maintain family ties are much less likely to land back in jail. Every parolee who stays straight saves taxpayers an average of more than \$22,000 a year.

Even tough-on-crime Texas has embraced that logic. The state has long refused to allow phones of any sort for inmates in its prisons, but this year officials are installing landlines. "Once they're in place, we expect a decrease in the problem," Moriarty says.

Those phones might have saved Richard Tabler's family a lot of trouble. Most of his calls were to his mother and sister, who also bought minutes for Tabler's mobile account, say Moriarty's investigators. In Texas, it's a felony to help an inmate use a cell phone. So on the day the statewide lockdown began, police also arrested Tabler's mother and sister.

Tabler himself has been segregated from the general population since his calling spree. In the hope that authorities will drop charges against his family members, he says, he's cooperating with their investigation, giving up the names of guards involved in cell smuggling. That has put him at risk. "I've written to Governor Rick Perry's office, told him, 'Look, I apologize for this drama I caused,'" he says. "But I fear for my life. I'm having threats from officers." And prison gangs: Furious that he triggered a crackdown on the phones they rely on to do business, the gangs have put a half-million-dollar bounty on his head, he claims.

"They've got cameras everywhere since that Tabler-Whitmire thing," death row inmate Henry Skinner told me soon afterward. "Right now you couldn't get a phone no matter how much you had. That Tabler messed up a lot of things for us."

For a while, anyway. The lockdown Tabler sparked was lifted in November. Since then, another 310 phones have been found in the hands of Texas inmates—including four on death row.

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