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# JON PLUMER

STATE REPRESENTATIVE • 42<sup>nd</sup> ASSEMBLY DISTRICT

Testimony on **AB 690** – Smuggling items into or out of prisons by inmates

Assembly Committee on Corrections

Wednesday, January 22, 2020

1:01 p.m. – Room 415 NW

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During a visit to the Fox Lake Correctional Institution in the Northeastern part of my district, it came to our attention that the prison is experiencing an issue with inmates requesting and receiving items, or contraband, from people outside the institution.

During the visit, the prison's warden informed me that typically male inmates will find women outside the facility, develop a sort of relationship with them, then request them to bring them items, referred to as contraband. **Under current law, it is a Class I felony to provide an inmate with contraband, however it is not against the law to receive said contraband.** In many cases, once the person who has been smuggling in contraband to the inmate is caught, the inmate simply moves on to the next. They are able to repeat this cycle over and over until they are released because there is no deterrent.

Under this bill, the inmate who is receiving contraband from people outside the institution are faced with a misdemeanor, up to a \$10,000 fine and up to an additional nine months in prison. The thought of facing additional time in prison could cause an inmate to think twice about requesting and receiving items from people outside the institution. This bill is also about safety – for other inmates and for the men and women who work at our state's jails and prisons. When inmates are in possession of items that are not known to jail or prison employees, they are put at risk.

After another conversation with the warden at Fox Lake, he brought up a concern with the bill as written. He was concerned that a misdemeanor was not enough of a deterrent for an inmate to not seek out and accept contraband. Therefore, I took his advice and will be offering an amendment which will change the misdemeanor to a Class H felony. While I am cautious about adding more felonies, the last thing I would want to do is pass a bill that doesn't accomplish its goal or do anything to help our state's institution employees.



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**Luther S. Olsen**  
State Senator  
14th District

**TO:** Assembly Committee on Corrections  
**FROM:** Senator Luther Olsen  
**DATE:** January 22, 2020  
**SUBJECT:** Testimony in favor of Assembly Bill 690

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Thank you Chairman Schraa and the Assembly Committee on Corrections for holding a hearing and allowing me to testify in favor of Assembly Bill 690.

Last year, Representative Plumer and I made a visit to the Fox Lake Correctional Institution where we were able to tour the facility and talk to staff. During those conversations, it came to our attention that the prison is experiencing an issue with inmates requesting and receiving items, or contraband, from people outside the institution. We discovered there is a loophole in current law that needs to be addressed in order to stop this problem.

Under current law, it is a Class I felony to provide an inmate with contraband, however it is not against the law for an inmate to receive that contraband. In many cases, once the person who has been smuggling in contraband to the inmate is caught, the inmate simply moves on to the next supplier. There is no deterrent so inmates are able to repeat this cycle over and over with no consequences.

Under this legislation, an inmate who is caught receiving contraband from people outside the institution can be charged with a misdemeanor, punishable with up to an additional nine months in prison and a fine of up to \$10,000. The possibility of facing additional time in prison and a large fine could cause an inmate to stop requesting and receiving items from people outside the institution.

Thank you, members. I ask for your support and would be more than happy to answer any questions.