



## **SPECIAL EDITION QUICK FACTS: PRISON CONTRABAND**

My name is Amy Dezember, and I am a Senior Research Associate in the Office of Research and Data at the United States Sentencing Commission. During this presentation, we will present findings from a recent Commission study examining prison contraband offenses in the federal system.

For this project, Commission staff reviewed cases sentenced under section 2P1.2 “Providing or Possessing Contraband in Prison” of the Guidelines Manual between fiscal years 2019 and 2023. Using Presentence Investigation Reports, staff examined various aspects of the case, including the type of contraband possessed, how the contraband was smuggled into the facility, where and how the contraband was discovered, and the individual who was sentenced for the contraband offense.

### **Overall Trends in Prison Contraband Offenses**

First, we will go over the overall trends in prison contraband cases and then take a more detailed look at individual types of contraband. Between Fiscal Years 2019 and 2023, there were a total of 852 individuals sentenced under section 2P1.2 for providing or possessing contraband in prison. Overall, the number of prison contraband cases has decreased since fiscal year 2019.

Next, we looked at the prison contraband case distribution by circuit. Over 40% of contraband cases were concentrated in the 8th circuit. This is because 38% of all the prison contraband cases in which a sentence was imposed resulted from activities at the Federal Correctional Complex at Forrest City, which is in the Eastern District of Arkansas in the 8th Circuit.

In the 852 prison contraband cases reported to the Commission, individuals could have possessed one or more types of contraband. Almost one-half of the cases included cell phones, about one-third included drugs, and about one-quarter included weapons. While these three contraband types represent the primary and most serious contraband found in these cases, individuals possessed other forms of contraband that are secondary or less serious, including alcohol, tobacco, electronic charging equipment and accessories, tools, and other unauthorized items. We’ll first discuss all contraband cases together, and then look individually at each of the three primary contraband types.

The majority of the individuals sentenced under section 2P1.2 were individuals who were incarcerated, followed by visitors to a correctional facility, other outside persons



(such as people mailing contraband into the facility), and correctional officers and other prison employees. The other prison employees included janitors, kitchen staff, and maintenance workers.

Almost one-half of the contraband involved in these cases was homemade within the correctional facility, and were primarily weapons. Of contraband that came into the correctional facility from the outside, the most common smuggling method was visitation, with almost 20% of cases involving contraband smuggled through visits. This was followed by contraband being sent through the mail or brought into the facility by a correctional officer or other prison employee.

Almost one-third of contraband was found through a physical search of the sentenced individual's body, such as a pat-down. Another 22% of contraband items were discovered through surveillance, such as video surveillance or surveillance of phone conversations. In 16% of the cases, a correctional officer saw the contraband, for example witnessing contraband being passed between two people during visitation. Other common methods of discovering contraband included tips from other people who worked within or were incarcerated in the facility, routine cell and mail searches, or larger investigations into individuals who were suspected of bringing contraband into the facility.

In cases where contraband was discovered through surveillance, over one-half of contraband was discovered through video surveillance, about one-third was discovered through telephone call surveillance, and 14% was discovered through body scanners, such as metal detectors or x-ray machines.

In the majority of cases, the contraband was found inside the secure area of the prison, meaning areas that are not accessible to anyone besides incarcerated individuals, correctional officers, and other prison employees. The next most common discovery location was the visitation room, followed by the prison lobby. Other areas where contraband was discovered included the car of visitors on the property, just outside the facility walls or fence, or other off-site locations such as mail processing facilities.

Over 70% of prison contraband cases occurred in Low or Medium Security Bureau of Prisons facilities. The remaining contraband cases occurred in a variety of facility types. Almost 10% of contraband cases occurred in High Security Bureau of Prisons facilities, about 6% in local jails, and about 5% in private or state prisons. Fewer than 5% of contraband cases occur in other types of Bureau of Prison facilities (such as transfer centers and medical centers) and in other federal facilities managed by agencies such as ICE or the U.S. Marshall Service.



Just over one-half of the individuals sentenced for prison contraband offenses were black. The vast majority were male and US citizens. Their average age was 38 years old. The majority of individuals were also in the higher criminal history categories, with almost two-thirds of individuals having a criminal history category of four through six, the highest three categories. Almost one-quarter had a criminal history category of three, while only about 11% of individuals sentenced for prison contraband had a criminal history category of one and two.

### **Cell Phone Contraband**

Next, we'll look closer at the three primary types of contraband. First - cases involving cell phone contraband.

Over 90% of those sentenced for cell phone contraband were individuals incarcerated in the facility where the cell phone was confiscated. In almost 39% of the cases, the cell phone was smuggled into the facility by a correctional officer or other prison employee. In another 21% of the cases, the cell phone was smuggled over or through the prison fence and in 10% of cases the phone was smuggled in during a visitation.

The method of discovering cell phone contraband varied. About 21% of cell phones were found through surveillance, and about 18% were found because a correctional officer observed the phone or received a tip that an individual possessed or was planning on smuggling in a cell phone.

In cases where the cell phone was discovered via surveillance, one-half were found through video surveillance, while over one-third were found through call surveillance, and 12% found by a body scanner.

Almost 90% of the cell phones were found inside the secure area of the prison.

Cell phone contraband was most prevalent in Low and Medium Security Bureau of Prisons facilities.

Almost 60% of individuals sentenced for cell phone contraband were black, and the vast majority were male, and US citizens. Their average age was 39 years old. About 60% of individuals sentenced for cell phone contraband were in the higher criminal history categories of four through six, almost one-third were in criminal history category three, and less than 10% were in criminal history categories one and two.

### **Drug Contraband**

Next, we'll look at cases involving drug contraband.



Of the individuals found with drug contraband, almost 48% possessed buprenorphine, also known as suboxone, which is commonly used to treat addiction to opioids and other narcotic pain relievers but is not widely available in prisons and is considered contraband. About 41% of individuals possessed marijuana, followed by 22% with methamphetamine, and 13% with opioids. In some cases with drug contraband, the sentenced individual possessed multiple types of drugs.

Over 70% of individuals sentenced for drug contraband were incarcerated in the facility. Less often, individuals sentenced for drug contraband were visitors, other outside persons (such as people who mailed drugs into the facility), or correctional officers or other prison employees.

Almost 40% of drug contraband was smuggled into the prison during visitation periods. About 23% of drugs were smuggled in through the mail, which was often buprenorphine since that substance can easily be hidden in letters and packages, such as hidden between a stamp and envelope. About 18% of drugs were smuggled in by correctional officers and other prison employees.

The discovery method varied for drug contraband. Over 27% of drug contraband was found via surveillance, followed by about 20% found through a physical search of the individual, and about 16% found when screening incoming mail.

Of the drugs found through surveillance, just over one-half were discovered through video surveillance, while almost 44% were found through call surveillance, and about 5% from a body scanner.

Two-thirds of drug contraband was discovered inside the secure area of the prison while about 27% was found in the visitation room.

Similar to cell phones, a majority of drug contraband was discovered in Low or Medium Security Bureau of Prisons facilities.

About 43% of individuals sentenced for drug contraband were black, while approximately one-quarter were white, and another one-quarter were Hispanic. Most individuals sentenced for drug contraband were male and US citizens. Their average age was 37 years old. Over 60% of individuals were in the three highest criminal history categories – four through six, while one-quarter were in criminal history category 1.

## **Weapon Contraband**

Finally, we'll look at cases involving weapon contraband.



Almost 90% of individuals with weapon contraband possessed shanks, which is the term for a makeshift knife or similar item created by sharpening an object that previously was not dangerous (such as a plastic toothbrush) to turn it into an object that can cause harm.

Another 7% of individuals possessed blades, such as razor blades or box cutters, and about 6% of individuals possessed other types of weapons, such as padlocks or rocks tied up in fabric that could be swung as a weapon. Some individuals possessed more than one type of weapon contraband.

Almost all of the individuals found with weapons were people incarcerated in the facility.

In over 97% of cases, the weapon was homemade and created within the facility.

Over one-half of the weapons were found through a physical search of the sentenced individual.

About one-fifth of weapons were discovered when a correctional officer observed the contraband, and about 12% were found through other forms of surveillance.

When surveillance was used to find the weapon contraband, just over half were discovered through video surveillance and half were discovered by a body scanner, such as a metal detector or x-ray machine.

Almost all of the weapon contraband was found inside the secure portion of the prison.

Over one-half of weapon contraband was discovered in Low or Medium Security Bureau of Prison facilities, followed by one-quarter in high-security Bureau of Prison facilities.

About 13% of weapon contraband was found in Bureau of Prison Federal Correctional Complexes, which are complexes where multiple security-level facilities are located on the same property. In these cases, the individual facility within the complex where the contraband was found was not identified.

Almost half of individuals with weapon contraband were black, all were male, and a majority were U.S. citizens. The average age was 34 years old. Individuals with weapon contraband had extensive criminal histories. Over 80% of individuals had criminal history categories of four through six, with over 41% in criminal history category six. Almost no individuals sentenced for weapon contraband were in criminal history categories one and two.



## **Comparisons of Contraband Types**

Next, we'll look at some comparisons across the contraband types and highlight some key takeaways.

Individuals incarcerated in the facility were most often sentenced for possession of contraband.

Weapons generally were not smuggled into the facility; rather, they were created within the prison. In comparison, cell phones were most often brought into the prison by corrections officers and other prison employees and drugs were most often smuggled during visitation periods.

Over half of weapons were discovered by a physical search of the individual, while surveillance was most often used to identify cell phones and drug contraband.

All contraband types were most often found in secure areas of the prison.

Contraband was most often found in Low and Medium Security Bureau of Prison facilities.

Individuals sentenced for contraband were mostly men, US citizens, and in their mid- to late-30s. The race of the individual sentenced for contraband was consistent across all categories of contraband types. Individuals sentenced for weapon contraband had higher criminal history scores, on average, than individuals sentenced for other contraband types. Approximately 83% of individuals sentenced for weapons were in criminal history categories of 3 through 6, whereas this rate was approximately 60% for cell phone and drug contraband.

Finally, we'll look at the sentences imposed in contraband cases.

The average sentence in prison contraband cases was 11 months.

Individuals with weapon contraband received the highest average sentence, at 20 months, followed by those with drugs at 16 months, and those with cell phones at 5 months.

The position of the sentence relative to the guideline range varied by the type of contraband in the case. 80% of individuals with cell phones received a sentence within the guideline range while 16% received a sentence below the guideline range. In comparison, individuals sentenced for drugs and weapons contraband were more evenly split between within range sentences (53% and 46% respectively) and below range sentences (41% and 50% respectively). Sentences above the guideline range were infrequent regardless of contraband type.



United States Sentencing Commission  
Public Data Briefing Video Transcript  
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## **Conclusion**

This concludes the data presentation. For more information on prison contraband offenses, please visit the United States Sentencing Commission's website at [www.ussc.gov](http://www.ussc.gov).