

# Study explores privacy of prison communications

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People serving time in prison or jail in the United States, which has the highest incarceration rate in the world, are almost constantly being monitored. The surveillance even stretches into communications

between inmates and their relatives.

"You gotta be careful what you say," said a relative of an incarcerated person, who was interviewed in [a new study](#) authored by Carnegie Mellon University CyLab researchers.

The study, which explores people's understandings, attitudes, and reactions to prison [surveillance](#), received an Honorable Mention award at this week's [Association for Computing Machinery \(ACM\) Computer-Human Interaction \(CHI\) conference](#), held virtually.

"Family members of incarcerated people are forced to make a choice between being surveilled or not communicating with their loved ones at all," says Kentrell Owens, who conducted this work with Lorrie Cranor and Camille Cobb as a Carnegie Mellon Electrical and Computer Engineering M.S. student and is currently a Ph.D. student at the University of Washington. "We wanted to investigate if and how this surveillance affected their [communication](#)."

The researchers conducted structured interviews of 16 [family members](#) of people incarcerated in Pennsylvania. The researchers did not interview currently incarcerated people for several reasons, including the fact that the interviews themselves would be surveilled, which could bias results or introduce risk to participants.

"You can't really be open and honest," said one participant. "... it's just difficult to communicate with somebody when you know that their communications are being tracked and being monitored and ... of course ... can be used against them," said another.

Participants were generally aware that their communications with their incarcerated [family members](#) were not private. In fact, 12 of the 16 participants discussed privacy or surveillance before the researchers

explicitly brought either topic up. However, their understanding of more technologically-advanced surveillance methods, such as voice-printing (i.e. the ability for a call recipient to be identified by their voice) and location tracking for calls received on a [cell phone](#)—both of which are commonly used surveillance methods—was limited.

Fourteen of the 16 study participants who sent physical mail said they were aware that the letters they sent would be read by people other than the intended recipient before delivery. One of the participants said their letter was rejected because they only used their first initial instead of their full name. Based on policies at the facilities in this study, the researchers believed these claims were accurate.

Many of the participants shared their privacy-preserving strategies, such as using what they personally perceive to be the most private method—whether it be writing a letter, visiting in person, or talking on the phone—or avoiding certain topics in the conversation. Some even claimed to use euphemisms and nicknames or speak in code to keep their conversation private.

Some participants noted that discussing the events leading up to their relative's arrest could help them gain closure, but because they are being monitored, doing so is risky. Others were aware that parts of their conversation could be used to strengthen an ongoing case or open a new case against their relative.

While prison communication companies already have the technical capabilities for change, there is [little evidence](#) that they will change surveillance practices without being forced by regulators, the researchers say. Thus, the authors make a number of recommendations for policymakers.

First, prison communication companies should be limited in the amount

of data they can collect, as the systems that store those data are vulnerable to attack. If compromised, those data can cause substantial harm on an already vulnerable population. Secondly, these companies should be required to increase access to data controls, just as regulation [has recently given](#) more control to individuals over their personal information online.

Lastly, the researchers urge policymakers to require more transparency about prison communications.

"Surveillance without transparency inherently creates risks of abuse, discrimination, and selective enforcement because there is no public oversight and accountability," says Owens.

For those currently communicating with incarcerated relatives, the researchers recommend choosing the most private communication method that fits their needs and goals. If one wishes to protect their identity, sending a letter is probably their best bet. If one wants to have a conversation without having every word recorded, perhaps an in-person visit would be best, as long as they don't mind the possibility that someone nearby may overhear parts of their conversation.

Moving forward, the researchers hope that this study is a step in the right direction towards change.

"We hope this study encourages others to critically examine [surveillance](#) and the risk of harm in carceral systems," says Owens.

As part of this research, the authors drafted [an example handout](#) that advocacy groups could distribute to relatives of incarcerated people to provide information about [communication](#) options and privacy issues.

Provided by Carnegie Mellon University

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