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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

October 2, 2012

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Genachowski,

I am writing to request that the Federal Communications Commission (FCC) address the petition before the FCC concerning the rates for telephone service in prisons. As you are aware, this petition, known as the Wright Petition, has been pending before the FCC since 2003 (and amended in 2007), which requests that the FCC regulate the state prison phone system and cap interstate phone rates.

State jails and prisons generally negotiate exclusive contracts with telephone service providers. While supporters of the current system argue that these exclusive contracts with telephone service providers cover the cost of security and the monitoring of inmate phone calls (as telephone service providers pay the prisons commissions and fees), I agree with the diverse coalition of advocates that recently wrote to the FCC asking that the FCC address the Wright Petition and cap interstate prison telephone rates.¹ This group of advocates highlighted the problems with the current system, which provides incentives to prisons to enter into contracts with companies that charge the highest rates because the prisons benefit from the higher fees and commissions paid by the telephone service providers.

As noted in this letter and also as described in the study “The Price to Call Home: State-Sanctioned Monopolization in the Prison Phone Industry,” phone rates in prisons in several states are around \$15 for a 15-minute collect call.² These high rates are prohibitive for families and friends of inmates, who are responsible for paying for the calls, and place an undue and unfair burden upon the families of inmates. Moreover, these predatory rates deter regular telephone

¹ See Letter to FCC Chairman Julius Genachowski, regarding “Docket No. 96-128, Petitioner Martha Wright et al., Alternative Rulemaking Proposal,” dated May 18, 2012.

² See Prison Policy Initiative’s “The Price to Call Home: State-Sanctioned Monopolization in the Prison Phone Industry,” dated September 11, 2012.

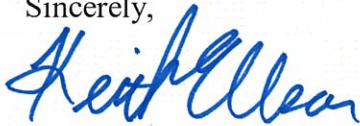
contact with stable family members and others in the community. Telephone calls are critical to reducing recidivism among inmates. After release, prisoners' friends and families often provide the only opportunity incarcerated individuals will have to re-connect with a job and a support network that can prevent them from returning to prison. In order to reduce recidivism, we should be encouraging inmates' contact with family and friends, not preventing it.

Also as noted in the Prison Policy Initiative's study, a handful of states, such as New York, have disallowed such commissions and kickbacks and have passed laws to ensure competitive phone rates in prisons. These states still have sufficient funding to cover the costs of telephone security and call monitoring. Additionally, federal prisons do not enter into these types of exclusive contracts with telephone providers, and as a Government Accountability Office (GAO) report pointed out, phone rates in federal prisons were sufficient to cover costs and provided an additional amount for profit.³

Therefore, I respectfully urge the FCC to address the Wright Petition and cap interstate prison phone rates. Lower phone rates will benefit families that struggle to pay for the exorbitant phone calls and will also contribute to reducing inmates' recidivism. Moreover, these prisons will still be able to cover the costs of monitoring and phone security by reducing these rates.

Thank you for your prompt attention to this request. Please follow up with Erin Begnal from my staff (erin.begnal@mail.house.gov) with any questions.

Sincerely,



Keith Ellison
Member of Congress

³ See GAO report entitled, "Bureau of Prisons: Improved Evaluations and Increased Coordination Could Improve Cell Phone Detection," dated September 2011 at 12.