



CAP THE COST

A GUIDE TO THE FEDERAL COMMUNICATIONS COMMISSION'S
REQUEST FOR COMMENTS ON PRISON PHONE RATES



INTRODUCTION

“In my sixteen years as a regulator, this is the clearest, most egregious case of market failure I have seen. Instead of getting better, rates and fees for consumers are more onerous. Thus, it is imperative for us to move quickly to adopt an order for total reform.”

– Commissioner Mignon Clyburn, Federal Communications Commission

The FCC is considering further reforms to lower the cost of prison phone calls. The Campaign for Prison Phone Justice is here to help you stay in touch with those you love.

The Problem

For those who are incarcerated, and their loved ones, phone calls are key to maintaining family ties and parental relationships. But the costs of these calls are exorbitant—far beyond the cost of providing the service. This is because a single company is often given exclusive access to provide phone service to a captive audience. In return, the phone company pays kickbacks to the state, which makes millions off this arrangement—\$460 million nationwide in 2013.¹ These profits are made at the expense of family members who are faced with high prices and dozens of largely invisible fees.

The Opportunity

In September 2014, the Federal Communications Commission (FCC) announced it would be considering further reforms to prison telephone rates. They put out a request for public comments—called a Notice of Proposed Rulemaking—on how to decrease the cost of local phone calls from prisons. The FCC is considering setting one flat rate for all calls from correctional and detention facilities, eliminating expensive surcharges and fees, and limiting the practice of commissions—or kickbacks—to the government.

Right now, we have a unique opportunity to transform the prison telephone industry and make it affordable for the more than 2 million families who have an incarcerated loved one. Research shows that increased contact between prisoners and their families reduces the chance of recidivism and keeps families stronger.²

¹ <https://www.federalregister.gov/articles/2014/11/21/2014-26922/rates-for-interstate-inmate-calling-services-second-further-notice-of-proposed-rulemaking>

² <http://www.vera.org/files/the-family-and-recidivism.pdf>

NOTICE OF PROPOSED RULEMAKING

A Notice of Proposed Rulemaking is issued by the FCC when it is attempting to propose new rules or changes to existing rules. The public can submit their opinions on the FCC’s proposal within the specified timeline for comments.

COMMISSIONS

Commissions are a percentage of revenue paid to prisons, jails, and detention facilities by prison telephone operators. These commission payments are negotiated into prison telephone contracts and in some states can be as high as 94%.¹ The costs of commissions are passed on to the consumer, leading to higher phone rates.

¹ [Arizone Phone Rates and Kickbacks https://www.prisonphonejustice.org/state/2014/AZ/](https://www.prisonphonejustice.org/state/2014/AZ/)

COMMENT DEADLINE: JAN. 5, 2015

The deadline for public comments is January 5, 2015. You can share your story with the Campaign for Prison Phone Justice and we’ll submit the comment for you. Submit your story through us by using a simple form through www.phonejustice.org.

For instructions on how to submit your comment directly to the FCC, go to the last page of this guide.

What kinds of stories does the FCC want to hear?

In its Notice of Proposed Rulemaking, the FCC asks questions spanning a variety of topics. Your comments do not need to answer all of these questions, but it is helpful to share stories and information that correspond to the FCC's specific questions.

Here are some suggestions of topics you may want to address through your comments. If you're submitting a comment through the [Campaign for Prison Phone Justice website](#), you'll be prompted for these topics.

Positive Impact of Prison Phone Rate Reforms: If you were affected by the FCC's 2013 reforms to long-distance phone calls, the commission would like to hear what impact the changes had on your family, your communication with an incarcerated loved one, and your quality of life. This will help the FCC have the confidence to extend the reforms.

Negative Impact of Local Prison Phone Rates: The FCC's 2013 reforms only affected long-distance, out-of-state calls. Share your experience with calling someone in the same state. It will be very helpful to share the costs you are charged for those phone calls. Do you pay extra fees and surcharges? How much do you pay a month for these phone calls?

Negative Impact of Ancillary Charges: The FCC is considering banning telephone operators from adding charges and fees to the cost of a phone call. Describe what kinds of fees and charges you're currently paying. For example, do you pay a connection fee when you accept a call? Are you charged a fee to add money to a prepaid or debit account for your incarcerated loved one?

Effectiveness of Disabilities Access: Describe your experience contacting an incarcerated loved one who is deaf or hard of hearing. How do you communicate? How reliable is the service? What changes would you propose that would improve communication for you and your loved one.

If you have access to your telephone bills, share them with the FCC so it can see a breakdown of the costs associated with your phone calls. As simple as this seems, your bills provide important information that is hard to access otherwise.

"New Jersey families pay up to \$8.50 for a fifteen-minute phone call. We need FCC action to address the high prices of all calls from prisons and jails. The current unfair rates only cause innocent children to suffer and make it more difficult for former detainees to rejoin their communities."

– Karina Wilkinson, New Jersey Advocates for Immigrant Detainees

Campaign for Prison Phone Justice

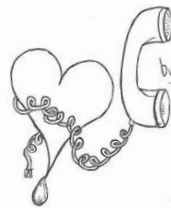
The Campaign for Prison Phone Justice is a national effort to lower the cost of phone calls from prisons, jails, and detention facilities. The campaign is jointly led by Media Action Grassroots Network, Working Narratives, Prison Legal News, and diverse human rights organizations.

In 2013, after nearly a decade of organizing, we won a first step in lowering the cost of prison phone calls. The campaign's efforts secured the first-ever federal reforms of the prison telephone industry. The reforms implemented by the Federal Communications Commission (FCC) led to a significant decrease in the costs of interstate phone calls – as high as 94% in some states. These costs are now capped at \$.25/minute for collect calls and \$.21/minute for debit and prepaid calls.

There is still more work to be done. The reforms did not affect in-state or local phone rates, which represent the vast majority of phone calls from prisons and detention facilities.

For more information on the history of the Campaign for Prison Phone Justice, visit www.phonejustice.org.

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Phone Justice, My Poem
by Nate A. Lindell #303724 P.O. Box 9900 Boxabell, WI 53805

Loved my uncle, closest thing to a dad
I ever had.
But he's in Washington,
While I'm in Wisconsin
And the phone bills got too bad.

Loved my fiancée too
But our love fell through,
Broke any hope of a grin
When her bills came due.

What can I do
When I need counsel
For a medical suit,
But can't call one who'll do my case
'Cause there's a toll-free block in place?
Don't make cents
For the zoo.

Although I've otherwise tried,
Friendly human contact's so denied
(Distance denies visits
And, over years, ink dries),
And those whom I had
I couldn't even hear
As if they died
I hope you will hear
These words of mine.

HOW TO FILE COMMENTS

File with Us:

You can submit your story directly to the Campaign for Prison Phone Justice and we'll make sure to deliver your comments to the FCC before its **January 5, 2015**, deadline. Submit your comment by visiting www.phonejustice.org or by calling (877) 410-4863.

File with the FCC:

Comments to the FCC must be received by January 5, 2015. They can be filed electronically, mailed, or hand delivered. All comments and information submitted to the FCC, including name and address, will be publicly available online.

Submitting Comments Online

Online comments can be uploaded through the [Electronic Comments Filing System \(ECFS\)](#) on the FCC's website. A clear benefit to submitting online is that you have until midnight of the FCC's January 5, 2015, deadline. Under most circumstances, comments cannot be emailed; they must be filed through the ECFS.

There are two types of forms on the ECFS website. The [ECFS Express Form](#) is the quickest and easiest way for an individual to submit comments. The [ECFS Standard Form](#) is ideal for individuals who want to upload their comments in the form of a document (e.g., .pdf, .doc, or .txt file). Both forms are available from the [ECFS home page](#). On the left-hand column, click on "Submit a Filing" or "Submit a Filing Express (Express)."

Submitting Comments by Mail

Comments sent by mail can be typed or handwritten. They must be signed and include your name, address, and phone number, along with the rulemaking number (12-375). In addition to the original comments, you must include four copies of the comments. Do not staple the original, but each copy must be stapled.

People with disabilities can submit comments in non-print formats including braille, audio recording, or sign language video. These must also include a contact name, address, and phone number, and reference the rulemaking number (12-375). If possible, include a print copy of your comments to help expedite processing.

You can mail comments through the U.S. Postal Service or through a commercial delivery company like FedEx. **Mailed comments must be received by 7pm ET on January 5, 2015.**

Comments sent through the U.S. Postal Service should be mailed to:

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-B204
Washington, DC 20554

Comments sent through a commercial delivery service should be mailed to:

Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

If you have questions about submitting comments, you can contact the FCC in the following ways:

Email: FCC504@fcc.gov

Voice: 1-888-CALL-FCC (225-5322)

TTY: 1-888-TELL-FCC (835-5322)

Submit your story:

Campaign for Prison Phone Justice

www.phonejustice.org

Call: 877-410-4863

