

Just and Reasonable Rates for Incarcerated People Necessary During COVID-19 Pandemic

August 11, 2020

Dear Majority Leader McConnell, Minority Leader Schumer, Senator Wicker and Senator Cantwell:

The undersigned organizations write to strongly support inclusion of the COVID-19 Compassion and Martha Wright Prison Phone Justice provisions, H.R. 6800, §§130701-03, in the next COVID-19 package enacted into law.

The COVID-19 Compassion and Martha Wright Prison Phone Justice Act is a critical piece of the next COVID-19 stimulus package. Prisons, jails, and detention centers are hot spots in the COVID-19 outbreak and families are desperate to connect with their incarcerated loved ones. But with visits still suspended in most facilities, significant numbers of incarcerated people remain isolated. The high cost of phone calls, video calls, and emails routinely put families into debt. In the current economic crisis—weekly jobless claims continue to reveal over 30 million people unemployed—these high costs will have even more dire consequences for families and public health.

Once adopted, this legislation would immediately reduce rates for voice calls, capping the cost of all calls at \$0.04 per minute for prepaid calls and \$0.05 per minute for collect calls, and prohibit unapproved fees and charges. It would also end site commissions, eliminating one of the ways in which correctional agencies have taken advantage of incarcerated people and their families to generate revenue. The bill would clearly establish the Federal Communications Commission's (FCC) jurisdiction to limit predatory rates for local, intrastate communications as well as fees of all kinds, enabling the FCC to protect families, clergy, and loved ones from unjust and unreasonable rates.

In a letter to state regulators on July 20, 2020, FCC Chairman Pai stated that he has “repeatedly expressed my desire to work with Congress” to address the FCC’s lack of jurisdiction to “address unreasonably and excessively high intrastate inmate calling services rates.” The FCC’s recent vote on August 6 underscores the need for this legislation. While the FCC has reasserted its jurisdiction over most ancillary fees, the Chairman confirmed the FCC does not have authority over intrastate, local rates. The FCC’s analysis found that almost 80 percent of calls to incarcerated people are outside of the FCC’s jurisdiction and that they are “egregiously high.” FCC staff identified instances in which a 15-minute intrastate costs as much as \$24.80. In addition—unlike the legislation—the FCC’s proposed lower interstate, long distance rates will not take effect until the end of a lengthy rulemaking.

The bill is rightly named in honor of Ms. Martha Wright-Reed, who campaigned for decades to lower the cost of calls for incarcerated people and their families. This legislation is an act of humanity that will enable families to connect in these trying and tragic times.

We strongly urge adoption of this important legislation.

Sincerely,

A New PATH (Parents for Addiction Treatment & Healing), California
Advocates for Change, Denver, CO
Alabama Citizens United for the Rehabilitation of Errants (CURE)
Apex Lux, Pensacola, FL
Asian Americans Advancing Justice | AAJC
Church of Scientology National Affairs Office
Citizens for Prison Reform, Michigan
Citizens United for the Rehabilitation of Errants-Sex Offenders Restored through Treatment
(CURE-SORT)
Color of Change
Colorado-Citizens United for the Rehabilitation of Errants (CURE)
Common Cause
Communications Workers of America
Community Alliance on Prisons, Hawai'i
Crossroads of Iowa
DC Project
Death Penalty Action
Electronic Frontier Foundation
Ella Baker Center for Human Rights
Family Advisory Board - Citizens for Prison Reform Michigan
FAMM
Fed Citizens United for the Rehabilitation of Errants (FedCURE)
Felonism.com
Fight for the Future
Fines and Fees Justice Center
forgotten youth, Cedar Rapids, IA
FREE! Families Rally for Emancipation and Empowerment, New York Tri-State Area
Fund for Community Reparations for Autistic People of Color's Interdependence, Survival, and
Empowerment
Grassroots Alliance for Justice
Impact Justice Berkeley
International Citizens United for the Rehabilitation of Errants (CURE)
Justice Roundtable
Kōkua Management
LOLITS, Jacksonville, Florida
Maryland Alliance for Justice Reform
Media Alliance, San Francisco Bay Area
Michigan Citizens United for the Rehabilitation of Errants (CURE)
MediaJustice
Michigan Liberation
Movement Alliance Project, Philadelphia, PA
NAACP
National Capital Crime Assistance Network-CURE
National Consumer Law Center (on behalf of its low-income clients)

National Council of Churches
National Hispanic Media Coalition
NETWORK Lobby for Catholic Social Justice
New America's Open Technology Institute
New Hour for Women and Children -Long Island
New Hour, Long Island, NY
New Sanctuary Coalition, New York
New Vision Organization, Inc., Massachusetts
Nineteen Thirty-Eight, Santa Fe, NM
Open Access Connections, St. Paul, MN
Operation Restoration, Louisiana
Oregon Citizens United for the Rehabilitation of Errants (CURE)
Prison Policy Initiative
Private Equity Stakeholder Project
Progressive Prison Ministries, Inc.
Public Knowledge
S.T.O.P. (The Surveillance Technology Oversight Project)
Sadiki Educational Safari Inc.
Social Action Linking Together (SALT)
Sponsors, Inc., Eugene, OR
Students for Sensible Drug Policy
The Community, Wisconsin
The Episcopal Church
The Leadership Conference on Civil and Human Rights
The National Prisoners' Information Network Center, Inc.
The National Reentry Network for Returning Citizens, Washington, DC
Ujamaa Place St. Paul, MN
United Church of Christ, OC Inc.
University of St. Thomas, Law Center on Race, Leadership and Social Justice
Virginia CURE
Washington Lawyers' Committee for Civil Rights & Urban Affairs
Woman 2 Woman / Women 4 Women, Bedford, NY
Women Against Registry Family Foundation
Women's Community Justice Association, New York, NY
Working Narratives
Worth Rises