Dear Chairman and Commissioners:

Securus Technologies, Inc. ("Securus"), through counsel and pursuant to 47 C.F.R. § 1.1206(a)(1), and with the permission of the Wireline Competition Bureau, submits this letter to apprise the Commission of threats made against its executives based on the public statements it has made regarding Inmate Calling Services ("ICS"). These statements either misstate or ignore the record and have incited public opinion to dangerous levels.

From the FCC News Release on October 22, 2015:

"With the cost of a call sometimes ballooning to $14.00 per minute once inside prison walls, the FCC for the first time capped rates . . . "

VIA ECFS AND ELECTRONIC MAIL

Chairman Tom Wheeler
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Although highly unlikely, there may be an isolated incident – out of millions of calls – where someone paid $14.00 per minute, but the FCC clearly understands that Securus' average rate per minute is approximately $.21, not $14.00. That fabrication misuses their office and public trust, and actually places those in our industry in harm's way. If I were an inmate or had someone in jail, I would be enraged by $14.00 per minute. But we actually average 1.5% of what the FCC quoted! What the FCC quoted in the press is not an accident – it deliberately puts us in a bad position, and we do not deserve that. We deserve better from the FCC.

There have been death threats against company executives on social media sites related to the $14 per minute, because the perception now is that every call costs $14 per minute and ICS providers are making “billions of dollars in profits.” See attachment and below.

Another FCC quote from the same FCC News Release:

“Eliminates unnecessary fees by capping or banning burdensome ancillary service charges, which can add nearly 40% to the cost of a single call.”

This is another clear misrepresentation of the cost data. Clearly, the FCC knows that ancillary fees represent approximately 10% of our total charges – and much less than you would see on a typical telephone or cable bill. The 40% quoted is a sensational high number – but not accurate at all. The FCC continues to paint our industry in a bad light using baseless statistics and a suspect legal foundation.

As a result of these statements, below are just a few of threats that are appearing on Internet forums:

“Richard Smith and Brian Oliver have been added to my list of people I would beat senseless...if given the opportunity. If they were trapped in a burning building, I'd throw gasoline on the fire. They are a cancer of this earth, and deserve to suffer in this world and beyond for what they're doing to prisoners and their families.”

“...bastards are going to be gunned down in the streets. mock my words.”

“Some of these ceos [sic] need to be beaten down by former convicts, or whatever these criminals think is fair.”

“Why don't we find out where these executives live and do something about this?”
It is clear to me that the FCC has used information deliberately that is inaccurate - to mislead the media and the public into believing that Securus deliberately hurts poor people who care nothing about inmates and their families. To the contrary: We complete 144 million calls per year to maintain relationships between inmates and their families. We develop tablet solutions for inmates to make education, religion, grievances, and commissary solutions easier to access. We save thousands of lives per year; we prevent and solve hundreds of thousands of crimes per year; we keep inmates, officers, victims, witnesses, and all of society safe. We are proud of the way we serve all of our constituencies. We deserve an FCC that tells the truth, not distorts the truth or issues partial truths to further their own egos.

More importantly, the FCC should not make misleading statements that result in threats to the lives of our executives and their families.

Sincerely,

Richard A. Smith
Chief Executive Officer
Securus Technologies, Inc.

Attachment

Cc:    Gigi Sohn, Counselor to Chairman Wheeler
       Rebekah Goodheart, Legal Advisor to Commissioner Clyburn
       Travis Litman, Legal Advisor to Commissioner Rosenworcel
       Nicholas Degani, Legal Advisor to Commissioner Pai
       Amy Bender, Legal Advisor to Commissioner O'Rielly
       Julie Veach, Chief, Wireline Competition Bureau
       Pamela Arluk, Acting Deputy Chief, Pricing Policy Division, Wireline Competition Bureau
       Lynne Engledow, Acting Deputy Chief, Pricing Policy Division, Wireline Competition Bureau
       Rhonda Lien, Pricing Policy Division, Wireline Competition Bureau
       Bakari Middleton, Attorney, Wireline Competition Bureau
       Gil Strobel, Attorney, Wireline Competition Bureau
       Thom Parisi, Attorney, Wireline Competition Bureau
       Christine Sandquist, Attorney, Pricing Policy Division, Wireline Competition Bureau

All via electronic mail
Some of these CEOs need to be beaten down by former convicts, or whatever these criminals think is fair.
Do prison phone companies call them a captive audience?

[Comment]
Richard Smith and Brian Oliver have been added to my list of people I would beat senseless Bear Jew-style if given the opportunity. If they were trapped in a burning building, I'd throw gasoline on the fire. They are a cancer of this earth, and deserve to suffer in this world and beyond for what they're doing to prisoners and their families.

[Comment]
Why should they give up the right without a fight? What's in it for them? If your boss says he is only paying you half from now on and with the rest he is buying some homeless people food, would you say yes?

[Comment]
I suppose you can charge whatever you want in a captive market.

[Comment]
"They could be left with the lowest quality of phone service?" Motherfucker it's a land line and its 2015. You're not providing fucking healthcare to them you're a middleman to a fucking land line.

[Comment]
That is only 4 cents more than TMobiles pay as you go plan. It's actually reasonable for a no contract calling rate.

[Comment]
GTL CEO Brian Oliver claimed that the FCC has "hurt inmates and their families—the very people they set out to help. While they might see lower per-minute rates, they could be left with either the lowest quality of phone service or no phone service at all."

My God... does this guy actually believe the nuclear-level b.s. he just spewed out of his mouth?? How does this man sleep at night?

[Comment]
what's the point of prison if they have the same privileges as the gen pop?

[Comment]
GTL can go fuck themselves.

[Comment]
These scam artists need to be thrown in prison for a very long time.

[Comment]
Actually that's $1 cheaper than the data your paying lol... If I got a call and it said you want to pay $14/minute I'd hang up so fast But in other news, People are paying $15/gb for mobile data... lol Both need to be made illegal.
The 13th Amendment abolished slavery for everyone BUT CRIMINALS. These companies DESERVE TO BE RUN OUT OF THE FUCKING COUNTRY. The CEOs and their families NEED TO BE OSTRACIZED AND EXILED FROM THE COUNTRY.

Might sound drastic but that's only because the status quo is to coddle, enable and promote liars, cheats and thieves - as long as they wear a suit.

Good, they shouldn't have the chance to even make phone calls.

Prisons; the only growth industry in the U.S. for decades.

If it was cheap I wonder how they would accommodate all the prisoners wanting to be on the phone. I would imagine certain people would always get pressured into getting off the phone immediately or wouldn't be making calls at all. Maybe that's the case already. I really need to volunteer in a prison someday so I can have any idea what it's like beyond what people tell me.

Two people at the ends of the line, talking. the company tugging at the wire, at the center of the composition.

In this case I think that, in addition to the FCC, the FTC should also be fighting the prisons on this. If the USA had decent consumer protection laws (or enforced the good laws that are already there), then this would be a clear case of illegal abuse of market power.

The inmates as customers are denied the option of provider, instead they are forced to use one specific company for all their telephony services (sometimes the prison itself, sometimes a third party). That creates an imbalance of power in the customer-provider relation, and abusing such an imbalance to charge prices that are much higher than the market value should be classed as illegal abuse of market power.

Basically the same laws that make “surge pricing” illegal should be applied to this “constant surge pricing”.

What is the basis of the lawsuit, though? You can't sue an Agency in an Article III court and expect to get anything out of the court except, "The Supreme Court in Chevron tells us that we have to give deference to the Agency's rulemaking power." Agencies destroy businesses with the promulgation of new rules, and the courts are just indifferent.

Can anybody guess which party the 2 dissenters were from? You know, the party that for some reason ALWAYS votes in favor of corporate greed, no matter how ridiculous? It's getting hard to stay open minded, and not just call the Republicans the party of evil.
Why don’t we find out where these executives live and do something about this? This is where 4chan has the real balls to affect change.

Ah yes, let’s harass these people and their families; as though somehow 95% of us wouldn’t also try and maximise profits if we ran our own businesses.

PEOPLE are not the problem, it’s the systems that we have set up. People like to present big corporations as evil, when under a different set of circumstances they would have done the same thing.

Making someone’s life hell makes everything worse, and doesn’t contribute to making this situation any better.

Fine. Let’s go to Washington, burn it down and start over.

The FCC’s decision “create[s] significant financial instability in the industry and will pose a threat to service at many of the nation’s smaller jails,” GTL said. “Consequently, GTL is left with no choice but to seek judicial review of the FCC’s order.”

If that isn’t the most slime-ball thing I’ve read ever read. Maybe a bit over the top, but the obtuseness at play here makes me question their every motive.

lol, it’s always so dumb when the main argument in a lawsuit is “this puts our business plan at risk.”

So if the bank makes money from the land, and the land holders have a large facility generating contentious revenue for the bank, which in turn feeds the federal government’s ability to produce welfare and services. The whole time the government is printing the money to give to the bank, to give to the land holder so he can do what he wants with “his property.”

This whole system is malevolent. Money is time they say, but who exactly are they?

“it’s all capitalism’s fault!! boo free markets!!”

in reality: government doesn’t allow prisoners to use any competing phone companies. This is the exact opposite of a free market: it’s a government granted and enforced monopoly. There is no competition at all.

Having multiple phone companies providing service to a single building is infeasible. It’s just like trying to have multiple electric companies providing service to the same block. Some things by the nature of the infrastructure necessary to have them, necessitates monopolies. In these situations, government regulation is necessary to prevent companies from gouging their customers.
Even individual guards piss off inmates, you think a huge company would sweat about it?

Zero Tonk 41 points 2 days ago
I wish there was a real-life batman, and that he would start taking out people like prison profiteers.

permalink

Doktor 1 point 1 day ago
Need the Green Arrow. "You have failed this country."

permalink

the_sharpest_knife 1 point 2 days ago
I "wouldn't see a thing".

permalink

OrkfaXerX 15 points 2 days ago
That's not the kind of Superhero Batman is. Batman beats up street thugs and then throws them into horribly run, inefficient, privatised prisons and asylums.

permalink

Zero Tonk 2 points 1 day ago
Well, to be fair, his main competitor is Iron Man, also orphanned and possessing no superhuman powers, Iron Man has a hobby of threatening the most powerful terrorist in the world and then just chilling in his undefended beach-front property like nothing is about to happen.

permalink

bitah_prophet 1 point 1 day ago
Well he also invests billions into Gotham, and one of the first things he did after becoming Batman was dismantle the mafia and corruption in the police department. With his fists.

permalink

SatNav 1 point 2 days ago
Be the change you want to see in the world.

permalink

Zero Tonk 3 points 2 days ago
I don't have time to write ALL the software, for EVERYONE, OK!? 
[edit] lolwut

permalink

slanegrudere 12 points 2 days ago
the things that happen now start looking like when robin hood and other outlaws took it to their own hands.

it won't be long since this bastards are going to be gunned down in the streets. mock my words.

permalink

jrusse424 0 points 2 days ago
I don't know if this is a typo, or if you have misheard this saying before. If it's just a typo, please disregard, but I'm going to post the correct saying in case others don't know it.

The correct phrase is "mark my words", as in "Take note. What I'm saying will be proven true".

Again, I apologize if you already know the correct saying. Just ignore me, if that's the case.

permalink

thlirz3317 0 points 2 days ago