

December 20, 2013

Chairman Thomas Wheeler
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Rates for Inmate Calling Services, WC Docket No. 12-375

Dear Chairman Wheeler:

The undersigned represent a diverse coalition of public interest, civil rights, religious, and/or social justice and community-based organizations —from across the country — who join together to support equitable and fair charges for phone calls to and from prisons, jails, and immigration detention centers. We write today to thank the Commission for its decision to address, at long last, the outrageous charges paid by families, friends, and community leaders who place long distance telephone calls to incarcerated or detained people. After ten years of bearing this extreme financial burden, these community members will finally receive long-overdue relief. Moreover, we express our strong support for the Commission's recent decision to implement this decision in a timely manner, denying the last-minute, self-serving requests for delay submitted by the telephone companies that have been profiting from these exorbitant rates for so long.¹ We also write to express our support for the Commission's proposals to take further action to address the high costs associated with local telephone calls to inmates and detainees and the unacceptable circumstances facing inmates with disabilities.

The Commission should address local telephone rates. In our experience, the cost of local telephone calls to jails, prisons, and immigration detention centers are just as problematic as long-distance rates. While some states have commendably taken action to address these rates, and a few have begun proceedings to review them, unfortunately many more states have yet to act.² Although in some instances the Commission does not have authority over intrastate telephone service, the Telecommunications Act of 1996 granted broad authority to regulate intrastate payphone rates, which includes rates charged inmates and their loved ones.³ Much of the record which supported lowered rates for long-distance calls also support lower local rates: the unjustness of the extreme financial burden on friends and family members who have transgressed no laws, the flaws in the market system which do not permit competition to bring down prices, and negative impact on recidivism and reentry when inmates are deprived of the relationships they require to thrive once they are released into society. We further urge the Commission to heed the analysis submitted by Martha Wright *et al.* in this docket with regard to local telephone calls.

In particular, we note that the deaf and hard of hearing community face unique challenges. People with hearing and other disabilities have the same rights to communicate as hearing people. For an inmate who has communication disabilities, connection with the outside world can be critical. In the

¹ Order Denying Stay Petitions and Petition to Hold in Abeyance, WC Docket 12-375, DA 13-2236 (rel. Nov. 21, 2013).

² See, e.g., survey of local and long-distance calls in all 50 states in *Prison Legal News* (April 2011); Prison Policy Initiative, *Please Deposit All of Your Money* (May 2013) both available in this docket.

³ Rates for Interstate Inmate Calling Services, Report and Order and Further Notice of Proposed Rulemaking, FCC 13-113, rel. Sept. 26, 2013 (2013) at paras. 135-37.

present day and age, when technology is often used to make communications simpler and more seamless for people with disabilities, the needs of inmates cannot go unaddressed. We urge you heed the advice offered by the disabilities communities themselves, including comments filed by Helping Educate to Advance the Rights of the Deaf (HEARD). These stakeholders should be directly involved in any decisions the Commission makes with regard to their needs. This action would be a commendable step to implement your strong commitment to find mechanisms for the Commission to assist people with disabilities.

For all the above reasons, we urge you to address unreasonable local phone rates to prisons, jails and detention centers and take up the task of addressing the needs of incarcerated people with disabilities. We look forward to working with the Commission as you consider these important issues. If you have any questions with regard to this letter, please do not hesitate to contact Steven Renderos, Coordinator, Campaign for Prison Phone Justice at steven@mediajustice.org or 510-698-3800, Lauren Wilson of Free Press at lwilson@freepress.net or 202-265-1490 x29, or Cheryl Leanza with the United Church of Christ, OC Inc. at cleanza@alhmail.com or 202-904-2168.

Sincerely,

American Civil Liberties Union
African American Art and Culture Complex
Art is Change
Center for Media Justice
Chicago Media Action
Campaign for Prison Phone Justice
Common Cause
Communications Workers of America
Conference of Major Superiors of Men
Dignity and Power Now
Free Press
Generation Justice
Global Action Project
Highlander Research and Education Center
Institute for Local Self-Reliance
Instituto de Educación Popular del Sur de California
Line Break Media
Media Action Grassroots Network
Media Alliance

Media Literacy Project
Media Mobilizing Project
NAACP
National Advocacy Center of the Sisters of the Good Shepherd
National Consumer Law Center, on behalf of its low-income clients
National Council of La Raza
National Urban League
Open Access Connections
Public Knowledge
Rural Broadband Policy Group
Samuel DeWitt Proctor Conference Inc.
TURN-The Utility Reform Network
United Church of Christ, OC Inc.
United Methodist Church, General Board of Church and Society
Urbana Campaign Independent Media Center
William C. Velasquez Institute

cc: Commissioner Clyburn
Commissioner Rosenworcel
Commissioner Pai
Commissioner O'Reilly