



Human Rights Defense Center

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September 6, 2019

Federal Communications Commission
443 12th St., SW
Room TW-A325
Washington, DC 20554

Re: WC Docket No. 19-232

To the Federal Communications Commission:

The Human Rights Defense Center (HRDC) is the co-founder of the national Campaign for Prison Phone Justiceⁱ, which is committed to reducing barriers to communication between prisoners and their support networks. HRDC submits this comment for the administrative record and states our support for National Communications International Corporation's (NCIC) petition for Inmate Calling Services (ICS) forbearance from the application of Universal Service Fund (USF) contribution requirements.

The Federal Communications Commission (FCC) maintains responsibility for ensuring fair and equitable access to communication services across this country. There are currently 2.3 million people incarcerated in the United Statesⁱⁱ who are generating a combined estimated \$1.2 billion annual revenue for private ICS companiesⁱⁱⁱ. As NCIC has outlined in its petition, the costs associated with ICS are excessively onerous for the people who use ICS and must therefore be regulated.

Although FCC capped the costs of interstate telephone calls in 2015^{iv}, lax USF guidelines have enabled ICS companies to circumvent the intended caps and increase the costs for every jail and prison telephone call. In order to preserve their core revenue in the face of the FCC cap on interstate telephone rates, ICS companies now include a universal service line item to cover the costs of USF contributions; NCIC estimates that this line item adds \$58 million to the annual cost burden on prisoners and their loved ones.

Individuals who are forced to use ICS already pay the highest costs for telephone calls in the country. In 15 states, a single 15 minute telephone call can exceed \$15.00^v. In the state of Washington, jail telephone rates have been increasing steadily^{vi} despite public attention to the injustices of expensive ICS. These costs disproportionately impact low-income families—the very people intended to benefit from the USF into which the extra fees are being deposited. As yet another fee that has been allowed to inflate these costs, the implementation of the USF contribution requirements has demonstrably injured its intended beneficiaries.

It is clear that excessive fees collected under the pretense of USF contribution requirements must be overturned to facilitate fair and equitable jail and prison telephone access. In this petition, NCIC has effectively argued that abolishing USF contribution requirements will minimally impact the FCC budget, successfully reduce financial encumbrances on prisoners and their families, and present an opportunity to remedy the intended purpose of USF contributions. HRDC fully supports this petition and asks FCC to

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keep actively improving the terms of ICS moving forward as well. Prison phone justice demands nothing less than clear and immediate action from the highest authorities in this country.

Sincerely,



Paul Wright
Executive Director, HRDC

ⁱ <https://www.prisonphonejustice.org/>

ⁱⁱ <https://www.prisonpolicy.org/reports/pie2019.html>

ⁱⁱⁱ <https://www.bloomberg.com/news/articles/2012-10-04/prison-phones-prove-captive-market-for-private-equity>

^{iv} https://apps.fcc.gov/edocs_public/attachmatch/DOC-335984A1.pdf

^v <https://www.prisonpolicy.org/phones/>

^{vi} <https://www.prisonlegalnews.org/news/2018/oct/12/washington-state-jail-phone-rates-increase-video-replaces-person-visits/>