



March 22, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte* disclosure pursuant to 47 CFR § 1.1206(b) in CC Docket No. 96-128.

Dear Ms. Dortch:

On March 20, 2012, Commissioner Clyburn and her advisor, Angela Kronenberg, met with a large group of advocates to discuss the predatory pricing of telephone calls to incarcerated people. The list of meeting attendees is appended to this letter. The advocates explained the Commission cannot delay any further in its consideration of the Wright petition, action is urgently needed.

At the outset of the meeting Ms. Leanza expressed his strong gratitude of the Commissioner's impassioned efforts to represent those at the Commission who needed it the most, in furtherance of social justice. Nick Szuberla of Thousand Kites started the meeting by playing several audio recordings from family members who had direct experience with the extremely high rates of telephone calls to and from prisons. One caller explained that because few friends or family members can afford the cost of calls to prison, and thus few have kept in touch with him, her son's chance of compiling a successful parole package was jeopardized. Other callers described rates of \$25 per hour, and telephone calls charged in 15 minute increments. Several callers reported being elderly and living on fixed incomes, others describing charges of \$40-\$50 per month--on top of their regular telephone bills--to be an extreme hardship.

Mr. Paul Wright of Prison Housing Legal News outlined factual history and the perverse situation presently driving telephone costs to and from prison. He explained that prisons did not allow telephone calls until the 1970s, but that in the 1980s telephone companies began to offer commissions to prisons in exchange for exclusive contracts. He noted that while competition has driven down the costs of telephone calls for the rest of the country, prison telephone rates have skyrocketed. He described the traumatic impact on families, and in particular the 3 million children whose parents are incarcerated and have few alternatives for communication besides the telephone. He noted that the extreme distances between families who often live in large population centers and the rural and remote location of prisons mean that a telephone call is the only means of remaining in touch. These high costs result in a short-term gain for prison budgets at a long-term cost for society in terms of

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Terry O'Neill
National Organization for Women
Jacqueline Johnson Pata
National Congress of
American Indians
John Payton
NAACP Legal Defense and
Educational Fund, Inc.
Dennis Van Roekel
National Education Association
Anthony Romero
American Civil Liberties Union
Thomas A. Saenz
Mexican American Legal Defense
& Educational Fund
David Saperstein
Religious Action Center for
Reform Judaism
Shanna L. Smith
National Fair Housing Alliance
Joe Solmonese
Human Rights Campaign
Randi Weingarten
American Federation of Teachers
Elisabeth MacNamara
League of Women Voters
Warren David
American-Arab Anti-
Discrimination Committee

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Karen K. Narasaki
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President & CEO
Wade J. Henderson
Executive Vice President & COO
Karen McGill Lawson

recidivism and more challenging reintegration. He emphasized in the strongest possible terms the immorality of monetizing the communications between families and their vulnerable loved ones.

Kay Perry, leader of CURE's national Equitable Telephone Charges Campaign also spoke. She emphasized the extremely long time that CURE has been working on this issue, and the long period of time that their petition on behalf of Martha Wright has been pending. During that time CURE has been active developing political support and working on this issue around the country. She said almost any person who becomes educated about these practices immediately sees the immorality of the situation. Ms. Perry explained that new abuses have started to emerge, such as charging families to deposit money into prepaid accounts and telephone companies and prisons finding new ways to exploit loopholes to charge service fees, as in her home state of Michigan. She stressed the extremely long time that families have been waiting and the need for urgent action.

Deborah Golden of the Washington Lawyers' Committee for Civil Rights & Urban Affairs, DC Prisoners' Project explained that while we speak generally of the Wright petition, Martha Wright is a real person. She is elderly and blind, she lives on a fixed income. She wants only to keep in touch with her grandson, but often must make a choice between purchasing the medication she needs and paying her telephone bill. Ms. Golden urged the Commission to act while Ms. Wright is still alive to see the result.

The groups present offered their help and assistance to Ms. Clyburn and her staff and urged her to take a strong stand on this issue, to speak for those who cannot speak for themselves at the Federal Communications Commission.

Sincerely,



Cheryl A. Leanza
Leadership Conference on Civil and Human Rights

ATTENDEES

Prison Telephone Costs Meeting

Corrine Yu, The Leadership Conference Education Fund
Cheryl Leanza, The Leadership Conference Education Fund
amalia deloney, Center for Media Justice
Madura Wijewardena, National Urban League
Patric Taylor, National Urban League
Ben Lennett, New America Foundation
Leticia Miranda, New America Foundation
Sarah Morris, New America Foundation
Ernesto Falcon, Public Knowledge
Clarissa Ramon, Public Knowledge
Chance Williams, Free Press
Joe Torres, Free Press
Jessica Gonzalez, National Hispanic Media Coalition
Qres Ephraim, Media and Democracy Coalition
Lisa Navarrete, National Council of La Raza
Parul Desai, Consumers Union
Hilary Shelton, NAACP
Lisa Bennett, NOW
Jason Lagria, Asian American Justice Center
Sam Gill, Freedman Consulting
Paul Wright, Prison Legal News
Nick Szuberla, Thousand Kites
Annette Dickerson, Center for Constitutional Rights
Kay Perry, CURE, National Coordinator, Equitable Telephone Charges (eTc) Campaign
Charlie and Pauline Sullivan, Citizens United for Rehabilitation of Errants (CURE)
Deborah Golden and Phil Fornaci, Washington Lawyers' Committee for Civil Rights & Urban
Affairs/DC Prisoner's Rights project
Lee Petro, CURE pro bono counsel, Drinker Biddle
Charlie DeTar, Between the Bars