



Human Rights Defense Center

DEDICATED TO PROTECTING HUMAN RIGHTS

www.humanrightsdefensecenter.org

www.prisonlegalnews.org

November 13, 2016

Mignon Clyburn
Commissioner Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Proposal for Solutions 2020

Dear Commissioner Clyburn:

The Human Rights Defense Center (HRDC) calls for a ban on monopoly contracts for Inmate Calling Services (ICS) in detention facilities to allow for a competitive marketplace and correct the market failure¹ created by exclusive contracts. These contracts are negotiated between ICS providers and detention facilities with absolutely no regard for prisoners and their families, the true consumers who not only pay often exorbitant rates for the service but are literally held captive by the lack of competition.

Long gone are the days when prisoner calls were routed through hardwired equipment; the technology exists to allow prisoners and their families to select an ICS provider from multiple companies that provides the best service to meet their needs at a price they can afford.

In a Comment filed January 19, 2016 on FCC Docket 12-375, Lee Petro, attorney for the Wright Petitioners detailed a plan that would do just this through the creation of two separate classes of ICS: wholesale and retail.² Facilities would dictate the requirements for ICS in a request for proposal fulfilled by a wholesale provider responsible for a standardized level of service (including biometrics and call monitoring capability). The wholesale provider would subsequently grant retail ICS providers access to the equipment. Facilities would contract with one wholesale provider and ICS customers would be permitted to select retail ICS providers based on the lowest rates and fees.

The problem is political, not technical. The technology exists to correct the ICS market failure that has placed such a huge financial burden on prisoners' families – the time for competition for ICS services through the elimination of monopoly contracts is now. Let the ICS providers compete for business from the people actually paying the bills.

¹ See *Rates for Interstate Inmate Calling Services*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 12-375, 28 FCC Rcd 14107, 14129-30, para. 41 (2013) (*2013 Order* or *2013 FNPRM*).

² <https://ecfsapi.fcc.gov/file/60001408397.pdf>

P.O. Box 1151, Lake Worth, FL 33460

Phone: 561-360-2523

Email: pwright@prisonlegalnews.org

Thank you for your time and attention in this matter and for including HRDC in this important issue.

Sincerely,

A handwritten signature in blue ink, appearing to be 'P. Wright', with a long horizontal flourish extending to the right.

Paul Wright.
Executive Director, HRDC