



John R. McKernan, Jr.
Governor

DEPARTMENT OF CORRECTIONS

DOCKET FILE COPY ORIGINAL

Donald L. Allen
Commissioner
(207) 287-4360

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 26, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street N.W.
Washington, D.C. 20554

Re: Billed Party Preference; CC Docket Number 92.77

Dear Chairman Hundt:

The Maine Department of Corrections is opposed to the application of Billed Party Preference (BPP) at prisoner facilities.

Department of Corrections staff, in conjunction with the State's telecommunications staff, have found it absolutely necessary to route all prisoner calls from correctional facilities to a single carrier equipped to process prisoner calls. We have worked for the past two years to develop a secure system on a contractual basis with a single carrier, one that allows corrections professionals in our facilities controls which will alleviate telephone fraud, harassment, and further criminal activity. We cannot allow prisoners to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will eliminate our capability to securely coordinate prisoner calls through a single carrier with whom we have a contractual agreement. BPP will allow prisoners access to a number of different carriers, none of whom will have an obligation to the citizens of the State of Maine or the Department of Corrections, with few operators that will be trained to process prisoner calls.

It is also necessary, to insure a secure telephone system to protect the public as well as prisoners, to provide equipment that is specifically designed for use by prisoners. This specialized equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Presently, our telephone contract calls for this equipment to be provided free of charge. The amount of commissions the Department of Corrections receives as a portion of our contractual agreement is used to benefit our prisoner population not only by providing this specialized equipment but also by providing college classes, tuition fees, computer equipment, books, recreational items and other amenities that would not otherwise be possible, given the State of Maine's

State House Station 111, Augusta, Maine 04333 - Offices Located on 4th Floor, State Office Building
(207) 287-2711

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economic condition and the taxpayer's unwillingness to provide these programs for our prisoner population. Without these programs the morale of our prisoners would be devastated. The resulting tension created by idleness will make it more difficult for our staff to effectively manage our population.

Furthermore, we, in the State of Maine, are sensitive to the need for family communication while a person is incarcerated. This is why we have included in our contract that the rates for collect only calls made from our correctional facilities may not exceed the tariff amount which has been determined by the Maine Public Utilities commission for all citizens of this State.

Again, and to repeat, the Maine Department of Corrections is OPPOSED to Billed Party Preference at prisoner facilities. BPP will take away our ability to employ important, necessary security, and administrative measures which have taken years to incorporate at our correctional facilities, ultimately reducing prisoner phone availability and the availability of education and other prisoner programs, which in turn decreases staff ability to maintain a safe environment for prisoners as well as staff within our various facilities. On behalf of the staff of the Maine Department of Corrections I urge you not to adopt regulations that will interfere with our ability to effectively manage a safe and secure prison population.

Sincerely,



Donald L. Allen
Commissioner

DLA:jmm

cc: The Honorable James H. Quello
The Honorable Rachelle B. Chong
The Honorable Andrew C. Barrett
The Honorable Susan Ness



AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 25, 1994

DOCKET FILE COPY ORIGINAL

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application for Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We have recently changed inmate phone service providers for that very reason. We do not agree with the FCC that the solution for this lack of

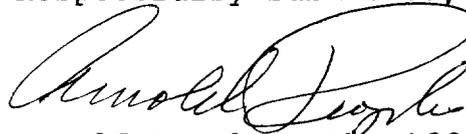
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responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Arnold Peoples". The signature is written in black ink and is positioned above the typed name.

Arnold Peoples, Sheriff
Texas County Sheriff Dept.

Sheriff's Department



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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
JIM THOMAS

Sheriff-Coroner

DAVE DORSEY

Senior Chief Deputy

SANTA BARBARA COUNTY

July 22, 1994

HEADQUARTERS

P.O. Box 6427—4434 Calle Real
Santa Barbara, California 93160
Phone (805) 681-4100

STATIONS

BUELLTON

140 W. Highway 246
Buellton, CA 93427
Phone (805) 686-0137

CARPINTERIA

5775 Carpinteria Avenue
Carpinteria, CA 93013
Phone (805) 684-4561

LOMPOC

751 Burton Mesa Road
Lompoc, CA 93436
Phone (805) 737-7737

NEW CUYAMA

P.O. Box 169
New Cuyama, CA 93254
Phone (805) 766-2310

SANTA MARIA

812-A W. Foster Road
Santa Maria, CA 93454
Phone (805) 934-6150

SOLVANG

1745 Mission Drive
Solvang, CA 93463
Phone (805) 686-5000

MAIN JAIL

4436 Calle Real Avenue
Santa Barbara, CA 93110
Phone (805) 681-4250

The Honorable Reed E. Hundt
Federal Communications Commission
1919 M. Street, N.W.
Washington, D.C. 20554

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Re: Billed Party Preference; CC Docket No. 92-77

Dear Commissioner Hundt:

As a California Sheriff I want to express my concerns about the Federal Communications Commission's proposal regarding Billed Party Preference (BPP) for 0+ InterLATA payphone traffic. I am asking you to provide a special exemption for county jails.

Without an exemption, all County Sheriffs in California will lose their ability to control their Inmate Phone System, and most certainly lose a very important source of revenue that is used to benefit inmates.

In order to understand the threat that BPP poses to jail administrators, it is necessary to explain why confinement facilities are unique and why specialized phone system equipment is necessary.

First, a confinement facility is a controlled environment and the FCC is already on record recognizing this critical difference. Based on evidence presented by experts in telecommunications problems and fraud control, the FCC in 1991 specifically exempted confinement facilities from the commission's rules that prohibit the blocking of access code dialing at public pay phones and hotels.

Second, Inmate Phone Systems must balance a number of needs in providing service. Such systems **must not** jeopardize security. The systems should provide inmates with reasonable access to phones for contact with family, friends and attorneys. Inmate Phone Systems must be designed and operated in a manner that prevents criminal activity, harassment and fraud without placing undue manpower requirements on staff. Experience has shown that blocking calls to specific numbers is necessary. This prevents or reduces harassing calls to victims, judges, witnesses, and jurors. Blocking also prevents or reduces other criminal activity.

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Since BPP would require routing calls to the billed party's provider of choice, specialized requirements for jails would either be restricted or impaired. The net effect to jails and prisons would be greater potential for fraud, no detail reporting, and no special features (blocking, time limits, phone number searches, etc.)

Third, under current conditions, the telephone system market is very competitive and telephone companies provide much needed revenue to county jails. Given our current fiscal crisis, there is no way for the state nor the counties to provide programs and services to inmates without telephone revenue. Once the competitive providers of Inmate Phone Systems disappear, basic services funds will also disappear. Even basics such as supplying indigent inmates with soap, tooth brushes, tooth paste, razors, and postage stamps will have to come from scarce tax dollars, if at all.

Telephone revenue helps provide programs in literacy and GED, job training, substance abuse, family counseling, and English as a Second Language. The funds are also used to provide chaplains, religious services, bibles and other reading materials. We have built classrooms, libraries, law libraries and purchased recreation equipment with the funds. The revenue is also used to pay the staff who manage and supervise these programs. These programs do not coddle inmates. They provide mandated and basic necessities as well as an opportunity for rehabilitation.

I am sensitive to the rates that inmate families pay for phone calls. Without reasonable rates, families may not be able to afford calls, and this only serves to cause anger and frustration for everyone. I believe that contracts requiring rate guarantees and rate monitoring such as we have now provide ample protection for families.

The bottom line is, with BPP there is no incentive for any telephone company to maintain and service a jail telephone system. Since they would lose the ability to control and process the calls their source of revenue would be negligible. In which case there certainly would be no revenue for the jail system. BPP is a recipe for disaster for jail programs, the inmates, and their families.

Please, I urge you to carefully consider the special needs of county jails and provide an exemption for them if you adopt the BPP proposal.

Sincerely,



Jim Thomas, Sheriff
Santa Barbara County

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Dave Bleser
9235 Tifton
San Antonio, TX 78240

July 20, 1994

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The Honorable Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington DC 20554

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Representative Hundt:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,



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July 20, 1994

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AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Representative Hundt:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

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Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,


Jo Ana Alvarado

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August 1, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

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AUG 1 2 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

LT. STEVEN C. HUNTSMAN
Name/Title

S.L.CO. METRO JAIL
Name of Correctional Facility

450 S. 300 E., S.L.C., UT., 84111
Address

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 25, 1994

The Honorable Reed E. Hundt Chairman
Federal Communications Commission
1919 M Street NW Room 222
Washington, D.C. 20554

Re: CC Docket No 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the phone needs for our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls. We cannot allow inmates to have open access to telecommunications network. We contract with a phone carrier that we can trust and who knows how to handle inmate calls to reduce harassment, verbal abuse, fraud etc.

Inmate phone systems can block numbers to police officers, judges, attorneys, victims, etc, that do not want to be harassed by inmates. If the BPP is approved, who will handle these problems and who will pay the price to prevent such problems? Budgets for all Sheriffs Offices are limited so it would be impossible for us to pay for any type of phone system. At the present time our phone carrier pays for all repairs and all phone replacements at no cost to us, we cannot afford to give up such a system.

Also money received from inmate phone calls pays for cable T.V, books, GED classes, AA-NA classes, things that otherwise would not happen. Again who will pay the price for such programs? Please stop the BPP, there must be another way.

Lt R.A. Brinkley A.C.C.O
Warren Co Jail
Warren Co Sheriffs Office

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Cindy Rojas
404 S. San Manuel
San Antonio, TX 78237

July 20, 1994

DOCKET 92-77 COMMUNICATIONS

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Representative Hundt:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for O+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,

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CLAY COUNTY SHERIFF'S OFFICE

539 Lincoln, P.O. Box 115, Clay Center Kansas 67432-0115

Telephone (913) 632-5601

Fax (913) 632-3278

July 25, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Sheriff
Gary F. Caldwell

The Honorable Reed Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Undersheriff
Philip Taylor

RE: CC Docket #92-77

Dear Chairman Hundt:

While I am not aware of all of the ramifications of the proposed Billed Party Preference regulation, there appears to be some negative ramifications to the specialized world of corrections which the commission should be made aware.

Telephones within the correctional facilities of the nation have become an important management tool during the past few years. The increased use of this tool and the ability to reduce fraud caused by inmates has in large part been due to the creative technical advances of independent companies which offer inmate telephone services. Any rule making should take into account the unique needs of jails and prisons to provide the sometimes constitutional right of communication with the outside world while insuring that the security of the facility is not compromised nor are members of the public victimized by inmates.

Correctional facilities need the following capabilities:

- Financially be able to afford to have a large number of inmates telephones so inmates in each cell area have the ability to make phone calls. The present arrangement with phone providers generates the revenue through commissions to provide this service at no additional cost to the tax payer.
- Security measures must be possible to block calls to witnesses, victims, and public officials such as judges and prosecutors.
- Call tracking must be possible to investigate complaints of inmate misuse of the telephones.

If these needs can not be met within the proposed regulations, I urge the commission to exempt inmate calls from them. Otherwise, the result will be a return to a situation where telephones are not available to inmates on a regular basis since any calls would have to be personally supervised by a correctional officer.

Sincerely Yours,

Philip Taylor
Undersheriff

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County of Santa Clara

Department of Correction

180 West Hedding Street
San Jose, California 95110-1772
(408) 299-4005

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AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 22, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

In regards to the Billed Party Preference proposal, we at the Santa Clara County Department of Correction are opposed to this issue.

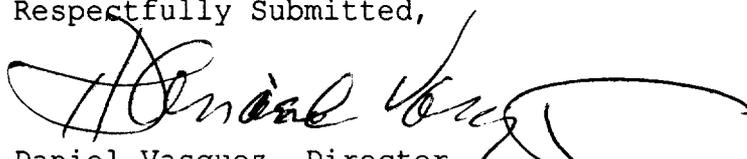
If the Billed Party Preference proposal passes it will completely remove the security we now have to control long distance telephone calls. This would mean an increase in fraudulent activity, and an inability to comply with court mandated restrictions. Such restrictions include prohibiting certain inmates with the ability to call and harass certain individuals such as witnesses, ex-spouses, etc.. Our organization faces serious budget constraints and cannot absorb the additional cost of complying with these court orders.

Secondly, not only would security be compromised but thousands of dollars that support inmate programs would be lost. One of the goals here at the Santa Clara County Department of Correction is to have every inmate participating in some type of program. Reaching that goal will be extremely difficult if Billed Party Preference passes.

During recent telephone contract negotiations, vendors' rates were required to be within FCC regulations. We are very sensitive to the families and friends of our inmates and understand that many of them may have faced reduced incomes.

In closing, I would like to once again express my concern and opposition regarding Billed Party Preference. I hope that the FCC can find an alternative solution for correctional facilities.

Respectfully Submitted,


Daniel Vasquez, Director
Santa Clara County Department of Correction

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Sheriff
Jack McCrea



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WILLIAMSBURG COUNTY SHERIFF'S DEPARTMENT

July 25, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Reed Hundt
Federal Communications Commission
1919 M. Street, N. W.
Washington, D. C. 20554

RE: Billed Party Preference
cc Docket No. 92-77

Dear Chairman Hundt:

We are apposed to Billed Party Preference (BPP) at inmate facilities for the following reasons:

1. Open access to any telecommunication network would adversely affect our current ability to control fraud, abuse and unwanted activity as well as administration and security.
2. Revenues currently received through contract are used to benefit the inmate population. Loss would preclude these benefits due to tight budget constraints in an economically depressed rural county.
3. Rate ceiling would do more to protect families than BPP. We too are concerned about family cost.
4. Our current system allows use of security and administrative measures which we doubt could be achieved through BPP. These measures are in place for a reason. It allows us to meet our responsibilities to the public and the families of inmates.

We sincerely urge your understanding of the adverse impact that BPP will have on jail facilities everywhere.

Respectfully,

George Turner, Jr.
Jail Administrator
Williamsburg County Jail
207 S. Jackson St.
Kingstree, S. C. 29556

Copy to: Commissioners
APCC Task Force

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July 20, 1994

The Honorable Reed Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D. C. 20554

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'AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket #92-77

Dear Chairman Hundt:

I am writing to voice my concerns about the proposed Billed Party Preference regulation. The correctional facility inmate phone industry would be severely jeopardized by BPP, affecting inmates, their families and the criminal justice system as a whole. *For this reason, we are asking that inmate calls be exempt from the proposed BPP regulation.*

Over the past ten years, administrators of correctional facilities have been able to put into place a very effective system for allowing inmate phone calls. The right to choose our phone service provider has been key to our success. This service has always been delivered to us at very reasonable rates. What's more, inmate phone commissions have been a significant source of revenue for our facility and have helped us improve it dramatically. *We use this revenue to fund various programs including: law enforcement education; inmate health, education and recreation; jail personnel safety; drug prevention and other community programs; family visitation etc.*

Here are a few of my biggest concerns about Billed Party Preference:

- It strips correctional facility administrators of the right to choose inmate phone providers.
- Technology for BPP would reportedly cost upwards of \$1.5 billion, an expense that would have to be passed along to the consumer.
- Without the authority to process calls, inmate phone providers would no longer have the revenue to provide the sophisticated phone systems used in prisons. The end result: fewer phones with fewer security features. Facilities would have to revert to the old ways of supervising each and every inmate call.
- The average length of stay in jail would increase because inmates would not have the phone privileges required to make arrangements for obtaining bond. *This costs everyone!*
- Under BPP, correctional facilities would no longer have control over inmate calls, which means no call tracking or blocking. Inmates could conceivably harass judges, witnesses, jury members or even the victims of their crimes.
- Without call control, facilities would be unable to control fraud problems currently handled by inmate phone providers.

For the above reasons, and countless others, we believe that THE COSTS OF BILLED PARTY PREFERENCE FOR INMATE CALLS FAR OUTWEIGH THE BENEFITS. If BPP does become regulation, we urge you to make inmate calls exempt. Thank you for your consideration of my views.

Sincerely,

Jail Administrator Kay Jewel
Oneida Co Jail
Rhinecler WI
715-369-6015

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State of Utah

DEPARTMENT OF CORRECTIONS

Michael O. Leavitt
Governor

O. Lane McCotter
Executive Director

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AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 26, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt,

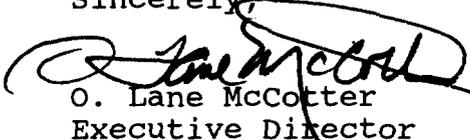
The Utah Department of Corrections, after carefully analyzing the impact that the application of Billed Party Preference (BPP) would have on inmate telephone services, would like to state its opposition to this proposal.

Due to security reasons and to prevent inmate abuse of the phone system we have installed phone systems designed for inmate calls using a specialized carrier. Budgetary constraints would preclude us from providing the present services without the contract with an inmate phone service provider. If BPP is adopted, we feel that it would have the effect of eliminating these providers or escalate the costs to where they would become prohibitive for the inmates.

We realize that the present arrangements could result in abuse by the providers, but we feel the more reasonable solution would be to adopt rate ceilings on inmate calls and let the correctional institutions enforce them through their contracts. The Utah Department of Corrections is committed to requiring rates that are fair and reasonable.

The ultimate effect of BPP would be to severely restrict inmate phone availability and eliminate our ability to use the important security and administrative facilities we have found necessary to effectively carry out our public safety mission. We urge you to reconsider your intention to implement BPP in light of its impact on correctional institutions.

Sincerely,


O. Lane McCotter
Executive Director

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Representative Hundt:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,



Roland S. Berg

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DOCKET FILE 92-77-070114

Mary R. Guzman
4411 Callaghan Rd. #911
San Antonio, TX. 78228

July 20, 1994

The Honorable Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington DC 20554

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Sincerely,


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July 20, 1994

D. Gump
2333 Hecks
S. A. TX 78210

The Honorable Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington DC 20554

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OFFICE OF THE SECRETARY

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July 20, 1994

The Honorable Reed Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D. C. 20554

Re: CC Docket #92-77

Dear Chairman Hundt:

I am writing to voice my concerns about the proposed Billed Party Preference regulation. The correctional facility inmate phone industry would be severely jeopardized by BPP, affecting inmates, their families and the criminal justice system as a whole. *For this reason, we are asking that inmate calls be exempt from the proposed BPP regulation.*

Over the past ten years, administrators of correctional facilities have been able to put into place a very effective system for allowing inmate phone calls. The right to choose our phone service provider has been key to our success. This service has always been delivered to us at very reasonable rates. What's more, inmate phone commissions have been a significant source of revenue for our facility and have helped us improve it dramatically. *We use this revenue to fund various programs including: law enforcement education; inmate health, education and recreation; jail personnel safety; drug prevention and other community programs; family visitation etc.*

Here are a few of my biggest concerns about Billed Party Preference:

- It strips correctional facility administrators of the right to choose inmate phone providers.
- Technology for BPP would reportedly cost upwards of \$1.5 billion, an expense that would have to be passed along to the consumer.
- Without the authority to process calls, inmate phone providers would no longer have the revenue to provide the sophisticated phone systems used in prisons. The end result: fewer phones with fewer security features. Facilities would have to revert to the old ways of supervising each and every inmate call.
- The average length of stay in jail would increase because inmates would not have the phone privileges required to make arrangements for obtaining bond. *This costs everyone!*
- Under BPP, correctional facilities would no longer have control over inmate calls, which means no call tracking or blocking. Inmates could conceivably harass judges, witnesses, jury members or even the victims of their crimes.
- Without call control, facilities would be unable to control fraud problems currently handled by inmate phone providers.

For the above reasons, and countless others, we believe that THE COSTS OF BILLED PARTY PREFERENCE FOR INMATE CALLS FAR OUTWEIGH THE BENEFITS. If BPP does become regulation, we urge you to make inmate calls exempt. Thank you for your consideration of my views.

Sincerely,



Leon Shearrer
PAWNEE COUNTY SHERIFF
116 W. 8th
LARNED, KANSAS 67650

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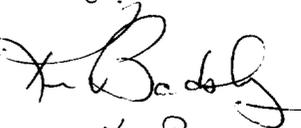
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Sincerely,



KEN BAOSKY
DECATUR CO SHERIFF
P.O. BOX 89
OBERLIN, KS 67449

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0

Whitman County Sheriff's Department

STEVEN R. TOMSON

Sheriff

Telephone (509) 397-6266

Post Office Box 470

Colfax, Washington 99111-0470

Fax (509) 397-2099

July 27, 1994

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington DC.C 20554

RITA I. KONZAL
Chief Civil Deputy

KAY KENEDY TURNER
Records & Information

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AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DALTON E. LEWEY
Undersheriff

NANCY M. POLAND
Facility Commander

In the matter of
Billed Party Preference
For 0+ InterLATA Calls

CC DOCKET 92-77

The Whitman County Correctional Facility has had a very satisfactory inmate phone system in place for more than ten years. We are very concerned about the proposed Billed Party Preference.

Here are a few of our specific concerns:

1. A small and very busy staff operates this facility. Our current phone system requires very little officer time, allowing my staff to carry out other functions.
2. The phone system commissions allows us the opportunity to purchase recreational equipment which we otherwise could not afford. The commissions go into an "inmate welfare fund" and buy books for the jail library, exercise bicycles, weight training systems and televisions.
3. With our current system, we have the capability of blocking inmate phone calls to the victims and witnesses of their crimes. Furthermore, we have virtually eliminated phone fraud by inmates.

The sheriff and I oppose the BPP. We encourage the FCC to do the same.

Nancy M. Poland
Capt. N.M. Poland
Facility Commander
Whitman County Correctional Facility
Colfax, Wa 99111

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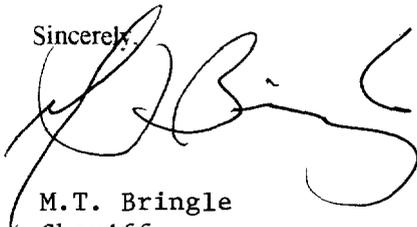
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Sincerely,



M.T. Bringle
Sheriff
Labette County

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Francisca Arredondo
346 Jennings Ave.
S.A. TX 78225

July 20, 1994

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Sincerely, *Francisca R. Arredondo*

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0

Glenn Dodson
214 Cicero
San Antonio, Tx.
78218

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1919 M Street NW
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P.S. I oppose Clinton's
communistic health
care plan too.