



July 25, 1994

County of Contra Costa  
Office of the Sheriff-Coroner

Warren E. Rupp  
Sheriff-Coroner

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

RECEIVED

AUG 11 1994

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

Re: Billed Party Preference; CC Docket Number 92-77

Dear Commissioner Barrett:

As Sheriff of Contra Costa County, California, I believe the F.C.C. Billed Party Preference proposal to route telephone calls via carriers of choice will cause harm to local jail administrators and eventually inmates.

I, along with the other Sheriffs, administer county jails throughout the State of California and request the Federal Communications Commission exclude local jails from the "Billed Party Preference" proposal. Sheriffs in the State of California have a hundred years of experience in providing services to inmates. It has taken years and many successes and failures, before we ended up with the phone system we now enjoy. The existing system is comparatively free of fraud and allows local control. Telephones, if abused, can be of significant threat and nuisance to third parties and of great cost. Without vast experience and testimony from experienced jail administrators and Sheriffs, I'm not sure proper recognition of the abuse and fraud potential at correctional facilities will be fully realized.

In California, inmates and those receiving calls, share in the responsibility and cost of the phone system. It is the opinion of many that too many services are now provided free of cost to inmates and your "Billed Party Preference" proposal would eliminate funding used to pay for the very system the inmates now use and enjoy.

Under our existing agreements we have a reasonable degree of control to prevent abuse. Under your proposal we fear that control will be lost and F.C.C. can not step in the place of the Sheriffs to assume the role of telephone systems managers via agreements and contracts. Your intent to reduce costs for inmates, or those called, could, in fact, result in an increase in cost. Sensible and reasonable charges could be a thing of the past with virtually no party responsible for the establishment of reasonable contracts or agreements to the benefit of all; a win-win situation.

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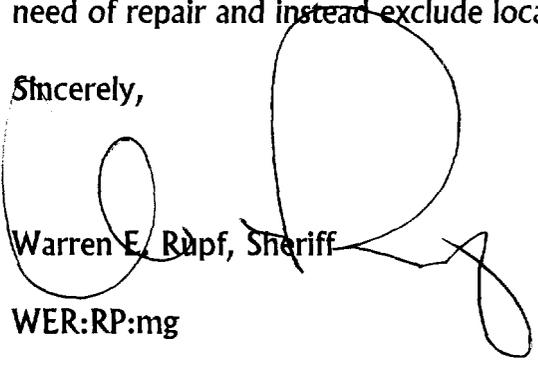
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The Honorable Andrew C. Barrett  
Page 2  
July 25, 1994

Eliminating the O+ commissions received by the Sheriffs of California will also reduce or cancel programs funded by that source. In this time of fiscal crisis, programs directly benefiting inmates through the inmate welfare fund could be lost. Programs that could be negatively affected are programs such as: literacy training, job training, substance abuse, chaplin services, and others.

Without equivocation, I oppose F.C.C. efforts that infringes on the ability of the Sheriffs of the State of California to provide a cost effective, viable, workable and fundable program that we have developed over many years. In this time of fiscal crisis, neither the state sheriffs nor the F.C.C. should remove systems that require inmates the pay-as-you-go philosophy. I respectfully request that you not attempt to fix something that is not in need of repair and instead exclude local Jails from your "Billed Party Preference" proposal.

Sincerely,

  
Warren E. Rupp, Sheriff

WER:RP:mg

cc: Congressman George Miller



MICHAEL J. ASHE, JR.  
SHERIFF

THE COMMONWEALTH OF MASSACHUSETTS

SHERIFF OF HAMPDEN COUNTY  
627 RANDALL ROAD  
LUDLOW, MA 01056

RECEIVED

AUG 11 1994

FEDERAL COMMUNICATIONS COMMISSION  
400 M STREET, N.W.

July 27, 1994

The Honorable Andrew C. Barrett, Commissioner  
Federal Communications Commission  
1919 M. Street, NW  
Washington, D.C. 29554

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

Dear Commissioner Barrett:

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.

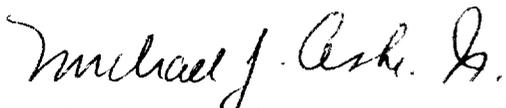
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Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution 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 not to 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,



Michael J. Ashe, Jr.  
Sheriff of Hampden County  
Hampden County Sheriff's Department  
and Correctional Center  
627 Randall Road  
Ludlow, Massachusetts 01056

RECEIVED

August 3, 1994

AUG 11 1994

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

FEDERAL COMMUNICATIONS COMMISSION  
DEPT. OF JUSTICE

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.

It was deemed necessary, upon analyzing the security and administrative needs of our facility, to route inmate telephone calls originating from our facility, via a single contractual carrier equipped to handle inmate telephone calls. We can not permit inmates open access to the telecommunications network and the associated freedom to choose any carrier they desire. Enacting BPP will eliminate our ability to coordinate inmate telephone calls via a contractual carrier we know and trust. BPP permits inmate telephone calls to be routed via a variety of different carriers, none of whom having any contractual obligation to us, and few will be adequately trained to handle inmate telephone calls.

We have installed telephone equipment specifically designed for inmate telephone calls. The special equipment presently installed is designed to deter fraud, eliminate abusive calls, and detect other criminal activity transmitted over telephone networks. Constant budgetary constraints dictate enlisting financial support from the contractual provider. Enacting BPP would eliminate this valuable source of revenue. Absent financial assistance from the contractual provider, monetary restraints would require our facility to curtail current telephone practices. Curtailment of telephone privileges and telephone access adversely affects inmate morale. Increased inmate tension hampers the ability of staff to manage inmates.

We recommend adopting a rate ceiling and requiring correctional institutions to comply with the rate cap. We urge you not to adopt regulations interfering with administrative and security decisions clearly falling within the area of responsibility of our facility.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. G. Lopez", is written over a horizontal line.

Acting Jail Administrator

Naples Jail Center

3301 Tamiami Trail E.  
Naples, Florida 33962

cc:

The Honorable James H. Quello  
The Honorable Rachelle B. Chong  
The Honorable Andrew C. Barrett  
The Honorable Susan Ness  
Sheriff Don Hunter  
File



# Cobb County Sheriff's Office

Public Safety Building  
185 Washington Avenue / Marietta, Georgia 30090-9650  
Telephone: (404) 499-4600 / Fax: (404) 499-4797

**BILL HUTSON / Sheriff**    **H. P. (Buck) CRAFT / Chief Deputy**

RECEIVED

AUG 11 1994

FEDERAL BUREAU OF INVESTIGATION  
U.S. DEPARTMENT OF JUSTICE

August 1, 1994

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

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

Dear Chairman Hundt:

I have been informed that the Federal Communications Commission is scheduled to consider a proposal concerning Billed Party Preference (BPP) and its application to detention facilities. BPP would return much of the control of the inmate telephones to the inmate and numerous telephone service carriers. Such dispersal of control would provide for fraud, nuisance calls, and the loss of funds for inmate programs. After reviewing the proposal and considering the impact of BPP, I find that I am strongly opposed to such a ruling.

Within the last year, with the cooperation of our carriers, we were able to install equipment which has enabled us to restrict the services provided through the carriers to the inmate telephones. Such equipment was necessitated by the complaints we were experiencing in regards to family members with astronomical telephone charges and nuisance calls to victims, judges, and other county offices, including our own. In several cases, individuals complained about telephone charges for calls which were accepted by non-responsible parties in the household. In others, individuals were terrorized or given misleading information by an inmate who they believed to have been released. This was made possible by the inmate being able to make three way calls. After extensive research, we found that the only way to have control of such "user access features" was to install the required equipment. This equipment has helped us resolve some of the problems by enabling us to limit three-way calls and access to designated telephone numbers. When a telephone is misused or an incident occurs, the equipment also allows us to basically track the call back to the originating telephone and responsible inmate.

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*"To Protect and Serve"*

Implementation of BPP would also devastate the funding for several inmate programs. Currently, all revenue sharings from the telephone carriers are deposited into the inmate commissary account. The commissary account is then utilized for purchases of materials and equipment solely for inmate use. In addition to game boards, athletic equipment, law library resources and supplies, revenues are also used to fund non-mandated indigent services. The only individuals benefiting from the revenue sharing are the inmates themselves. The account is strictly maintained and audited regularly. Many of these programs would have to be discontinued without replacement funding. In a time of budgetary restraints and cut-backs, replacement funds are unlikely.

The telephone management system and revenue sharing are products of an intricate business relationship between the Cobb County Sheriff's Office, Southern Bell, and AT&T. We have established a mutually beneficial arrangement which accomplishes all established requirements. They have provided us with services and equipment which would have not been otherwise accessible to our agency.

I can understand where an arrangement such as ours, or a lack thereof, can provide for multiple forms of abuse or misuse of funds. I can also understand the objectives of the FCC. However, I believe that these objectives could be just as well and easily achieved, while preserving the benefits of an internally managed system, by merely establishing requirements for a system, guidelines for management, and service fee limitations.

Although you have been placed in a position that requires action, I trust that the Commission will consider all pertinent factors and respond accordingly. Thank you for your time and consideration in this matter.

Respectfully submitted;

A handwritten signature in black ink, appearing to read "Bill Hutson". The signature is fluid and cursive, with a large initial "B" and "H".

Bill Hutson  
Sheriff, Cobb County  
Cobb County Adult Detention Center  
185 Roswell Street  
Marietta, Georgia 30090-9650

# Sheriff

ROBERT C. "Bobby" KNOWLES

P.O. Box 2148, Fort Pierce, Florida 34954



Member National Sheriffs' Association  
Member Florida Sheriffs' Association

Telephone: (407) 461-7300, (407) 287-7300

RECEIVED

AUG 11 1994

August 2, 1994

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

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The Honorable Reed E. Hundt, Chairman  
August 2, 1994  
Page 2 of 2

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 the 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.

Sincerely,

Robert C. "Bobby" Knowles  
Sheriff



By Captain Lillie R. Miller, Director  
St. Lucie County Correctional Center

LRM/jar

cc: Sheriff Knowles  
Undersheriff Werder  
The Honorable James H. Quello  
The Honorable Rachelle B. Chong  
The Honorable Andrew C. Barrett  
The Honorable Susan Ness  
Florida Public Service Commission  
Sprint Communications Company  
MCI  
APCC Inmate Phone Service Providers Task Force

COUNTY OF OAKLAND  
**OFFICE OF THE SHERIFF**

**JOHN F. NICHOLS**

THOMAS QUISENBERRY  
*Major*



HENRY BUFFA  
*Undersheriff*

July 27, 1994

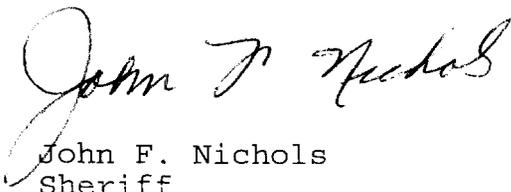
The Honorable Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20544

Dear Commissioner Barrett:

BILLED PARTY PREFERENCE - CC DOCKET NO. 92-77

Enclosed is a copy of a letter sent to the Chairman of the Federal Communications Commission regarding a subject of great importance and, at this point, concern to those of us in the field of law enforcement, particularly Corrections. The letter is self-explanatory, however, I would appreciate any support you are able to give to our position.

Sincerely,

  
John F. Nichols  
Sheriff

JFN/ba

Enclosure

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**COUNTY OF OAKLAND**  
**OFFICE OF THE SHERIFF**

**JOHN F. NICHOLS**

THOMAS QUISENBERRY

*Major*



HENRY BUFFA

*Undersheriff*

July 26, 1994

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

Dear Chairman Hundt:

BILLED PARTY PREFERENCE - CC Docket NO. 92-77

As the Administrator of the second largest County Jail facility in the State of Michigan, I feel somewhat qualified to evaluate what call controls are necessary, both in the best interest of the inmate and the general public. I do not believe that this is the function of the Federal Government. Those of us in Corrections recognize that telephone call controls are necessary for a number of reasons.

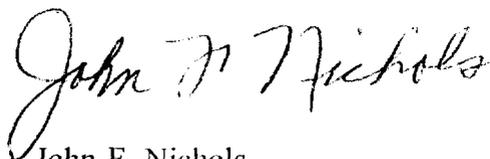
Fraud perpetrated by telephone calls is increasing almost daily and is most difficult to investigate, but can be curtailed when one has the capability to control both the use of the phone and the carrier over which the calls are being made. Allowing inmate calls to go long distances through any number of carriers as opposed to a single service chosen and contractually committed to such calls leaves much to be desired and will create chaos and reduce the ability of the Corrections facilities to manage the security function. The harassment of witnesses, threats to complainants, and telephone fraud can run rampant when numbers of carriers must be identified, contacted, and dealt with.

For us, it is an absolute mandate to have a provider who can service our facilities and inmates by providing number blocking, PINS, and screen out calls to persons inmates wish to threaten. This can, also, help to continue one of the primary sources of gang control inside the Jail. I vigorously oppose any legislation that would enable this situation to deteriorate to the point where the prisoners manipulate and control the system.

...

It is difficult to understand how someone far removed from the problem and who has no responsibility can presume to set up standards which other people must live with and which are, certainly, not in the best interest of the general public. I, therefore, strongly urge that you recognize that the selection of the phone carrier for inmates services should be left with the installation Commanders and not with the Federal government.

Sincerely,



John F. Nichols  
Sheriff

JFN/ba

- c: James H. Quello, FCC  
Andrew C. Barrett, FCC  
Rachelle B. Chong, FCC  
Susan Ness, FCC  
Al Gore, Vice-President  
Donald W. Riegle, Jr., U.S. Senator  
Carl Levin, U.S. Senator  
Bob Carr, U.S. Representative  
Dale E. Kildee, U.S. Representative  
Joe Knollenberg, U.S. Representative  
Sander Levin, U.S. Representative  
APCC Inmate Phone Services Providers Task Force  
Diane Brown, O.C. Facilities Maintenance and Operations

DL 00722-0001 ORIGINAL

# MIDLAND COUNTY

# OFFICE OF THE SHERIFF



**JOHN S. REDER, SHERIFF**

2727 RODD STREET • MIDLAND, MICHIGAN 48640 • TELEPHONE (517) 839-4600  
FAX (517) 631-9478

RECEIVED

August 5, 1994

AUG 11 1994

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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

**RE: BILLED PARTY PREFERENCE, CC DOCKET NO. 92-77**

Dear Honorable Hundt:

Please be advised that the Midland County Sheriff's Office is very much opposed to the application of Billed Party Preference at inmate facilities and county jails.

We have analyzed the security and administration needs at our facility and found it necessary to route our inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual agreement. We do not allow prisoners to have an open access to telecommunications and the freedom to use the carrier of their choice. Billed Party Preference would take away our rights to coordinate calls from our facility through a carrier that has a proven track record, and further, one whom we trust. Instead, calls from our jail would be routed to a number of carriers, none of whom would owe us any obligations, and I sincerely doubt they would be trained to handle inmate calls.

We have found it necessary to have installed certain telephone equipment that is specifically designed to handle calls from jail and prison inmates. This equipment helps us to prevent fraud abusive calls and other criminal activity over the telecommunications network. Given the constant budget constraints under which we operate, we can not afford to provide the equipment that is necessary without the help of inmate phone service providers. Further, we feel that Billed Party Preference would eliminate revenue that now finances our inmate telephones.

Should Billed Party Preference be applied to inmate facilities, it would severely limit a way for us to finance phones for the inmates, and we sincerely doubt that there would be inmate phone providers that would be willing to assist us. With the loss of phones

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**The Honorable Reed E. Hundt**  
**Page 2**  
**August 5, 1994**

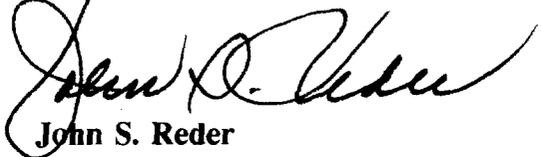
being available to the inmates, we would have another problem to deal with; and as far as the morale in inmates and the increased tension that it would provide, it would make it even harder to manage an already captive audience.

The Office of the Sheriff is extremely sensitive to the rates that families must pay for inmate calls, and we fully appreciate the Federal Communications Commission's concern if sheriffs did not take responsibility to protect families from abusive rates. The FCC's solution is of great concern to us. The proper and perhaps more effective action would be to adopt some sort of rate ceiling on calls from inmates and then let the sheriff enforce these rate ceilings with the contracts with individual providers. There is little doubt in my mind that sheriffs in the State of Michigan would be committed to requiring rates that are fair, equitable, and reasonable.

Billed Party Preference takes away the ability of our office to employ what we consider important security and administration measures that have been instituted in our jails and facilities which would ultimately reduce the availability of inmate phones. This, in turn, decreases the productivity of our staffs.

Please, do not adopt rules and regulations that hinder our security and administration rules and decisions that clearly lie within our discretion and for which we are responsible to the public.

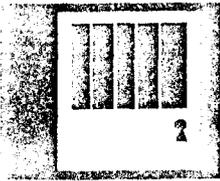
Sincerely yours,



John S. Reder

cc:    **The Honorable James H. Quello**  
      **✓ The Honorable Andrew C. Barret**  
      **The Honorable Rachelle B. Chong**  
      **The Honorable Susan Ness**  
      **The Honorable Donald W. Riegle, Jr.**  
      **The Honorable Carl Levin**  
      **The Honorable David Camp**  
      **The Michigan Sheriffs' Association**

JSR:mjd



COOK COUNTY  
DEPARTMENT  
OF  
CORRECTIONS

2700 South California Avenue / Chicago, Illinois 60608 / 312-890-6876

DEPARTMENT OF CORRECTIONS

C C 92-77  
MICHAEL F. SHEAHAN  
Sheriff  
J. W. FAIRMAN, JR.  
Executive Director

July 25, 1994

RECEIVED

AUG 11 1994

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

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Dear Chairman Hundt:

The purpose of this letter is to voice opposition to the proposed introduction of Billed Party Preference (BPP) at correctional facilities. BPP, while it may benefit ordinary users, will detriment the security and control of operations if applied to the phone use of inmate populations. Specifically:

- (1) BPP will disable the continuation of a working relationship with a single carrier. This relationship is important in that it enables comforting levels of trust and confidence in service. The benefit of a single carrier rests in contractual obligation, commitment and experience, all of which will be lost if carriers can be freely selected.
- (2) BPP will eliminate a source of current revenue which ensures the provision and maintenance of quality phone equipment. Without this revenue, quality assurance is threatened and the possibility of inoperative inmate phones is considerable. This possibility has serious implications on our ability to effectively manage and control inmates in the event of discontinued or disrupted phone service.
- (3) A purpose of BPP, to ensure fair rates, can be achieved in correctional facilities without the imposition of BPP. A more effective and less consequential solution would be to introduce rate ceilings on all inmate calls and to require agencies to enforce and ensure these ceilings through independent contracts. In this way, the introduction of price control could not be at the expense of existing operational benefits.

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**The Honorable Reed E.Hundt**

**Page Two**

**7/25/94**

**These implications suggest that BPP, while it may solve one problem, will actually introduce several others in the process. Any and all reconsideration of this initiative is appreciated.**

**Sincerely,**

A handwritten signature in cursive script that reads "J. W. Fairman, Jr." The signature is written in dark ink and is positioned above the typed name.

**J. W. Fairman, Jr.  
Executive Director**

**JWF/pjh**

**c: The Honorable James H. Quello  
The Honorable Andrew C. Barrett  
The Honorable Rachelle B. Chong  
The Honorable Susan Ness  
Carol Moseley-Braun, U.S. Senator-Illinois  
Vice President Al Gore  
File**



# CASS COUNTY SHERIFF'S DEPARTMENT

321 M-62 North • Cassopolis, MI 49031 • Telephone (616) 445-2481

JOSEPH M. UNDERWOOD JR.  
Sheriff

LARRY GORHAM  
Undersheriff

August 5, 1994

The Honorable Andrew C. Barret  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

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

Dear Honorable Barret:

As Sheriff in Cass County, Michigan, it is my responsibility to operate and maintain the county jail in a safe, efficient manner. My goal is to protect my community from unreasonable risk of harm while providing a safe, secure environment for inmates.

I write to oppose the application of Billed Party Preferences at inmate facilities.

Security and administration needs at our facility necessitate the routing of inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. BPP will take away our right to coordinate prisoner calls through a carrier we know and trust. I am not willing to accept the risks involved in allowing prisoners open access to the telecommunications network, using any carrier they choose. Under the proposal before you, inmate calls would be routed to any number of different carriers, none of who will have any obligation to my department and few that will be equipped and trained to handle inmate calls.

My county has found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive phone calls and other criminal activity over the telephone network. I cannot afford to provide this equipment without the cooperation of inmate phone service providers. If BPP is applied to inmate facilities, I would risk losing a good relationship with inmate phone service providers. Without inmate phone service, inmate morale will be low and tension will increase, making it more difficult for my staff to manage inmates.

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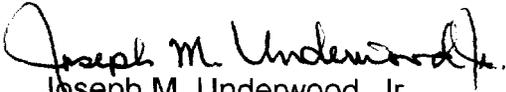
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Hon. Andrew C. Barret  
August 5, 1994  
Page 2

While I fully appreciate the FCC concern for the rates inmates' families pay, I do not believe that BPP is an effective solution. It is my firm belief that the more effective action would be to adopt rate ceilings on inmate calls that would be enforced by Sheriffs through their contracts. I am confident that the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

BPP would greatly impair my ability to employ security and administrative measures necessary to properly operate my Department. This would reduce inmate phone availability and decrease my staff efficiency. Please do not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within my discretion and which I have a public responsibility to make.

Sincerely,

  
Joseph M. Underwood, Jr.  
Sheriff

JMU/dd



# OFFICE OF THE SHERIFF

MUSKEGON COUNTY

**Robert L. Carter**

RECEIVED

AUG 11 1994

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20541

August 5, 1994

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

Re: CC Docket No. 72-77 Opposition to Billed Party  
Preference 72

Dear Chairman Hundt:

The Muskegon County Sheriff Department is opposed to the application of Billed Party Preference (BPP) at inmate facilities.

Due to the intense security needs of our facility we have found it 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 good working contractual relationship. We have singled out this company through a bid process from a dozen telecommunications contractors. We made our selection based on the company's past track record, its integrity and technology. The operations of a county jail are complex and the security of the facility is paramount. Without the ability to contract with a selected telecommunications company, the security and every day operations of the facility would be severely endangered.

We have found it necessary to install phone equipment that is specifically designed for inmate calls and that prevent fraudulent calls, abusive and/or threatening calls and other criminal activity over the telephone network. Further, the Muskegon County Sheriff department would not be able to afford to provide the necessary equipment without the help of inmate phone providers. BPP would eliminate the revenue that finances our

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Chairman Reed E. Hundt  
Federal Communications Commission  
August 5, 1994  
Page 2

inmate phone. Without inmate phones the morale of our prisoners would be devastated and would, in turn, increase tension and make it more difficult for our staff to manage and control. The management here at the Muskegon County Sheriff Department/Jail are sensitive to the rates families pay for inmate calls and are obligated through our very existence to be fair and impartial to the public we serve. We do not allow abusive rates and require a guarantee rate prior to acceptance of the telecommunicator company's contract.

BPP would eliminate our ability to employ important security and administrative measures that are necessary to our facility, ultimately reducing inmate phone availability thereby decreasing the efficiency and safety of our staff. Please do not allow regulations that interfere with the complexity, security and safety of our facilities and staff.

Respectfully submitted,

MUSKEGON COUNTY SHERIFF DEPARTMENT

Capt. Robert W. Baker  
Jail Administrator

/sb

cc: The Honorable James H. Quello  
The Honorable Andrew C. Barret  
The Honorable Rachelle B. Chong  
The Honorable Susan Ness  
The Honorable Paul Baade  
The Honorable James Agee  
The Honorable William VanRegenmorter  
The Honorable Philip Arthurhultz



**Harold Barr, Sheriff**

**GRAND TRAVERSE COUNTY  
SHERIFF DEPARTMENT**

320 WASHINGTON STREET • TRAVERSE CITY, MI 49684-2583  
EMERGENCY CALL 911  
SHERIFF'S ADMINISTRATION (616) 922-4504  
GENERAL BUSINESS (616) 922-4500  
FAX (616) 922-4515

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AUG 11 1994

OFFICE OF THE SHERIFF  
TRAVERSE CITY, MI

August 5, 1994

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 have continually analyzed and administered the needs of our facility and found it 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. For security reasons 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 that we know and trust. Instead, jail calls will be routed to a number of different carriers, none of whom will have an obligation to us.

Several years ago we found it necessary to install phone equipment that was specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, harassing telephone calls, and any other criminal activity over our telephone system. It should also be noted that for the security of jails and prisons it is necessary for us to have calls directed over one carrier that we trust. Budgetary constraints that Counties are now under does not provide us funding to afford to purchase this equipment without the help of inmate phone service providers. BPP will eliminate the revenue stream that finances our inmate telephones. 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. We lack the expertise to manage this service ourselves. 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. Having the inmate telephone service allows the inmate to make contact with his family, counselors, the clergy, and people from the legal profession. Without it these contacts would be eliminated.

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Furthermore we are sensitive to the rates families pay for inmate calls. We fully appreciate the FCC's concern if Sheriffs do not take responsibility for protecting inmate families from abusive rates. We are very concerned that the FCC's 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. We believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable. Presently Sheriffs set fair and reasonable housing rates which directly falls in line with the fair and reasonable rates for telephone systems.

In short, BPP will 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 ask you not to 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.

Sincerely,



Thomas Schmuckal, Captain  
Jail Administrator  
Grand Traverse County Correctional Facility  
320 Washington Street  
Traverse City, MI 49684

TCS:hjc

cc: The Honorable James H. Quello  
The Honorable Andrew C. Barret  
The Honorable Rachelle B. Chong  
The Honorable Susan Ness  
Senator George A. McManus, Jr.  
Representative Michelle McManus



DISTRICT ATTORNEY GENERAL

# MIDLAND COUNTY SHERIFF'S DEPARTMENT

JOHN S. REDER, SHERIFF  
301 WEST MAIN STREET • MIDLAND, MICHIGAN 48640 • TELEPHONE (517) 832-6600  
FAX (517) 832-5111

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August 5, 1994

AUG 11 1994

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20541

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

**RE: BILLED PARTY PREFERENCE, CC DOCKET NO. 92-77**

Honorable Hundt:

Please be advised that the Midland County Sheriff's Office is very much opposed to the application of Billed Party Preference at inmate facilities and county jails.

We have analyzed the security and administration needs at our facility and found it necessary to route our inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual agreement. We do not allow prisoners to have an open access to telecommunications and the freedom to use the carrier of their choice. Billed Party Preference would take away our rights to coordinate calls from our facility through a carrier that has a proven track record, and further, one whom we trust. Instead, calls from our jail would be routed to a number of carriers, none of whom would owe us any obligations, and I sincerely doubt they would be trained to handle inmate calls.

We have found it necessary to have installed certain telephone equipment that is specifically designed to handle calls from jail and prison inmates. This equipment helps us to prevent fraud abusive calls and other criminal activity over the telecommunications network. Given the constant budget constraints under which we operate, we can not afford to provide the equipment that is necessary without the help of inmate phone service providers. Further, we feel that Billed Party Preference would eliminate revenue that now finances our inmate telephones.

Should Billed Party Preference be applied to inmate facilities, it would severely limit a way for us to finance phones for the inmates, and we sincerely doubt that there would be inmate phone providers that would be willing to assist us. With the loss of phones

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**The Honorable Reed E. Hundt**  
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being available to the inmates, we would have another problem to deal with; and as far as the morale in inmates and the increased tension that it would provide, it would make it even harder to manage an already captive audience.

The Office of the Sheriff is extremely sensitive to the rates that families must pay for inmate calls, and we fully appreciate the Federal Communications Commission's concern if sheriffs did not take responsibility to protect families from abusive rates. The FCC's solution is of great concern to us. The proper and perhaps more effective action would be to adopt some sort of rate ceiling on calls from inmates and then let the sheriff enforce these rate ceilings with the contracts with individual providers. There is little doubt in my mind that sheriffs in the State of Michigan would be committed to requiring rates that are fair, equitable, and reasonable.

Billed Party Preference takes away the ability of our office to employ what we consider important security and administration measures that have been instituted in our jails and facilities which would ultimately reduce the availability of inmate phones. This, in turn, decreases the productivity of our staffs.

Please, do not adopt rules and regulations that hinder our security and administration rules and decisions that clearly lie within our discretion and for which we are responsible to the public.

Sincerely yours,

  
**W. James Falkenstein**  
**Jail Administrator**

cc: **The Honorable James H. Quello**  
**✓ The Honorable Andrew C. Barret ✓**  
**The Honorable Rachelle B. Chong**  
**The Honorable Susan Ness**  
**The Honorable Donald W. Riegler, Jr.**  
**The Honorable Carl Levin**  
**The Honorable David Camp**  
**The Michigan Sheriffs' Association**

**WJF:mjd**