August 8, 1994

LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

150 Highlander Way • Howell, Michigan 48843
(517) 546-2440

DONALD D. HOMAN
Sheriff

KENNETH L. WRIGHT
Undersheriff

LT. HENRY I. GALLUP
Law Enforcement Operations

LT. IVAN G. DEERING
Detective Bureau

LT. KENNETH R. GRIFFIS
Jail Administrator

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

August 8, 1994

The Honorable Rachelle B. Chong
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. - 20554

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

Dear Chairman Chong:

I am writing to you in regard to our Department's opposition to the application of Billed Party Preference (BPP) at inmate facilities.

Due to security and administrative needs, we feel it is necessary to route all inmate calls from our facility to a single carrier 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 that away from us. If the calls are routed to a number of different carriers, most of them would have no obligation to us.

At the present time, we have installed phone equipment that is specifically designated for inmate calls. This equipment helps prevent fraud, abusive calls and other criminal activity over the telephone network. Due to budgetary constraints, we cannot afford to provide this equipment without the help of inmate phone service providers. If BPP is applied, we will lose any assistance provided by inmate phone service, as well as, any means of financing the system.

Inmate phone systems seem to make it easier for correction officers to manage inmates, due to the higher morale of the inmates. We are not only sensitive to the inmates, but to their families as well. We do not want to see inmate call rates get out of hand. We are concerned this would happen with BPP. An effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through the contract with carriers. We believe that most Sheriffs are committed to being fair and reasonable.

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In closing, it is our belief that BPP would be a giant step backwards in providing security and sound administrative procedures, which we try to improve on a daily basis. Please do not adopt a regulation that would interfere with our responsibilities to the general public.

Respectfully Submitted,

Donald D. Homan

Donald D. Homan,
Sheriff Livingston County

DDH/ajs

SAGINAW COUNTY
SHERIFF DEPARTMENT

208 S. HARRISON STREET
SAGINAW, MICHIGAN 48602
(517) 790-5400
FAX (517) 792-3401

SHERIFF TOM McINTYRE

STEPHEN C. RENICO
Undersheriff

DANIEL R. HUFF
Captain

August 9, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Rachelle B. Chong
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554
Re: Billed Party Preference; CC Docket No. 92-77

Honorable Chong:

This letter is to inform you that I am opposed to Billed Party Preference (BPP) at correctional facilities. My staff and I feel it is necessary to have a single carrier with whom we have a contract. We cannot allow prisoners 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 prison calls through a carrier we know and trust.

We have installed phone equipment designed for inmate calls, which helps prevent fraud abusive calls and other criminal activity over the phone network. We cannot afford to provide this equipment without the help of inmate phone service providers. BPP would eliminate the revenue that finances these systems. In addition, we are sensitive to the plight of families who cannot afford high rates, and would suggest that the FCC adopt ceiling rates on inmate calls and let Sheriffs enforce these rate ceilings through contracts.

I urge you to oppose BBP at inmate facilities.

Sincerely,

Tom McIntyre

Tom McIntyre, Sheriff
Saginaw County

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Boulder County Sheriff's Department

GEORGE EPP
Sheriff

July 6, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

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

Dear Sir:

As the Support Services Administrator in a jail, I am vigorously opposed to any federal interference with my ability to manage and control our inmate telephone system.

For years we had to depend on officers spending many, many hours supervising inmate phone calls, because of the potential for abuse, fraud, etc. Upon moving into a new facility we contracted with an inmate telephone company. This has freed up time for our staff to perform other task and improved inmate phone operation quaility.

Many inmates attempt to utilize third-party calling to effect abuse, fraud and threats to crime victims. However; the service provider is able to deal with this effectively. It is essential that I contract with a service provider that is committed to providing call and fraud controls unique to the jail setting. Without it I would have to begin monitoring inmate calls with officers again, which is not very frugal.

Inmate phone service contracts also provide much needed funds to maintain inmate programs. This is a critical source of revenue that would be cutoff by approval of "Billed Party Preference."

I would urge you to examine "BPP" very carefully before stripping away my ability to manage our inmate phone system.

Sincerely,

U. J. Black, Jr.

U. J. Black, Jr.
Support Services Lieutenant, Jail Division

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UJB/bb

Operations/Staff Services/Administration
1777 6th St.
Boulder, CO 80302
441-3650/441-3600/441-4605

Jail Division
3200 Airport Rd.
Boulder, CO 80301
441-4600

Emergency Services/Communications
1805 33rd St.
Boulder, CO 80301
441-3647/441-4444

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

COMMONWEALTH of VIRGINIA

Department of Corrections

RON ANGELONE
DIRECTOR

P. O. BOX 26963
RICHMOND, VIRGINIA 23261
(804) 674-3000

July 25, 1994

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

Subject: Billed Party Preference; CC Docket NO. 92-77

Dear Mr. Hundt:

I am writing on behalf of the Virginia Department of Corrections to voice this agency's opposition to Billed Party Preference (BPP); CC Docket No. 92-77, in that it does not exempt prison facilities from this rulemaking. Furthermore, based on my understanding of this pending proposal, should the Federal Communications Commission successfully institute BPP, it will represent a giant step backwards for prison systems seeking to maximize the quality of inmate telephone technology while, at the same time, increasing the cost burden to taxpayers through the virtual elimination of all negotiated phone service commissions.

We feel that our present system used for providing telephone service for inmates allows for controls that are necessary to protect inmates' families, the public, telephone operators, prison staff, government and court officials from harrassing calls and prevents inmates from perpetrating fraudulent and illegal schemes over the telephone. The system that is in place was competitively bid and provides a high degree of sophistication, i.e. the use of PIN numbers for inmates, the ability to block numbers from inmate calls, call branding so the called party knows the call is coming from a prison, call limitations, immediate access to the company providing the service to ensure prompt changes and maintenance of the system. Many other features are available on this statewide system that services all 41 Virginia Department of Corrections facilities.

Should BPP be implemented, the Department would lose the bargaining power we now have by being able to aggregate the long distance calls made by inmates. The computerized network now in place is provided by the vendor that was awarded the competitively bid contract for the service. Please note, under this contract, specific restrictions are

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placed on the charges that can be used for calls placed. It is specified that the cost cannot exceed rates as established by AT&T for inter-lata calls and rates established by the Virginia State Corporation Commission for intra-lata calls. This insures the called party against any surcharges or additional charges being added to calls placed from a prison facility.

It is our feeling, from past experience, that the local telephone companies that service many of our facilities do not have the technology to provide the kind of service and control mechanisms necessary to operate an inmate telephone system that is cost effective for the called party and provides effective system management at the prison facility level. Removal of our current inmate telephone system would be detrimental to the welfare of the inmate, would cause morale problems within the inmate population, therefore security problems for prison staff.

Again, we wish to state our opposition to prison facilities' not being exempted from the Billed Party Preference rulemaking.

Sincerely,

Ron Angelone

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

PIPER & MARBURY
1200 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036-2430
202-861-3900
FAX: 202-223-2085

BALTIMORE
NEW YORK
PHILADELPHIA
LONDON
EASTON, MD

SHELDON KRANTZ
(202) 861-3865

August 11, 1994

92-77

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Federal Communications Commission
Common Carrier Bureau
Enforcement Division
Informal Complaints and Public Inquiries Branch
Stop Code 1600A2
Washington, DC 20554

Re: Sharon A. Payne
IC-94-11323 (Belcher, V.)
Notice dated August 4, 1994

Dear Ms. Belcher:

We represent InfoAccess, Inc., which received your letter of August 4, 1994 regarding Ms. Payne's complaint. InfoAccess values the public's concerns and takes all complaints seriously.

InfoAccess, Inc. is a telephone company that provides long distance services to, among others, companies that offer information or entertainment services by telephone. InfoAccess does not provide information or entertainment services itself. As the long distance carrier, InfoAccess handles billing for those calls in cooperation with local telephone companies. After Congress enacted the Telephone Disclosure and Dispute Resolution Act ("TDDRA"), information services have been offered by 800 numbers. Under TDDRA, and under InfoAccess' tariff filed with the Federal Communications Commission, individual callers must "presubscribe" for these information services before they are billed.

Minors may not presubscribe for information services. TDDRA requires information service companies to ask the caller's date of birth to prevent minors from attempting to presubscribe for service.

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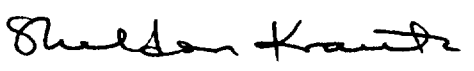
In an effort to preserve goodwill, InfoAccess has credited the charges in full and has blocked the 800 numbers in question to prevent any further charges from being incurred. A credit will appear within one or two billing cycles. If you have further questions, contact me or call InfoAccess at 1-800-645-8830.

Sincerely,



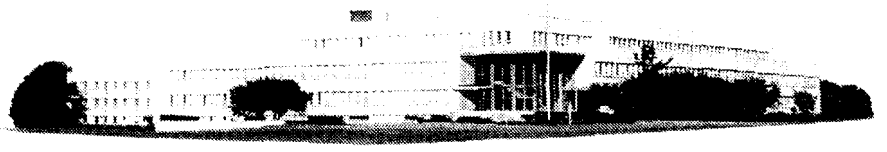
Sheldon Krantz

cc: Ms. Sharon A. Payne
14343 Campbell 1R
Posen, IL 60469-1041

Ms. Kaye Cronin

Hon. Mel Reynolds
U.S. House of Representatives
17926 S. Halsted
Ste. 1, West
Homewood, IL 60430

WAUKESHA COUNTY



515 West Moreland Boulevard
Waukesha, Wisconsin 53188-2428

County Board Office

Phone: (414) 548-7002
Fax: (414) 548-7005

July 26, 1994

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AUG 12 1994
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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 Commissioner Hundt:

Billed Party Preference is not a preferred option for the Waukesha County Jail operation. It would adversely impact our ability to efficiently manage an ever-increasing, burdensome responsibility dictated by social conditions beyond our direct control. Jails are one of county governments' more onerous mandates.

BPP represents a road block for Waukesha County in its efforts to provide a needed service at the least possible cost to the property taxpayer. It would:

1. Restrict or eliminate the ability to control inmate telephone traffic and maintain outside requests for blocked or restricted telephone numbers. Additional jail staff will be needed to replace the loss of current technology.

2. Severely reduce or eliminate the shared revenue from inmate telephone fees/costs.

3. Eliminate the number of service providers, competition among providers, and require the jail to purchase and maintain as part of the annual operations budget a security inmate telephone system.

BPP only adds to our already spiraling law enforcement costs and overburdened administrative obligations.

We respectfully request that county jails be exempt from the Billed Party Preference proposal.

Sincerely,

James T. Dwyer
Waukesha County Board Chairman

Daniel M. Finley
Waukesha County Executive

/mo

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

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STATE OF CALIFORNIA—STATE AND CONSUMER SERVICES AGENCY

PETE WILSON, *Governor*

DEPARTMENT OF GENERAL SERVICES

TELECOMMUNICATIONS DIVISION

601 SEQUOIA PACIFIC BOULEVARD
SACRAMENTO, CA 95814-0282
(916) 657-9903

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 29, 1994

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

Dear Chairman Hundt:

LETTER IN SUPPORT OF THE POSITIONS OF THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND THE CALIFORNIA YOUTH AUTHORITY REGARDING DOCKET 92-77, BILLED PARTY PREFERENCE

The Department of General Services, Telecommunications Division (hereinafter TD) is writing to you to express our support of the positions of the California Department of Corrections and the California Youth Authority regarding Billed Party Preference (BPP). The TD has the overall responsibility for the development and management of all telecommunications matters relating to California State Government, and as such is deeply concerned with the impact of Billed Party Preference and the attendant difficulties that the instant proceeding may foster.

The TD has spent a great deal of time in the development of a "Master Services Agreement" that would provide the most efficient, secure and economically feasible plan to offer pay telephone services to the general public that use state facilities as well as a program that would serve the needs of correctional and law enforcement entities within the State. As a result of our efforts, a contract was awarded to MCI Corporation and GTE Corporation for the provision of these services on a statewide basis, which provides a high degree of security and fraud protection.

In the course of development of a statewide pay telephone service, the TD was extremely sensitive to the amount of fraud and abuse that has plagued this portion of the industry. Of particular concern was the amount of fraud and abuse that emanated from correctional facilities within California. As a result of our efforts we have been able to dramatically reduce the incidence of fraud, abuse and harassing and threatening telephone calls that were placed to victims, witnesses and other individuals from correctional center inmates.

During our development process, it also became clear that few of the Operator Service Providers (OSP) could offer the level of protection and fraud prevention which was requested. With this in mind, the TD is extremely concerned that if BPP is instituted as it is currently proposed, the State would now lose the ability to reduce fraud and abuse. As a result, the TD supports the positions of the California Department of Corrections and the

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California Youth Authority that correctional institutions be exempt from offering BPP from telephones routinely used by inmates and wards.

In the past, the Federal Communications Commission has been extremely sensitive to the issue of toll fraud and abuse. California State Government shares those concerns and supports those efforts, and urges the Commission to carefully consider the potential for fraud and abuse if a universal system of security can not be offered by all OSPs under Billed Party Preference.

We look forward to working further with the Commission on these issues. If our office can provide you any assistance, or you desire further information, please do not hesitate to contact Mr. Scoop Sairanen at (916) 657-9166.

Sincerely,

ALLAN G. TOLMAN, Chief
Telephone and Network Services

AGT:AAS:pr

Merced County Sheriff's Department

700 W. 22ND STREET
MAILING ADDRESS: 2222 "M" STREET
MERCED, CALIFORNIA 95340
TELEPHONE (209) 385-7360
FAX (209) 385-7659

TOM SAWYER
Sheriff-Coroner

HENRY STRENGTH
Assistant Sheriff
Operations

MIKE RAYMOND
Assistant Sheriff
Corrections

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 12, 1994

The Honorable Dianne Feinstein
United States Senator
331 Hart Building
Washington, DC 20510

Dear Senator Feinstein:

As a California Sheriff, member of the California Board of Corrections, and a Jail Administrator, I am asking for your help. It is very important to me and my agency that the Federal Communications Commission exclude local jails from the proposed "billed party preference" (B.P.P.) system for O+ Inter LATA payphone traffic rules.

It is obvious that the F.C.C. does not fully understand the impact their action will have on jails and prisons. Our phone systems were designed for the jail and prison environment and work well for us in meeting our security needs and generating much needed revenue.

As you are aware, many California Counties are in a state of fiscal crisis and my County, Merced, is hanging on by a thread. Another unfunded mandate will only make the situation worse. Our telephone systems are not a luxury, they are required to meet regulations and to comply with the law as interpreted by many courts. If the providers who install and maintain our phones cannot make a profit, their only choice is to pull out. We would be forced to spend scarce tax dollars to provide some kind of limited service which would not be as secure or efficient as what we have now.

Merced County is one of many who can ill afford to spend our limited resources on phones when what we need is officers. You must remember that all of our callers are charged with a crime and many are convicted criminals - this is not the general public.

We vigorously oppose Federal interference with our ability to manage and control our inmate phone usage.

Additionally, another reason is money, costs and revenues. California counties are in fiscal trouble. There are no funds to provide our current level of service at taxpayer expense. If current providers pull their equipment, we would be unable to replace it resulting in drastically reduced availability of telephones to our inmates.

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AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER

DRUG USE IS LIFE ABUSE

The revenues from our inmate telephone system could not be replaced. Local government does not have the funds to pay for the many programs financed with these revenues.

These funds provide adult education, GED programs, basic literacy and job training classes, substance abuse and family counseling, English as a second language classes, and Chaplains and religious services. We purchase recreation and exercise equipment and even build classrooms and fund libraries and law libraries. We also pay the staff who supervise and manage these programs.

Without telephone revenues all of these programs would end. These are not just programs for the inmates, the education, training and counseling they provide helps these people become productive, law abiding individuals rather than a burden to the taxpayers.

The security provided by our current systems is designed to prevent fraud and abuse, as well as provide critical management information to jail administrators.

These systems alert the recipient of the call and that the caller is an inmate. This is very important if you are a victim, a witness, or a small business who is about to be taken in and scammed. We can block calls to specific numbers to protect the public. We would lose these safeguards.

We can currently control the length of calls and the hours of phone availability which helps in maintaining order and discipline. We would lose these benefits.

We would lose the ability to rapidly determine when, where and to whom calls were placed. This is valuable information in the event of escapes or the smuggling of contraband which often involves help from the outside.

The revenue from our phone systems provide facilities and services that would be difficult, if not impossible, to replace with local tax dollars. Even basics such as supplying indigent inmates with tooth brushes, tooth paste, razors, combs and writing material could no longer be paid for out of this revenue which means it would have to come from scarce tax dollars. These programs do not coddle inmates, they provide basic necessities and a chance to turn one's life around.

The loss of our phone revenues would mean Merced County, and many others, could no longer afford to provide these services and programs.

As you can see, B.P.P. sounds good for the general public but it does not fit jails. Inmates require more security and control and the revenues generated are critical to safe and efficient jail operations.

Please help me convince the F.C.C. to exclude local jails from the proposed B.P.P. system. The survival of our basic services and programs depends upon it. These revenues are our primary and, in come cases, the sole source of program funds.

I would appreciate any help that you could provide.

Very truly yours,

Tom Sawyer, Sheriff-Coroner

TS:cvg

cc: California State Sheriff's Association
Congressman Gary Condit
California Board of Corrections
Federal Communications Commission

The Honorable Andrew C. Barrett

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Maatter of

CC Docket 92-77

Billed Party Preference
For 0+ InterLATA Calls

Kenosha County Board of Supervisors

RESOLUTION #49

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County of Kenosha

BOARD OF SUPERVISORS
912 - 56th STREET
KENOSHA, WISCONSIN 53140

RECEIVED
AUG 12 1994
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RESOLUTION NO. 49

Subject:	Resolution on Billed Party Preference		
Original ☐	Corrected ☐	2nd Correction ☐	Resubmitted ☐
Date Submitted: July 5, 1994		Date Resubmitted:	
Submitted by:			
Fiscal Note Attached ☐		Legal Note Attached ☐	
Prepared by: Charles R. Smith, Chief Deputy		Signature: Charles R Smith / Charles R Smith 7-5-94	

WHEREAS, the serviceable ability to provide telephone service to the inmate population of the Kenosha County Jail is a necessity for daily operation, and

WHEREAS, the current contracted provider for this telephone service affords both citizens of Kenosha County and the inmate population of the Kenosha County Jail, efficient, comprehensive, and controlled telephone service, and

WHEREAS, ***Billed Party Preference, (BPP)***, reduces or eliminates effective management and control of the telephone services within the Kenosha County Jail by creating;

- The inability to control telephone activity within the controlled environment of the Jail resulting in; instances of abuse and fraud, both of which are historically cited as significant problems that create security risks.

- The potential of inmates using the telephone for the harassment, including threats, of judges, witnesses or victims involved in their cases.

- The total elimination of any revenue - sharing ability between Kenosha County and the telephone service carrier. This loss of approximately $100,000.00 to Kenosha County annually, will impact the availability of any of these funds to provide for future programming to aid inmates in the Kenosha County Jail.

- The inability of ensuring that the inmate telephone service company provide, sensible and reasonable rate guarantees and rate monitoring services, thus eliminating the ability to acquire competitively by bid, the most cost effective service for inmates. A protective measure and benefit that they will be unable to do for themselves.

NOW THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors, in agreement with the Sheriff, are vigorously opposed to any federal interference with Kenosha County managing and controlling telephone services to the inmates in the Kenosha County Jail.

LET IT FURTHER BE RESOLVED, that any effort that will infringe on Kenosha County's Ability to provide the most manageable and effective telephone service, while generating revenue for programming is strongly opposed.

Respectfully submitted,

Legislative Committee

Supervisor Ronald Johnson, Chairman

Supervisor Wayne Koessl, VC

Supervisor Charles Huck

Supervisor Kevin Krifka

Supervisor ~~Marlene~~ Maureen Reed

Judiciary and Law Enf. Committee

Supervisor Pat Nelson, Chairman

Supervisor Richard Kessler, V.C.

Supervisor William Arb

Supervisor Tony Garcia

Supervisor Raffaele Montemurro

RESOLUTION #49

Leonard Johnson

Matt Wiesenfeld

Terence F. Boyer

Richard Lundgren

Gerald A. Bellow

Douglas J. Noble

Tony Garcia

Tim O. Rose

Anne C. Berger

Brenda Carey-Mineke

Charles Hunt

Richard Hart

Jim Hill

Mark Kenan

Janice D. Marrelli

Max Modor

William Ard

Robert R. Carbone

David Haas

Thomas Rehman