



VENTURA COUNTY SHERIFF'S DEPARTMENT

- LARRY CARPENTER
SHERIFF
- RICHARD S. BRYCE
UNDERSHERIFF

800 SOUTH VICTORIA AVENUE, VENTURA, CA 93009 PHONE (805) 654-2380 FAX (805) 645-1391

August 5, 1994

RECEIVED

AUG 22 1994

FCC MAIL ROOM

The Honorable Andrew C. Barrett
Federal Communications Commission
1919 M. Street, N.W.
Washington, D.C. 20254

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

DOCKET FILE COPY ORIGINAL

Dear Commissioner Barrett:

As Sheriff of Ventura County, California, and a jail administrator, I am requesting that the Federal Communications Commission exclude local jails from the proposed "billed party preference" system for 0+LATA payphone traffic rules.

Telephone services for inmate populations have seen a great evolution as technology changes at an ever increasing rate. While there may be alternate methods to prevent fraud under B.P.P., we would be losing our ability to closely monitor numbers called during investigations. We would also in all likelihood lose our ability to quickly block telephone calls in order to protect victims and witnesses from intimidation and harassment. These are important issues to me and citizens everywhere.

We have worked diligently and successfully to provide our inmate population with the most current technology in communication systems. Many of these acquisitions have been possible only because of the revenues the county receives as a result of our contracts for 0+Inter LATA calls. While we depend heavily on these revenues to provide modern technology and fund our inmate programs, we have always been sure to control charges by insisting on "DOMINANT CARRIER" clauses in our contracts.

Failure to exclude local detention facilities will have a dramatic, adverse effect on the services we are able to provide to our inmate population, local jails, and to the citizens of the surrounding communities.

Sincerely,

Larry Carpenter
LARRY CARPENTER
Sheriff

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List A B C D E

- WEST COUNTY POLICE SERVICES
Kenneth Kipp, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2315 FAX (805) 650-4039
- EAST COUNTY POLICE SERVICES
Robert Brooks, Chief Deputy
2101 East Olsen Road
Thousand Oaks, CA 91360
(805) 494-8261 FAX (805) 494-8295
- DETENTION SERVICES
Donald R. Lanquist, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2305 FAX (805) 654-3500
- SUPPORT SERVICES
Richard Rodriguez, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2378 FAX (805) 654-5151

WEXFORD COUNTY SHERIFF DEPARTMENT

Gary A. Finstrom
Sheriff

Fred A. Harris
Undersheriff

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

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AUG 22 1994

FCC MAIL ROOM

August 8, 1994

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

Honorable Andrew C. Barret,

The Wexford County Sheriff Department is opposed to the Application of Billed Party Preference (BPP) at our correctional facility.

We have had an on-going contractual relationship with our present carrier for several years. They were selected after careful consideration of all information at our disposal. They were also selected because they met our administrative and security requirements. To allow inmates the freedom to access any commercial carrier, would be a step backwards.

Our present equipment has specifically been designed for inmate calls and use. We have the ability to prevent/block threatening calls from pretrial inmates to witnesses or jurors, abusive calls to family members. Fraudulent and third party calling has been eliminated. It would be all but impossible for a Department our size to budget for the equipment required. Our inmate phone service, as we know it now, would be non-existent without the help and expertise of our service provider.

I, as Sheriff, am aware and sensitive to the rates charged to the families of inmates. Charge rates are an important consideration when we contract with vendors. We are concerned that BPP will circumvent our responsibility and ability to contract for the best possible phone system for our constituents.

As Sheriff, I also have a responsibility not only to inmates, their families and friends, but to Correctional staff and their ability to perform their job functions properly and as efficiently as possible. If contracted carriers were eliminated, it would affect jail security and the administrative process.

Sincerely,



Gary A. Finstrom
Sheriff, Wexford County

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Roger G. Altena
 Newaygo County Sheriff
 Michael S. Mercer, Undersheriff

DOCKET FILE COPY ORIGINAL

August 10, 1994

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AUG 22 1994

FCC MAIL ROOM

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

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

Dear Mr. Barret:

I am writing this letter to inform you I am very much against the application of Billed Party Preference (BPP) at inmate facilities.

In our facility, we have a single carrier that is equipped to handle inmate calls and with whom we have a contractual agreement. We cannot allow our 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 use a carrier we know and trust and who are trained to handle inmate calls.

We have installed phone equipment in our facility specifically designed for inmate calls. Without the help of inmate phone service providers, we could not afford to provide this equipment. BPP would eliminate the revenue that finances our inmate phones and we would not have the inmate phone service providers to assist us. Our inmates would be devastated, tension would increase, and our staff would have more problems without inmate phones.

I am very sensitive to the rates families pay for inmate calls. I believe the solution would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. I want to keep rates fair and reasonable.

BPP would hinder security and administrative measures at our facility. It would reduce inmate phone availability and cause more problems for our staff. I am very much opposed to Billed Party Preference!

Sincerely,

Roger G. Altena, Sheriff
 Newaygo County

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**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

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

RECEIVED

AUG 22 1994

FCC MAIL ROOM

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

DOCKET FILE COPY ORIGINAL

Honorable Barret:

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,

A handwritten signature in black ink that reads 'Tom McIntyre'.

Tom McIntyre, Sheriff
Saginaw County

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**ST. JOSEPH COUNTY
SHERIFF'S DEPARTMENT**

MATTHEW J. LORI
Sheriff

P.O. Box 339
Centreville, MI 49032-0339
Telephone (616) 467-9045
Fax (616) 467-4009

Dennis J. Allen, Undersheriff
Jim Barnes, Captain

August 12, 1994

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AUG 22 1994

FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

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

Dear Chairman Barret:

This letter is written in reference to Bill Party Preference Docket Number 92-77.

This correctional facility, as well as most others, is opposed to the application of Bill Party Preference at facilities such as ours.

After many years of having considerable problems with inmates and telephone usage, a solution has recently risen to eliminate most of the problems we had experienced. The equipment designed and installed for inmate telephone calls has been carefully researched and proven. Safety and security is increased dramatically with these new systems. The new systems allow each cell in our facility to have their own phone, thus making communications available to any inmate almost 24 hours a day.

This new service also allows counties like St. Joseph to re-coop a percentage of inmate calls billed. This collected money is an important source of revenue for all concerned.

We appreciate the FCC's concern for protecting individuals from abusive rates, however, since the implementation of our system we have had two complaints concerning excessive charges. In both instances, the company who we have a contract with made adjustments to the satisfaction of the complaining individual.

I believe the Bill Party Preference will take away important security measures, which facilities have gained over the past few years. Efficiency of staff would also be reduced. Please do not adopt these regulations and interfere with our administrative and security decision making abilities.

Respectfully submitted,

Matthew J. Lori
Sheriff

No. of Copies rec'd 0
SIAB CDE



FORSYTH COUNTY DETENTION CENTER



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AUG 22 1994

FCC MAIL ROOM

August 10, 1994

Ron Barker
SHERIFF

Michael Schweitzer
DIRECTOR OF CORRECTIONS

Garland Wallace
DETENTION CENTER COMMANDER

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

DOCKET FILE COPY ORIGINAL

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

Dear Honorable Judge 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.

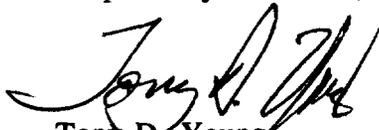
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Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution 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 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 black ink, appearing to read 'Tony D. Young', written in a cursive style.

Tony D. Young

Business Manager

Forsyth County Detention Center

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

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AUG 22 1994

FCC MAIL ROOM

LT. HENRY I. GALLUP
Law Enforcement Operations

LT. IVAN G. DEERING
Detective Bureau

LT. KENNETH R. GRIFFIS
Jail Administrator

August 8, 1994

DOCKET FILE COPY ORIGINAL

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

Re: Billed Party Preference, CC Docket No. 94-77

Dear Chairman Barret:

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 find 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,
Sheriff Livingston County

DDH/ajs

Milwaukee County Sheriff's Department

821 West State Street
Milwaukee, Wisconsin 53233
Phone (414) 278-4766

Richard E. Artison
Sheriff

August 9, 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:

We strongly oppose the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed security and administrative needs at our facility and have found it necessary to route inmate calls from our facility through a single carrier 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 telephone calls.

We have also found it necessary to install phone equipment specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given constant budgetary constraints, we cannot afford to provide this equipment without the help of our inmate phone service provider. BPP would eliminate the revenue stream that finances our inmate phones and would put the financial burden of maintaining the inmate phone system on the County taxpayers. Should this occur, our phone service would be substantially cut back. Without inmate phones, the morale of our inmates will decrease and the resulting tension will make managing the inmates more difficult for our staff.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern for protecting inmate families from abusive rates. We do not agree with the FCC that the solution is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and 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.

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AUG 22 1994

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Milwaukee County Sheriff's Department

821 West State Street
Milwaukee, Wisconsin 53233
Phone (414) 278-4766

Richard E. Artison
Sheriff

Page Two

Honorable Reed E. Hundt, Chairman

In short, BPP will:

- **severely curtail our ability to maintain facility security.**
- **restrict our ability to provide and control inmate telephones.**
- **reduce our ability to protect the public from unwanted inmate telephone calls and increased criminal activity.**

We urge you, DO NOT ADOPT regulations which will interfere with our primary public responsibilities- jail security and crime prevention.

Respectfully submitted,



William W. Trapp, Acting Facility Administrator
Milwaukee County Jail & Criminal Justice Facility
949 N. 9th Street, Milwaukee, WI 53233

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



Isabella County Sheriff's Department

Sheriff Barry L. DeLau
207 Court Street • Mt. Pleasant, MI 48858 • (517) 772-5911

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August 8, 1994

AUG 22 1994

FCC MAIL ROOM

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

Re: CC Docket #92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

Isabella County is opposed to the application of Billed Party Preference at inmate facilities.

Isabella County has recently reviewed and analyzed the security and administration needs at our facility and 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 contractual relationship. We cannot allow prisoners to have open access to the telecommunications network and the freedom to use any carrier they please. Billed Party Preference will take away our right to coordinate prison calls through a carrier we know and trust. In addition, the security and administrative decisions would be at the carriers discretion rather than the Sheriff departments. Instead, prison 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.

Isabella County has also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment prevents fraud, abusive calls, and other criminal activity. Without the ability to contract with a single carrier, the burden of providing this equipment would fall back on the county. Isabella County is not prepared to finance this added burden. In addition, inmates are mentally and emotionally dependant on the availability of the phone system. Without a contractual agreement this equipment would be difficult to service and repair thus causing emotional and mental strain on the inmate population.

We are concerned with the rates families pay for inmate calls, and have spent considerable time researching and locating a provider that protects inmates from abusive or unfair rates and

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Honorable Reed E. Hundt
August 8, 1994
Page 2

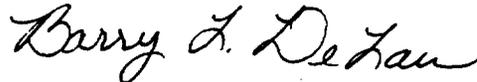
billing. We agree with the FCC that rate ceilings are necessary and would support actions to adopt rate ceilings to be enforced through individual department service provider contract negotiations.

We are regulated by Mid-Michigan Public Service Commission and our rates are defined by that governmental overseer. Therefore, we do not see any need for the added restrictions.

Isabella County is committed to providing inmate phone service that is beneficial to the inmate as well as providing the necessary security measures necessary in this type of facility. Therefore, Isabella County respectfully requests that the FCC reconsider the Billed Party Preference with regard to the need for administrative and security decisions that are required in this type of facility.

Thank you for your consideration in this matter.

Respectfully submitted,



Barry L. DeLau
Sheriff

c: Honorable James H. Quello
Honorable Andrew C. Barret
Honorable Rachelle B. Chong
Honorable Susan Ness
Senator Joann Emmons
Representative James McBride
Michigan Sheriff's Association



SHERIFF JOHN A. GRABOWSKI

P.O. BOX 70, 870 S. MAIN, CHEBOYGAN, MICHIGAN 49721

PH. 616-627-3155
FAX: 616-627-8880

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AUG 22 1994

FCC MAIL ROOM

August 11, 1994

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

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

Dear Chairman Hundt:

This correctional facility is 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 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. Instead, prison 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 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 phone, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our prisoners will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

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FCC MAIL ROOM

August 11, 1994
Federal Communication Commission Page -2

Furthermore we are sensitive to the rates families pay for inmate calls. We fully appreciate the FCC's concern if Sheriff's 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 Sheriff's 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. Please do 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,



Sheriff John A. Grabowski
Cheboygan County
870 S. Main St.
Cheboygan, MI 49721

JAG:pr



GEORGIA DEPARTMENT OF CORRECTIONS
2 Martin Luther King Jr. Dr., SE, East Tower, 7th Floor
Atlanta, Georgia 30334-4900

Information (404) 656-4593

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Allen L. Ault, Ed.D
COMMISSIONER

July 29, 1994

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AUG 22 1994

FCC MAIL ROOM

The Honorable Rachelle B. Chong
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:

The Georgia Department of Corrections opposes the application of Billed Party Preference (BPP) at inmate facilities.

We have reviewed the security and administrative needs at our correctional facilities as it relates to inmate phone usage. We have found it to be more cost effective to route inmate calls from our facilities to a single carrier equipped to handle inmate calls. Also, it would be a security risk to allow inmates to have open access to the telecommunications network and the freedom to use any carrier they select.

We have also found it necessary to install phone equipment specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. The revenue generated by the inmates' phone helps to provide the resources for our educational, mental health and recreational programs.

In short, BPP would take away our ability to employ important security and administrative measures that we have found necessary at our facilities. Please do not adopt regulations that interfere with our administrative and security decisions.

Sincerely,

Allen L. Ault, Ph.D. Ed.
Commissioner
Georgia Department of Corrections

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

Sheriff Department



HEADQUARTERS

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

SANTA BARBARA COUNTY

July 22, 1994

JIM THOMAS
Sheriff-Coroner

DAVE DORSEY
Senior Chief Deputy

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AUG 22 1994

FCC MAIL ROOM

STATIONS

BUELLTON

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

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

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

CARPINTERIA

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

Dear Commissioner Barrett:

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.

LOMPOC

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

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.

NEW CUYAMA

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

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.

SANTA MARIA

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

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.

SOLVANG

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

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.

MAIN JAIL

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

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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.

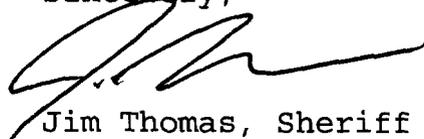
Telephone revenue helps provide programs in literacy and GED, job training, substance abuse, family counseling, and English as a Second Language. The funds are also used to provide chaplains, religious services, bibles and other reading materials. We have built classrooms, libraries, law libraries and 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



Barry County Sheriffs' Department

1212 WEST STATE STREET • HASTINGS, MICHIGAN 49058

August 9, 1994

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AUG 22 1994

DAVID O. WOOD
SHERIFF
JAMES R. ORR
UNDERSHERIFF

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

FCC MAIL ROOM

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

Dear Chairman Hundt:

As Sheriff of Barry County, Michigan I am writing in opposition of the application of Billed Party Preference (BPP) in inmate facilities, one of which I am responsible for.

This facility is presently under contract with a single carrier that not only provides equipment and a percentage rate to the county for the use of the phones by inmates, but even more importantly controls the security of phone access. All this would be lost if BPP were to take effect.

The operation of a jail such as ours in a small community represents a drain on local tax dollars. To purchase phone equipment to the extent that we now provide without the private carrier would be impossible. It would mean returning to one or two instruments for an average of 55 inmates per day, all needing some type of access to a phone for personal business, court business and conferring with counsel. Correction Officers would be spending an unreasonable amount of time moving inmates to phone areas, screening calls and attempting to recoup expenses incurred by the inmate calls.

Revenues would be lost, that is now a part of defraying the tremendous cost of operating a jail.

Control over the types and destination of calls would be lost. Inmates would be able to make harassing calls that are now controlled through the present system.

As Sheriff I am concerned with the protection of the public from inmates that would misuse a system without controls while at the same time concerned with the protection of the inmates rights. The present system meets these concerns. BPP would strip us of our ability to maintain a proper balance between inmates rights

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and the public rights.

Therefore, I ask that BPP not be applied to inmate facilities. I believe that Sheriff's have prove that they are capable of managing their facilities in the best interest of their communities when given proper tools and authority. BPP would remove one of the tools they have to control their facility.

Respectfully submitted

David O. Wood

David O. Wood, Sheriff of Barry County
Barry County Jail
1212 W. State St.
Hastings, MI 49058

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

Sheriff James G. (Jim) Murphy
President
Newport, Vermont

Charles B. Meeks
Executive Director
Alexandria, Virginia

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NATIONAL SHERIFFS' ASSOCIATION

1450 DUKE STREET · ALEXANDRIA, VIRGINIA 22314-3490
Telephone 703-836-7827
FAX 703-683-6541

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FCC MAIL ROOM

August 15, 1994

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Springfield, Missouri

Sheriff Don Hathaway
2nd Vice President
Shreveport, Louisiana

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3rd Vice President
Poughkeepsie, New York

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Richard M. Weintraub
NSA General Counsel
Washington, D.C.

Mary T. Ross
NSA Corporate Representative
Columbus, Ohio

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

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

Dear Commissioner Barrett:

The National Sheriffs' Association has over 21,000 members nationwide. Our membership is comprised of public officials who are responsible for crime control and prevention at the county level. Sheriffs process thousands of arrests on any given day, and are responsible for detaining in our jails thousands of inmates nationwide.

We are writing to inform you that we are deeply troubled over the FCC's billed party preference (BPP) proposal. We believe that BPP would threaten our ability to provide telephone equipment specifically for inmate use.

A large number of our members' jail facilities are located in rural areas of the country. These facilities often fall within the service territory of small, independent telephone companies, as well as Bell systems that include rural areas. Many of our members can attest to the fact that the telephone companies servicing their facilities do not currently offer inmate phone equipment. That equipment is currently provided by the private inmate phone provider industry.

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*Member of the
Executive Committee

Chairman Hundt
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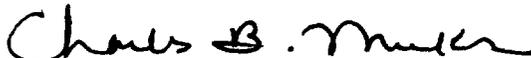
It should be no secret that BPP will destroy the private inmate phone provider industry. Our sheriffs could not afford to purchase this equipment out of their general budgets. Why should taxpayers fund inmate telephone systems?

We think the adverse impact that BPP will have on inmate calling is clear. Our sheriffs will be forced to control inmate calling through the methods we used before private competition (i.e. by strictly limiting calling times and by requiring continuous supervision of inmate calls by a deputy.

We believe the majority of sheriffs are sensitive to the rates families pay for inmate calls. If the FCC is concerned that there are certain providers that are nevertheless charging unreasonable rates, the FCC should use its enforcement powers to directly regulate the rates of those providers. Firm rate guidance by the FCC would provide a legal benchmark for sheriffs to use in enforcing rate compliance.

The National Sheriffs' Association endorses fair and reasonable rates for inmate calls and would expect all sheriffs to require service providers to adhere to FCC rate guidelines. It would be entirely counterproductive, however, to attempt to regulate inmate calling rates through a proposal that will ultimately reduce inmate calling opportunities. On behalf of our membership, therefore, we must oppose BPP.

Sincerely,



Charles "Bud" Meeks
Executive Director

Mel Carnahan
Governor



State of Missouri
OFFICE OF ADMINISTRATION
Post Office Box 809
Jefferson City
65102
(314) 751-3290

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FCC MAIL ROOM

James A. Schutt, Director
Division of Data Processing
and Telecommunications

Richard A. Hanson
Commissioner

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August 17, 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M. Street, N. W.
Washington, D.C. 20554

Dear Mr. Caton:

The Missouri Division of Data Processing and Telecommunications, which is responsible for all state government activities in the field of telecommunications, has reviewed the position taken by the state of South Carolina with regards to FCC Billed Party Preference Proceedings CC Docket No. 92-77.

We support South Carolina's position in that Missouri also receives revenues from the interexchange carriers. These revenues are used to reduce the costs of providing telecommunications services to the state agencies. This in turn reduces the amount of general revenue required to provide these services and saves the state taxpayer money.

With over 16,000 inmates in state penal institutions, there is concern related to fraud and harassment if Billed Party Preference were implemented. The Department of Corrections is presently preparing to rebid their inmate calling system and is looking for more sophisticated monitoring and control. As we understand Billed Party Preference, this would not be possible.

Missouri State Telecommunications opposes the implementation of Billed Party Preference.

Sincerely,


Gail W. Wekenborg
Assistant Director

GW:sdb

cc: Ted L. Lightle

telecomc/57

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DOREEN M. HUBER
VICE PRESIDENT, OPERATIONS

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Mr. W. Canton
Acting Secretary
FCC
1919M St. NW
Washington, DC 20554
Docket #92-77

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August 8, 1994

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FCC MAIL ROOM

Dear Mr. Canton,

We are a small private payphone company (800 phones) that is presently experiencing 62% (800 number dial around) and 17% (10xxx dial around for a total of 79%) of all calls that we receive no compensation for (except for the \$6/month).

Our phones cost \$2000 installed (located, installed, etc.). The line charges are \$40/month and the long distance charges average another \$50/month for a fixed cost of \$90/month per phone.

We rely heavily on the operator service commissions to make a modest profit and a fair 12% return on our investment of \$2000/location.

BPP would take away another 17% thus leaving us with 96% "dial around" or put another way; the public would be using our equipment 96% of the time for free.

Would you let someone drive your car; 94% of the time for free????

This is a capitalistic country where companies make investments for a fair return on their investments. If there is not a fair return on that investment, then the investments will not be made. Or put another way, there will not be any payphones for the public to use because no one would make the investment!

Unless the FCC is willing to start putting up hundreds of thousands of payphones for the public to use for free, BPP would eliminate private payphones in this country!

Please scrap the idea of BPP, it would be devastating for the operator service industry (the public can already select which carrier to use with either an 800 or 10xxx number), destroy the private payphone industry and eliminate the availability of payphones for the public to use!

Yours truly,

Michael D. Stevens
President

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