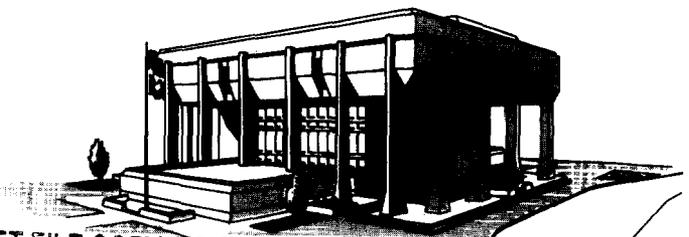


County Of Taylor

Abilene, Texas

JACK W. DIEKEN, Sheriff
450 Pecan Street
Abilene, Texas 79602-1692



DOCKET FILE COPY ORIGINAL

Phone Number
(915) 674-1300

September 1, 1994

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

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Dear Mr. Hundt and Members of the Commission:

This is my second response to your agency concerning Billed Party Preference (BPP). It is my understanding that the FCC has given indication that is favors BPP. I, again, request that you reconsider full implementation of BPP as it relates to correctional facilities including county jails.

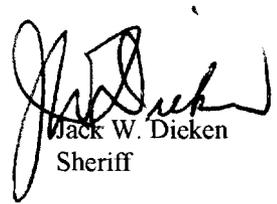
Attached is a copy of a letter dated August 30, 1994, to Senator Phil Gramm of Texas, voicing my concerns with BPP.

BPP supposedly will save consumers money. I cannot and will not take issue with cost saving measures for public consumers. My main concern rests with taking operational controls away from local jail administrators along with monetary commissions which are used by jail administration to purchase equipment and supplies for jails, thus saving tax payer dollars. The current system lets inmates pay for the privilege of using telephones while in jail. The current system allows local administrators the means to stop inmates from making unwanted calls from their jail cells. BPP will take these controls and revenues away from local administrators.

If you plan to approve BPP and its associated mandates, please allow exemptions for correctional facilities. Local controls are essential to safe jail operations. Please allow correctional facilities to continue using the current system which allows jail administrators to implement local controls and utilize commissions to make inmates pay for phone privileges and save tax payers the expense of providing this service. Money generated through commissions will be used to purchase supplies and equipment in jail facilities as in the past under the current system.

Please give this issue full consideration and allow local controls and revenue commissions in correctional facilities.

Sincerely,


Jack W. Dieken
Sheriff

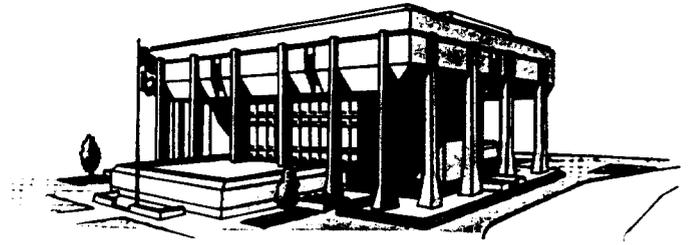
Enclosure

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County Of Taylor

Abilene, Texas

JACK W. DIEKEN, Sheriff
450 Pecan Street
Abilene, Texas 79602-1692



Phone Number
(915) 674-1300

August 30, 1994

Senator Phil Gramm
Rm. 370, Russell Bldg.
Washington, D.C. 20510

Dear Senator Gramm:

Thank you for your response to my letter stating problems, as I foresee them, relating to Billed Party Preference (BPP). I also appreciate your providing me with a copy of FCC's Further Notice of Proposed Rulemaking.

My first concern is use of the word "mandate" several times in the FCC document concerning BPP. Out here in West Texas excessive use of the "m-word" coupled with FEDERAL GOVERNMENT have become new common profanities. I just do not think the federal government has any business regulating business in Texas or any other state.

In paragraph 45, in the FCC Further Notice paper, proponents of BPP claim that fraudulent/unwanted calls from correctional institutions, which I perceive to include local and county jails, can be identified and prevented without local controls. They do not address identification of fraud perpetrators in multi-occupancy cells. They do not address how persons in jail would be prohibited from harassing victims, jurors, judges, prosecutors and others if local administrators are not given access to blocking such unwanted calls. Currently, if a person does not wish to receive calls from an inmate they can contact the jail administrator who will see that the requestor's phone number cannot be called by the inmate from his cell phone: even in multi-occupancy cells. Local controls are imperative in jail facilities. Mandates from the FCC do not afford local controls.

The monies generated in our current system through commissions save tax payers countless dollars. These commissions help pay for equipment and supplies for inmates which otherwise would have to be budgeted from tax revenues. In essence, inmates pay their own way through the money generated from telephone commissions. BPP would take commissions away from jails.

Proponents of BPP claim that money saved by users would more than offset the cost of conversion to BPP. I cannot object to cost savings anywhere. I would hope that an exemption or waiver could be written into BPP to leave local control of jail telephones with jail administrators and permit the continued use of commissions to make inmates pay for phone privileges.

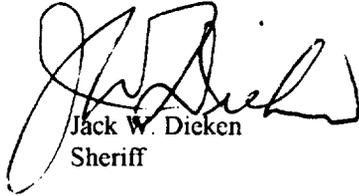
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Senator Phil Gramm
August 30, 1994
Page 2

The FCC has a job to do as it concerns interstate commerce. But, there is no place for FCC and associated mandates at the local level, at least in Abilene, Texas.

Thank you for the fine job you are doing in behalf of good conservative legislation. You are representing Texas well.

Sincerely,



Jack W. Dicken
Sheriff

RECEIVED

SEP 6 1994

FCC MAIL ROOM

August 30, 1994

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

DOCKET FILE COPY ORIGINAL

Re: CC Docket #92-77

Dear Chairman Hundt:

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

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

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

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

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

Sincerely,



Lyle E. Minnick
Ringgold County Sheriff
Mount Ayr, IA
515/464-0624

LEM/sjh

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