

CC 92-77

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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IN REPLY REFER TO:

November 18, 1994

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Norman Sisisky  
Member, U.S. House of Representatives  
43 Rives Road  
Petersburg, Virginia 23805

Dear Congressman Sisisky:

Thank you for your letter on behalf of John W. Jones, Executive Director of Virginia Sheriffs' Association, Richmond, Virginia, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost. Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Norman Sisisky  
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kathleen M.H. Wallman".

Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures

NORMAN SISISKY  
4TH DISTRICT VIRGINIA

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2352 RAYBURN BUILDING  
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House of Representatives  
Washington, DC 20515-4604

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September 14, 1994

Ms. Lauren Belvin  
Acting Director  
Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

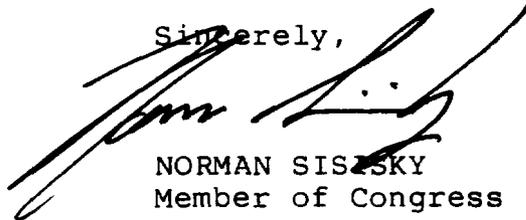
Dear Ms. Belvin:

This is in reference to my earlier inquiry regarding John W. Jones, Executive Director of Virginia Sheriffs' Association, Richmond, Virginia 23236.

To date, I have not received a final written reply to this inquiry. Please provide me with a status report on this matter as soon as possible.

**Please address all responses to my office at 43 Rives / Road. Thank you for your cooperation.**

Sincerely,



NORMAN SISISKY  
Member of Congress

NS: rfp

enclosure

August 8, 1994

Ms. Lauren Belvin  
Acting Director  
Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Ms. Belvin:

I have enclosed a copy of the correspondence I have received from John W. Jones, Executive Director of Virginia Sheriffs' Association, Richmond, Virginia 23236.

Please examine the contents and answer the questions raised.

Please respond to me at 43 Rives Road, Petersburg, Virginia 23805. Thank you for your cooperation.

Sincerely,

NORMAN SISISKY  
Member of Congress

NS; rfp

enclosure



# Virginia Sheriffs' Association

9507 HULL STREET ROAD · SUITE D · RICHMOND, VIRGINIA 23236  
(804) 745-3720 FAX (804) 745-2292

August 4, 1994

AUG 08 1994

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The Honorable Norman Sisisky  
Fourth District  
43 Rives Road  
Petersburg, VA 23805

Reference: Billed Party Preference

Dear Congressman Sisisky:

I have received numerous copies of communications from sheriffs and other corrections professionals relating to the issue of Billed Party Preference (BPP) for inmate telephones. As I can understand it, the Federal Communications Commission is considering passing rules that would make it possible for inmates in local jails to choose the carrier they want. I believe that BPP would eliminate all inmate service phone commissions to local jails and the fraud control features currently provided by inmate phone services. Accordingly, this would result in reduced funding for local jails and an increase in harassment calls made to judges, witness, jury members and victims. This association has previously voiced its opposition to this changed policy.

The phone systems sheriff's offices use in local jails do not require deputy sheriffs staff time to supervise the inmates using the phone. Substantial funds are saved by state and local governments with the present phone systems. I hope you will assist me in convincing the Federal Communications Commission that careful consideration must be given to any changes made to inmate telephones.

For your information, I have provided a copy of letter Sheriff Frank Drew of Virginia Beach, has written to the Honorable Reed E. Hundt, of the Federal Communications Commission. The issues raised by Sheriff Drew are issues experienced statewide by Virginia sheriffs with inmate telephone systems.

Thanking you in advance for your assistance.

Sincerely,

John W. Jones  
Executive Director

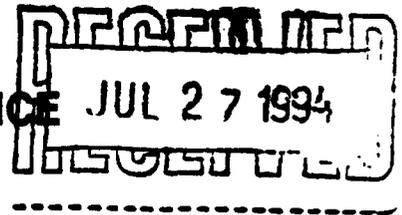
JWJ/slg

Enclosure

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VIRGINIA BEACH SHERIFF'S OFFICE



FRANK DREW  
Sheriff

JOSEPH P. VITALE  
Undersheriff

2501 JAMES MADISON BLVD.  
P. O. BOX 6098  
VIRGINIA BEACH, VA 23456-9073  
PHONE (804) 427-4555  
FAX (804) 427-2606

July 22, 1994

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 Mr. Hundt:

I would like to take this opportunity to voice my opposition to Billed Party Preference (BPP) for inmate telephones. BPP will eliminate all inmate phone service commissions and the fraud control features currently provided by our inmate phone service. The mere thought that as a jail administrator, I would not be able to control how inmate calls are routed, is appalling. The thought that an inmate could harass judges, witnesses, jury members or victims is an atrocity.

In the Virginia Beach Correctional Center, I have on site maintenance assigned to keep the inmate telephones in operating condition at all times. This prevents the delay of inmates making their telephone calls to family members, clergy, attorneys or friends. We have no down time on this service to our inmates, a statement I am sure I would not be able to make if service was as proposed by BPP. I oppose any federal interference with a Sheriff's ability to manage and control the inmates' calling.

In these days of budget cut-backs and financial constraints, it would be impossible for me to operate this facility as it is currently being operated, without funds generated by the inmate phone system. Recreation equipment, library books, educational and religious programs would also suffer. The revenue-sharing arrangements with our inmate phone provider have been an innovative

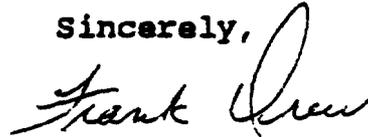
and effective means of financing important inmate needs. At a time of fiscal crisis in government, the FCC should not be cutting off a critical source of revenue that is used to benefit the inmates of this facility.

The rates provided by my inmate phone provider are reasonable. No complaints have been received in regard to the fees associated with our current system.

In closing, I believe that the responsibility for ensuring that the provider charges reasonable rates lies with facility administrators, who are in the best position to evaluate the circumstances of particular facilities. I have never known of a case where a problem was solved by adding another level of bureaucracy.

Thank you for your consideration and I would gladly show you through a facility where the present inmate telephone system works for the inmates.

Sincerely,



Frank Drew

CC: The Honorable James H. Quello  
The Honorable Andrew C. Barrett  
The Honorable Rachelle B. Chong  
The Honorable Susan Ness  
The Honorable Charles R. Robb  
The Honorable Owen Pickett  
Mr. John Jones ✓  
The Honorable James Dunning