



September 25, 2014

VIA ECFS

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Stephanie A. Joyce**

Attorney  
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Re: WC Docket No. 12-375, Response to Ex Parte Filing

Dear Ms. Dortch:

Securus Technologies, Inc. (“Securus”), through counsel, responds to the letter from the Human Rights Defense Center (“HRDC”) posted September 22, 2014 (“HRDC Letter”). The HRDC Letter appends several news articles dated from February 10, 2014, to September 8, 2014. Many of them contain factual errors or misleading statements that warrant clarification in order that the record in this proceeding is accurate.

Securus addresses the news articles in the order in which they appear in the HRDC Letter.

- “In Prisons, Sky-High Phone Rates and Money Transfer Fees,” N.Y. Times (June 26, 2014) – This article mentions “dozens of lawsuits” against Inmate Calling Services (“ICS”) providers, including Securus. Securus had not been served with any lawsuit prior to the article’s publication, and has since been served with one complaint that was filed in August 2014. The article also mentions Securus in discussing a practice whereby released inmates do not receive cash refunds of any remaining balance in their prepaid calling account, but rather are given prepaid calling cards. Securus does not use this practice. Amounts remaining in prepaid accounts are refunded in cash or, if the facility’s commissary is not equipped for such refunds, at a Western Union office (no fees applied). Securus does not convert the inmate’s account into a prepaid calling card.
- “Collect Calls from Sedgwick County Jail Inmates Will Cost Less, Make the County More Money,” Wichita Eagle (Apr. 26, 2014) – This article is not correct regarding Securus’s rates. The rates that Securus applies, and which were approved by Sedgwick County, are: Local and In-State Long Distance, \$1.50 plus \$0.10 per minute; Interstate Long Distance, \$0.21 per minute for debit calls and \$0.25 for collect calls in compliance

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with the *Inmate Rate Order*.<sup>1</sup> The article also mentions site commissions. Securus wishes to make clear that no site commissions are paid on interstate calls, also in accordance with the *Inmate Rate Order*. Finally, the article states that Securus would start providing video visitation service to inmates at Sedgwick County Jail “in July or August.” Video visitation service became available at Sedgwick County’s two facilities on August 25 and 27, 2014, respectively.

- “Prison Phones Ignite PSC Board Squabble,” Baton Rouge Advocate (Mar. 13, 2014) – This article regards proceedings before the Louisiana Public Service Commission (“LA PSC”). It states that Securus made an offer of settlement to resolve “similar claims”. Securus wishes to make clear that the “similar claims” were simply that Securus allegedly had charged unauthorized fees; all of those fees had been timely tariffed with the LA PSC. Securus participated fully in the LA PSC proceeding regarding those fees and awaits decision. The proceeding concluded, with initial briefing completed, on August 8, 2014. City TeleCoin, an ICS provider also discussed in this article, likewise participated fully in the LA PSC’s investigation of its alleged unauthorized fees. On July 25, 2014, an LA PSC Administrative Law Judge issued a Recommended Decision that all claims against City TeleCoin be dismissed.

The LA PSC considers all offers of settlement confidential, as indeed they are treated so under state and federal evidentiary rules. They are not admissions of liability. Regrettably, settlement information regarding these two companies somehow was given to a reporter. Securus does not know how that error occurred.

- “Prison Phone Company Whines, WE MISS YOU!,” Truth-out.Org (posted Feb. 18, 2014) – This Op-Ed regards ICS services at prisons operated by the Illinois Department of Corrections (“IL DOC”). More specifically, it discusses the site commissions that the IL DOC receives on inmate telephone calls. These site commissions, as a matter of state policy, were made a condition precedent for any ICS provider that responded to the IL DOC Request for Proposals. The record should be clear that ICS providers had no option to avoid paying site commissions if they wanted to serve IL DOC inmates. In addition, as the ICS provider presently serving the IL DOC, Securus wishes to make clear that it is not paying site commissions to the IL DOC on interstate calls.

Please do not hesitate to contact me with any questions: 202.857.6081.

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<sup>1</sup> WC Docket No. 12-375, Report and Order and Further Notice of Proposed Rulemaking, FCC 13-113 (rel. Sept. 26, 2013), published at 78 Fed. Reg. 67956 (Nov. 13, 2014) (“*Inmate Rate Order*”) (adopting 47 C.F.R. § 64.6030).

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Sincerely,

s/Stephanie A. Joyce

*Counsel to Securus Technologies, Inc.*

Cc: Commissioner Mignon Clyburn  
Rebekah Goodheart, Legal Advisor to Commissioner Clyburn  
Pamela Arluk, Acting Chief, Pricing Policy Division, Wireline Competition Bureau  
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*Via Electronic Mail*