

December 29, 2014

FCC Headquarters
445 12th Street. SW, Room TW-A325
Washington, DC 20554

Re: WC Docket 12-375

I am a mother who lives in Michigan who has a son in a Michigan prison. There are several things about the phone service that is not competitive, fair, or helpful to families.

Competition – People making phone calls to prisoners have no choice as to which phone company to use. A company is awarded a contract by the state. There is some competition in obtaining this contract, but the criterion is to save the state money, not to provide better or cheaper service. In Michigan three years ago the Department of Corrections switched telephone companies from Correctional Billing to PCS (now GTL) along with a 250% increase in telephone rates to the users. GTL was chosen, because GTL agreed to give Michigan 30% of its income as a kickback. Competition could be good if it was the kind of competition where each prisoner, family, or friend could choose from among several or more phone companies which one they wanted to use.

Historically Michigan prison phone users and allies were able to get prisoner phone charges reduced with grass roots, political pressure. The rates used to be even higher. In the jails I believe they still are high. At least Washtenaw County Jail where my son was eight years ago had rates that were about \$8 for a fifteen minute call, the maximum time allowed. However, there wasn't much benefit for making a short phone call, because there was a high charge for the first minute.

Unfair charges

1. GTL “dissolves”, i.e. takes, all the money in a user's account if no phone call is made using that account for 90 days. These accounts are setup by people who have cell phones. They prepay to be able to receive phone calls from someone in prison. The person who puts the money in these accounts cannot control when a prisoner will call them. Therefore, it is wrong to penalize them by taking their money¹. Sometimes a prisoner is being sanctioned and is not allowed to make phone calls. It is also difficult to keep track of the 90 days. When you receive a phone call, a recorded message tells you your balance, but not the number of days since the last phone call. You don't receive any written statements, and you don't receive any notification when they take your money. Eventually, you may find out because you write the prisoner, asking why he hasn't called. Then he will write back to say he has, but the phone call wouldn't go through. I don't think the prisoner can tell why the phone call didn't go through: was it refused by the recipient, did the money run out, or was the account “dissolved”? Then there's the time and money to get an account established again. All this makes it difficult to communicate.
2. There is a \$5 charge for returning any unused money in these accounts. Of course, you want to keep money in the account up until the very end of the prisoner's stay. Something might happen to delay his release, and you need to know that. You also may need to coordinate where you are going to meet. Once the prisoner is out, there's no way to use up the remaining money. The phone call must be made from prison. So, you can pretty much guarantee that you are either going to have this \$5 charge, or, if the balance in the account is less than \$5, then you are going to let the phone company have the balance.

1 It seems that recently they have added a clause to define inactive accounts. Now, an account is considered inactive if it has not receive any calls for 90 days and has not received any deposits. Previously, when I asked if deposits counted as activity, they told me “no”. So, now the owner of the account has a little control. He or she can add more money if they are nearing 90 days without a call.