

# PASSAIC COUNTY SHERIFF'S OFFICE

*Sheriff Richard H. Berdnik*

Undersheriff Joseph C. Dennis  
Undersheriff Mario Recinos  
Undersheriff Leonard Lovely

Warden Michael Tolerico, CPM, CJM  
Chief William McCrary  
Chief Serafino Caporuscio



EX PARTE OR LATE FILED

April 9, 2015

Received & inspected  
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FCC Mail Room

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Room TW-A325  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

**Re: *Ex Parte* Communication  
WC Docket No. 12-375; Inmate Calling Services**

Dear Ms. Dortch:

The Passaic County Sheriff's Office hereby files an *ex parte* communication in connection with the above-referenced proceeding. The Passaic County Sheriff's Office supports the comments and reply comments filed by the National Sheriffs' Association in this proceeding. The purpose of this filing is to submit additional information specific to this office in support of NSA's position that Sheriffs must be allowed to recover their costs if ICS services are to continue to be widely available in jails.

Inmate calling is a discretionary service in our jail(s) and it is allowed for the benefit of inmates and their families. If we are not permitted to recover the costs associated with the provision of ICS service, then we can and we may be forced to significantly limit or eliminate altogether access to inmate phones in our jail(s). Currently, we have the incentive to allow significant access to ICS service and inmates are able to make calls over 15 hours per day. Denying payments to jails or restricting such payments to levels that do not at least cover our costs, will have the effect of reducing the incentive and ability to continue to allow ICS in this manner.

Our budget has been significantly cut in recent years and we anticipate further budget cuts this year. In addition to security and administrative functions that must be maintained, our facility also provides numerous programs for inmates that are above and beyond what are required by law and are a direct benefit to the inmates well-being while incarcerated and after release. If the cost of allowing ICS must compete with all other budget needs, many of those programs may no longer be funded. However, if the cost of allowing ICS has its own source of funding, these programs are less likely to be impacted by the budget process.

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Accordingly, Sheriffs incur significant costs in allowing ICS in jails and Sheriffs must be allowed to recover their costs to be able to continue to allow ICS and to encourage the deployment of ICS in jails.

If you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

  
Richard H. Berdnik  
Sheriff