



....AJAlert
October 2, 2015

FCC proposed tiered ICS rates for jails; commissions allowed

Yesterday, the Federal Communications Commission outlined its intent to move forward with Inmate Calling Services (ICS) reform, capping rates and limiting or banning fees on calls. The vote will take place at the Commission's October 22 Open Meeting.



[Click here for a 'Fact Sheet' explaining the Commission's intended key reforms.](#) The major proposals in front of the FCC commissioners are:

- ? Rate for all prisons of 11 cents a minute
- ? Tiered rate for jails depending on size of the jails with rates for debit or prepaid calls as follows:
 - o 14 cents a minute for jails with more than 1000 inmates
 - o 16 cents a minute for Jails with 350 to 999.
 - o 22 cents a minute for jails with up to 349 inmates.
 - o The rate for collect calls will be at 49 cents, regardless of the size of the jail.
- ? Rates are for Interstate and Intrastate calls
- ? Site commissions are "discouraged" but not restricted if such payments by ICS providers fit within the rate caps. This is a 180 degree reversal of where we began our discussions with the FCC on the ICS issue. We believe the FCC now better understands the need for facilities to recoup some costs directly related to ICS in jails.
- ? The transition period for the rates will be 90 days from when the order goes into effect. We had advocated for two budget cycles to allow agencies to adjust budgets accordingly. However, the FCC felt that because commissions will be allowed, the impact on budgets would not be adversely affected.
 - ? The elimination or caps on ancillary service charges.



AJA Executive Director Robert J. Kasabian spoke with Commissioner Clyburn's chief legal counsel yesterday about how the FCC arrived at the rates that are being proposed. We were told that the proposed rates were devised as a result of cost data submitted by the ICS providers.

While the advocates have already indicated their displeasure with the rate structure, they were pushing for rates of 4 and 5 cents a minute, we feel that the FCC moved in a

direction that was favorable for jails.

The person we spoke with at the FCC said that without the input of AJA on this issue, the order likely would look a lot different. For that we are grateful to all AJA members that have worked with us in getting the FCC to understand the complexity of ICS and the implications it has on local corrections.

In our filings with the FCC, we urged the agency to consider a tiered rate structure, separating jails from prisons in rate consideration, allowing for cost recovery or commissions, and a phase in period of two years. Transition period aside, we are pleased that the FCC heard our concerns and acted accordingly.

We urge you to comment to the FCC on this proposal by October 14 for your concerns to be reflected when the commissioners vote later this month. You can comment online at <http://apps.fcc.gov/ecfs/proceeding/view?name=12-375>. Or, feel free to contact AJA with your comments. Email Executive Director Kasabian at robert@aja.org.

Looking ahead, the FCC is also seeking a Third Further Notice of Proposed Rulemaking. Among the points to be considered will be video visitation and other advanced inmate communications services.

We will continue to follow the ICS issue as it evolves and keep our membership informed.

Contact: **Steve Custer, Director of Communications**
1135 Professional Court, Hagerstown, MD
21740
stevec@aja.org | 301.790.3930 x13

