

Richard A. Smith
Chief Executive Officer



November 20, 2015

Hon. Greg Walden, Chair
Hon. Anna Eshoo, Ranking Member
Subcommittee on Communications and Technology
Committee on Energy and Commerce
United States House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

Dear Reps. Walden and Eshoo:

As CEO of Securus Technologies, Inc., one of the Nation's leading providers of inmate telephone service to Federal and State correctional facilities, I am writing to comment on the testimony given to your Subcommittee on November 17, 2015 by Commissioner Mignon Clyburn of the FCC.

In her written testimony, Commissioner Clyburn discussed the FCC's recent rulemaking order affecting inmate calling services. In a passage decrying the cost of phone calls to families and friends of prisoners, she said, "One example of this is a teenager from New Mexico who told the story of her family's sacrifice to stay in touch with her incarcerated father: They have spent *more than \$28,000* to date to have a mere *five minute per week* conversation." (Testimony of Mignon L. Clyburn, Commissioner, Nov. 17, 2015, page 4, emphasis supplied.)

Securus Technologies is the provider of inmate calling services to the New Mexico Department of Corrections, and our rate under this contract is \$0.054 per minute. Assuming that the incarcerated father in Commissioner Clyburn's anecdote is imprisoned in a State-operated long-term correctional facility, he would have to have been in prison for **1,994 years** to have incurred a bill of \$28,000 at a rate of five minutes per week. (Five minutes times 52 weeks times \$0.054 yields a total expenditure of \$14.04 per year.)

Unfortunately, this is not the first time the FCC has made sensational accusations against the inmate calling services industry without factual basis. In a press release accompanying the order released on October 22, 2015, the FCC claimed that rates for inmate calls

"sometimes balloon[ed] to \$14.00 per minute[.]" If anyone ever paid that much for a one-minute call, it was an extremely unusual occurrence. The FCC is well aware that Securus' average rate, across all types of correctional facilities Nationwide, is approximately \$0.21, not \$14.00.

I respect Commissioner Clyburn's efforts to make it easier for inmates to maintain strong relationships with their families and friends. That is what our business is all about. But the FCC would make better policy if it made decisions based on facts instead of unconfirmed anecdotes. And it would be more honest to use verifiable facts in its press releases and other public statements instead of presenting distorted, sensationalized snippets to grab headlines.

I request that you include this letter in the record of your November 17 oversight hearing. Please do not hesitate to reach out to me if you or your staff would like more information about the inmate calling services business.

Sincerely,



Richard A. Smith
Chief Executive Officer
Securus Technologies, Inc.

cc: All Members of the Subcommittee on Communications and Technology
Chairman and Commissioners of the Federal Communications Commission