

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
Rates for Interstate Inmate Calling Services) WC Docket No. 12-375
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)

COMMENTS OF VERIZON¹

When the Commission reformed inmate calling service (ICS) last year, it took several important steps to ease the burden on families seeking to maintain supportive relationships with their incarcerated loved ones. In addition to reducing what were exorbitant ICS rates, the Commission made ICS more accessible to inmates with communication disabilities by discounting the rates for ICS calls made using text telephones, or “TTY” devices. At the same time, the Commission noted that video communication—which is particularly useful for people with communication disabilities—has become another way for inmates to communicate with the outside world.² To ensure video communication does not become encumbered by the pricing and accessibility issues that had plagued ICS, the Commission in response to the *Second ICS Order and Third NPRM* should adopt policies that promote reasonably priced video communication for inmates, including videophones operated by a video relay service provider.

As the Commission has found, inmates who maintain contact with their families while in prison have a better chance of successfully transitioning back into society once released.³ So to

¹ The Verizon companies participating in this filing (Verizon) are the regulated, wholly-owned subsidiaries of Verizon Communications Inc.

² See, e.g., *Interstate Inmate Calling Services*, Second Report and Order and Third Further Notice of Proposed Rulemaking, 30 FCC Rcd 12763, ¶ 297 (2015) (“*Second ICS Order and Third NPRM*”).

³ *Id.*, ¶ 4.

the extent video communication provides a secure method of communications that facilitates meaningful contact between inmates and their loved ones, the Commission should encourage it.

For video communication to successfully facilitate those contacts with the outside world, however, it must be economical for inmates and their families. The Commission correctly found that the ICS market had been “a prime example of market failure” that was “characterized by increasing rates, with no competitive pressures to reduce rates.”⁴ The Commission took steps to remedy that situation in the *Second ICS Order and Third NPRM*, but it should not allow the high rates that were characteristic of ICS before the *Second ICS Order and Third NPRM* to return through video communication and other services that newer technologies may enable.⁵

The Commission in the *Second ICS Order and Third NPRM* strongly encouraged correctional facilities to provide advanced communications like videophones to inmates with communication disabilities.⁶ Access to videophones operated by a video relay service provider certified by the Commission and funded by the Telecommunications Relay Services (TRS) Fund would ensure accessibility. And while video communication should not replace TTY devices, which many people still use, it should be another option for inmates who could benefit from the technology. For inmates with communication disabilities—including those who are deaf or hard-of-hearing or who have print disabilities—video communication is particularly important.

To communicate by telephone, inmates with communication disabilities—or inmates calling people with communication disabilities—historically have used TTY devices that translate typed letters into sound. But many consumers who relied in the past on TTY devices for

⁴ *Id.* ¶ 2.

⁵ *See, e.g., id.* ¶¶ 299-300.

⁶ *Id.* ¶ 230.

communications are transitioning to more modern forms of text and video communication,⁷ and many inmates with communication disabilities today do not communicate with English text. Instead they communicate with American Sign Language. For them, TTY devices are outmoded and inefficient. Because video communication allows these inmates and their families to speak to one another either through a relay operator who can translate between American Sign Language and English or directly to one another in American Sign Language, it is a more appropriate and accessible communications option for them.

Calls that require a relay operator take longer than voice-to-voice conversations, however. In the *Second ICS Order and Third FNPRM*, the Commission noted TTY calls can take three or four times longer than a voice telephone conversation. For that reason, the Commission discounted the rates for TTY ICS calls. The Commission should consider similar steps for video calls that require relay operators, to ensure these services remain accessible. Video communication, in whatever form it takes should be affordable for inmates and their families.

Society as a whole benefits when inmates successfully transition out of the prison system, and as the Commission knows, that successful transition is more likely when inmates and their families stay in communication through regular phone contact. The Commission should build on the policies it established in the *Second ICS Order and Third NPRM* and ensure that inmates have economic access to new technologies like video communication in a way that facilitates those contacts.

⁷ See *Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010; Amendments to the Commission's Rules Implementing Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996; Accessible Mobile Phone Options for People who are Blind, Deaf-Blind, or Have Low Vision*, Notice of Proposed Rulemaking, 26 FCC Rcd 3133, ¶ 160 (2011).

Respectfully submitted,

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