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California State Sheriffs' Association

Organization Founded by the Sheriffs in 1894

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January 19, 2016

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

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Re: Second Report and Order and Third Further Notice of Proposed Rulemaking, WC Docket No. 12-375; Inmate Calling Services

Dear Ms. Dortch:

The California State Sheriffs' Association hereby provides comment on the above-referenced proceeding regarding inmate calling services (ICS). Specifically, we provide comment on questions relative to exclusive ICS contracts in facilities, video calling and visitation, and international calling by inmates.

Exclusive ICS Contracts

Under the theory of promoting competition within the ICS market, the Commission seeks comment relative to the notion of whether exclusive ICS contracts should be banned. We would urge the Commission to refrain from undertaking such an action. While facilities should retain the ability to provide ICS in the manner in which they deem appropriate, removing the ability of a correctional facility to utilize an exclusive contract will create security concerns, impose logistical burdens, increase costs of providing ICS, and perhaps diminish the quality of ICS that are provided. If a facility is forced to allow multiple ICS providers, sheriffs' staff will be required to be trained to deal with the monitoring, administrative, and logistical issues of each system. Furthermore, jails may lack the infrastructure to support the physical plant that could be required to support multiple ICS provider systems. These challenges would almost assuredly increase facility costs and unnecessarily complicate the bureaucratic regime connected to the provision of ICS without the guarantee that eliminating exclusivity will lower inmate calling rates.

Video Calling and Visitation

As technology has progressed, jail facilities have begun adopting systems that permit communication via video and they have complimented and/or replaced traditional visitation with video visitation. Both of these advancements provide jail facilities with flexibility in how they offer important services to inmates. Video calling may provide even further benefit than audio-only calls as video permits the visualization of communication partners.

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Video visitation offers security enhancements over in-person visiting and often increases the frequency with which inmates may enjoy visitation privileges. Given the massive changes to ICS just implemented by the Second Report and Order, we urge the Commission to refrain from regulating these media. This new technology should not be impeded or disadvantaged by unwieldy regulation and facilities should be given a meaningful chance to adjust to pending orders. Capping rates on video calling services could stop this promising new technology in its tracks to the detriment of facilities and inmates.

International Calling

The frequency with which international calls are made likely varies among California jails based upon a number of factors. As such, the costs and requirements of providing international ICS potentially vary by facility. Just as we have previously argued that facilities need flexibility to recover costs surrounding intrastate and interstate calling, imposing across-the-board rates on international calling could unnecessarily impose burdens on facilities. Again, given all the pending changes relative to ICS rates and regulation, we would urge the Commission to let facilities and providers settle into the new system before considering significant changes again.

We appreciate the ongoing opportunity to comment on these important matters. We urge the Commission's caution as it relates to the above. Facilities are about to face once-in-a-generation difficulties as a result of the Second Report and Order capping rates and discouraging site commissions. Please do not exacerbate the coming challenges with additional regulation that will likely harm, not help, inmate access to quality and affordable calling services.

Respectfully submitted,



Martin Ryan, CSSA President
Sheriff, Amador County

MR/cmc

cc: The Honorable Dianne Feinstein, United States Senator
The Honorable Barbara Boxer, United States Senator
California Congressional Delegation
All California Sheriffs
Carmen Green, CSSA Executive Director
Martin Mayer, CSSA General Counsel
Nick Warner, CSSA Policy Director
Cory Salzillo, CSSA Legislative Director
Aaron Maguire, CSSA Legislative Counsel / Representative
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