



AMERICAN CORRECTIONAL ASSOCIATION

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July 31, 2008

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

Received & Inspected

AUG. 11 2008

FCC Mail Room

Re: Ex Parte, CC Docket No. 96-128
Security Challenges Related to the Wright Alternative Petition

Dear Ms. Dortch:

Please accept this letter on behalf of the American Correctional Association. We would like to express our concern regarding the Alternative Rulemaking Proposal filed by Martha Wright to impose new regulations on inmate telephone services. We believe the proposal would seriously diminish the ability of our members to effectively manage their institutions and would present a serious challenge to the security as well.

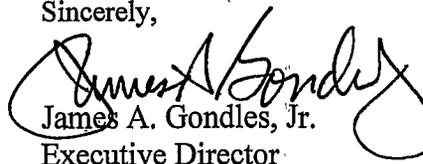
The proposal requests an order from the FCC that will set a nationwide mandatory rate cap for interstate calls. We believe that the forced reduction in these rates may inspire some inmates' families and friends to obtain prepaid wireless telephones or VoIP services with interstate numbers to mask their true exchange. This will result in our inability to identify the called party and seriously endanger our members' abilities to maintain controls on inmate calling and prevent unlawful activities. The rate cap that Ms. Wright proposes would hinder the ability of service providers to continue providing and developing security features designed for these purposes. Therefore, we would hope that the commission will take into account a cost-recovery element for the facilities when determining the rate formula.

Our association's policy calls on correctional agencies to ensure their contracts are based on rates and surcharges commensurate with those charged to the public and that those rates reflect actual costs. Our concern is that the rate cap proposed fails to properly account for these additional costs to the facility. We are also concerned about the complete elimination of site commissions to correctional facilities. These commissions provide a critical source of funding for inmate programs within the institution. Adult education programs, substance abuse treatment and counseling and other such programs may have to be eliminated if commissions are disallowed.

If the proposed rate cap is implemented it is also very possible that the number of phones available to the inmates will be reduced and further limit the inmates' access to phone service as opposed to increasing access to phone service as advocates hope.

For these reasons, we discourage the FCC from adopting the proposal set forth in the Wright Alternative Petition.

Sincerely,


James A. Gondles, Jr.
Executive Director

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