

[REDACTED]

From: O'Brien, Christie [ChristieO@advocacycenter.org]
Sent: Friday, January 02, 2009 3:27 PM
To: Amy Bender; Penny Nance; Scott Bergmann; scott.duetzman@fcc.gov; Nicholas Alexander; Chris Moore; Dana Shaffer; randy.clark@fcc.gov; Marcus Maher; Albert Lewis; Pamela Arluk; Lynne Engledow
Subject: prison/jail phone rates
Attachments: hpsc567.pdf

CC Docket 96-128

Please accept my comments.

FILED/ACCEPTED

APR 21 2009

Federal Communications Commission
Office of the Secretary

No. of Copies rec'd 0
List ABCDE



Advocacy Center for Persons With Disabilities, Inc.

Florida's Protection and Advocacy Programs

December 2, 2009

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

FILED/ACCEPTED

APR 21 2009

Federal Communications Commission
Office of the Secretary

Re: *Wright Alternative Rulemaking Proposal*
C.C. Docket 96-128;

Dear Ms. Dortch:

The Advocacy Center for Persons with Disabilities, Inc. is Florida's official, Governor-designated protection and advocacy agency and client assistance program with funding, responsibility, and authority under eight federal programs to protect the rights of Floridians with disabilities. The Advocacy Center is a not-for-profit corporation, governed by a Board of Directors, with offices in Tallahassee, Tampa and Hollywood. The Advocacy Center's mission is to advance the quality of life, dignity, equality, self-determination, and freedom of choice of persons with disabilities through collaboration, education, advocacy, as well as legal and legislative strategies.

In Florida there is no oversight of our county jails and few oversights in our state prisons. Many of the jails are not accredited by any organization, including the Florida Sheriff's Association. This unaccountability sometimes leads to discrimination of our most vulnerable citizens, those with disabilities. The Advocacy Center is one of the only organizations in Florida that investigates abuse/neglect and rights violations in our jails. Due to our limited resources we are unable to take on many of these investigations. One thing that drastically limits our abilities to help jail inmates is that most of the phone services in jails will not allow inmates to call toll-free phone numbers; they can only make collect phone calls. My organization at one point began accepting collect calls but the cost of the calls were astronomical and therefore prohibited due to our funding.

The primary reason phone rates are so high is because of the commissions paid by prison phone service providers to correctional

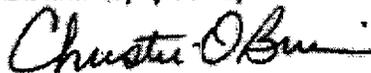
facilities. I understand that in some cases, these commissions are used to provide other services in the jails; but it's an unfair practice. Studies have shown that inmates who have strong ties to family and friends in the community have a lower rate of recidivism. By charging ungodly rates for telephone calls the jails are harming the very relationships that may keep these individuals from committing more crime and returning to jail. It should also be noted that many inmates in jails have yet to be found guilty of the crime that placed them in the jail.

I believe these commissions are an unfair tax on the friends, families and service agencies who attempt to maintain communication with inmates. It is my understanding that a recent cost study submitted by prison phone service companies has determined a "fair rate" that eliminates commissions, covers legitimate costs and provides a reasonable return for prison phone companies while dramatically reducing call rates. My hope is that the FCC will prohibit the payment of commissions and will establish a "fair rate" for all intrastate and inter-state calls, as well as require less expensive prepaid or debit calling in all correctional facilities.

Please make sure fair rates will be made available to all inmate families and organizations that wish to serve these individuals.

Thank you.

Sincerely yours,



Christie O'Brien, MSW

Institutional Conditions Team Advocate/Investigator

Advocacy Center for Persons with Disabilities, Inc.

P.O. Box 2590

New Smyrna Beach, FL 32170

Toll free: 1-866-269-3020

Business line: 1-386-424-2117

Fax: 1-386-424-2118

ChristieO@advocacycenter.org

www.advocacycenter.org

"Of the many factors that contribute to the endemic problem of abuse and neglect in facilities serving people with mental disabilities, perhaps none is more important than an essential lack of respect for the common humanity we share."

CLARENCE J. SUNDRAM, Albany Times Union