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# Arkansas Democrat Gazette

ARKANSAS' NEWSPAPER

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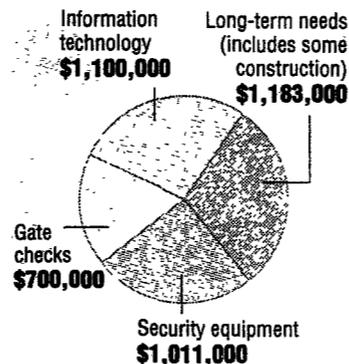
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## Where the phone charges go:

The Department of Correction operates on a budget of more than \$200 million yearly. About \$3.5 million comes from inmate phone system revenues. Prison officials say the phone bills help them improve inmate life.



SOURCE: Arkansas Department of Correction fiscal 2005 budget

NOTE: More than \$3.5 million is in the budget for fiscal 2005 because of carry-over funds from the previous year.

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## Cost of calls from inmates punishes families, some say

BY TRACI SHURLEY  
 ARKANSAS DEMOCRAT-GAZETTE

In the five years that Mary Bryant's son Tracy has been in prison, the cost of keeping in touch with him has climbed as high as \$150 a month. And that money — which has put a strain on the receptionist's finances — wasn't going in her gas tank for visits to one of the state's institutions.

It was a phone bill.

Each 15-minute collect phone call costs \$6.60, a rate Bryant and other families say is unnecessarily high. They pay it anyway.

"You just do without something and pay them. It's been a year and eight months; I've seen him one time. His visits are on Tuesday and I work seven days

a week ... The job that I have through the week I can't take off," said Bryant, whose son was sentenced to 50 years on a kidnapping charge.

Through its contract for phone service, the Arkansas Department of Correction receives about \$3.5 million yearly, a cut of 51 percent of the total phone revenues. It makes up a small part of the prison department's more than \$200 million annual operating budget. Still, inmates' families and friends complain that the money is essentially an extra tax on them, a form of punishment for their support of someone behind bars.

Prison officials disagree, saying the phone system works well and the cost is justified. They point out that the families' mon-

ey goes to help the state's approximately 13,500 inmates get services and security protection that the prison department otherwise couldn't afford — like a \$100 "gate check" that inmates leaving prison receive.

In other states, recent years have brought changes to the way inmate phone systems operate. In several places that's meant reductions in costs. But, for Arkansas, no push to change the status quo has gained ground.

"I've heard complaints now and then, sure I have," said Dina Tyler, a spokesman for the prison department. "We hear complaints about the cost of everything, but I've never heard one single person complain about getting a gate check."

See **CALLS**, Page 3A

# Calls

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Long a sore spot for those with loved ones behind bars, complaints about the cost of phone service have resurfaced recently in arguments against a medical co-payment fee the Arkansas Board of Corrections is considering.

The fee of up to \$5 would be charged for all "inmate-initiated" doctor visits if it is approved by the Board of Corrections at their next meeting. Correction officials say it will cut down on frivolous sick calls and provide a benefit to inmates, including more staff time for those who are truly ill. But — because Arkansas inmates aren't paid a wage for work assignments — the prisoners argue that it will create a burden on their families.

The phone call system, advocates say, is a similar situation.

"It seems to be a trend that is growing to make families pay more and more," said Betsey Wright, a former aide to Gov. Bill Clinton who now does advocacy work for death row inmates and their families.

She has spent about \$500 a month to take phone calls from condemned men. Wright also said the phone charges are especially unfair to inmates' families because most earn low incomes.

"It's just a skewed philosophy as far as I'm concerned ... It's the inmate that committed the crime."

This summer, Wright spoke with a group of legislators about the quality of phone service from the prison system's death row. But she limited her talk to complaints about technical aspects — a problem of call connections that she said is now remedied. After that hearing, Wright said she has considered going to the state's Public Service Commission to complain about the prison phone rates.

MCI — the state's inmate calling system provider — has to register its phone rates with the Public Service Commission. The rates in MCI's contract were set for the company in a request for proposals drafted by the prison department. The only calculation MCI officials made was how much the rates would allow them to provide in commission.

The prison department began contracting with MCI in the mid-1990s. In 1999, the contract was again put out for bid and MCI was again the chosen provider. According to the terms of the agreement, MCI provides and services all the phone equipment. It also provides the technology for monitoring phone calls. All inmate calls except for those with their attorneys are recorded.

A spokesman for MCI last week said the company does not disclose how much it makes from the contract.

The Arkansas Department of Correction could initiate changes to the rate; it has done it before.

Call recipients used to be charged \$1.50 for local calls and \$7.95 for a 15-minute long-distance call. But rates were changed in 2003 to the same rate for local and in-state long-distance calls, resulting in the \$6.60 fee for a 15-minute call.

State prison officials acknowledge that they benefit financially from the phone contract and are quick to answer complaints about the arrangement. Ultimately, they say, the phone contract helps inmates in a number of ways.

In this fiscal year, for example, the prison department expects to receive about \$2.9 million in commission on the MCI contract. Prison officials say that money, added to just over \$1 million in carry-over funds from the last fiscal year, will provide the following: about \$700,000 for \$100 "gate money" disbursements inmates receive when released; a about \$1 million for technology and computer needs in the department; another \$1 million for security features such as metal detectors and cameras; and more than a \$1 million toward long-term needs. Long-term projects include finishing a new kitchen at the McPherson Unit, changing out aging locking systems, added security features at the Tucker and Varner units, and treatment buildings at two units.

Predictably, some on the other side of the justice system aren't so concerned about the phone costs.

"It would be nice if we could make phone calls to our loved ones," said Dee Engle, state coordinator for the Arkansas chapter of Parents of Murdered Children. "I would pay any price to make that phone call."

Engle said it's the prisoner, not the prison department, that inmates' families should be unhappy with. After all, the inmate's crimes are what subjects the family to the high phone costs.

Sheila Sharp, a deputy director for the Arkansas Department of Correction, said the prison's phone system has come a long way since the years before the MCI contract. In those days, inmates who wanted to place a nonemergency phone call put in a "call request slip" to set up a time. Then, and only then, were they allowed to phone family and friends. The process could take a week.

Now, inmates can go to a phone and dial any one of 15 numbers on their approved calling list. They are allowed to change the numbers on that list every 90 days.

"This has made life a whole lot better, the connection with the family members a whole lot better," Sharp said.

★ ★ ★

Even if prison improvements come from the phone contract

## Phone calls

The cost of a 15-minute phone call from any of Arkansas's prisons.



### LOCAL AND IN-STATE LONG DISTANCE

\$3 surcharge  
+ 24¢/minute  
x 15 minutes  
**\$6.60**

### OUT-OF-STATE CALLS

\$3.95 surcharge  
+ 89¢/minute  
x 15 minutes  
**\$17.30**

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commissions, some wonder why families of inmates should have to finance such changes.

Kathleen Brewer, vice president of a Arkansas group called Friends and Family of Ex-offenders Incarcerated Persons Association, agrees with other advocates who say that phone costs are putting an unfair burden on those with loved ones in prison. Those people already pay taxes to support the prison system, she said.

"If they belong to you, you're supposed to take care of them," Brewer said of the state's responsibility to inmates.

Though an organized effort to change Arkansas' prison phone rates has yet surfaced, alternatives do exist. They've been implemented elsewhere.

Recognizing the need for changes in inmate phone systems, the national chapter of Citizens United for Rehabilitation of Errants, or CURE — a nationwide grass-roots organization dedicated to reducing crime through reform of the criminal justice system — initiated a campaign in 2000 to try to change practices throughout the country. In May 2004, the organization issued a report detailing some success, with some sort of administrative activity taking place in 29 states and at least 22 cases of litigation pending.

Kay Perry, coordinator of CURE's Equitable Telephone Charges campaign, said getting the word out about the "devastating" effect some phone charges have on inmates' families is often the first step in promoting change.

"I think it's ignorance and I don't mean stupidity, I mean ignorance," said Perry. "There's the assumption or belief that these calls have to be more expensive because of the security systems."

Of course there's going to be an added expense, she said, but prison departments can find ways to reduce costs if they try.

The calling system used by Pennsylvania's 40,000 state inmates is one example.

Though still higher than the phone rates most people enjoy at home, a 15-minute phone call from one of that state's prisons is about a dollar less than Arkansas' rates.

"Years ago the only telephone option available to inmates were collect calls and all the pay phone calling for the state was lumped together," said Susan McNaughton, a spokesman for the Pennsylvania Department of Correction. "So, an inmate paid the same as someone making a call from a pay phone at a state park. What we've done over the last couple of years, is gotten away from using the collect calling."

By negotiating with Verizon, the Pennsylvania prison system was able to lower its costs for collect calling by 30 percent and an additional 10 percent was shaved off on those calls made through a debit system. McNaughton said that because call volume increased, the state's commissions off the phone calls weren't significantly affected.

Arkansas' neighbor, Tennessee, reports even lower rates. Inmates there can make prepaid phone calls for rates lower than 20 cents a minute.

Through debit systems, inmates are able to charge calls to a phone account that is handled much like their commissary trust accounts. Money can be placed on the account from outside for the inmate's use.

Prison advocates say that besides making calls cheaper for inmates' families, the debit systems eliminate other problems. Those include collect calls to an inmates' family being blocked because the inmate phone system and the family's phone service provider don't have an agreement to do business. The debit system also saves telephone companies the cost of collecting on large debts.

A Tennessee Department of Correction official said its debit calling system has also helped inmates learn to be more responsible with their calling because they know how much they have to spend.

While easing the burden of phone costs on families is a good reason to change phone rates, public safety concerns are also a factor because most prisoners are returning to the community, Perry said.

"The fact is we know people are going to deal better if they have contacts in the real world," Perry said. "We're going to release people from prison who have no support structure. Now how wise is that?"

For Bryant the cost of talking to her son in the Arkansas prison department isn't anything she expects will change. Still, she won't stop calling when she can. As a mother, she doesn't have any choice but to worry about him when they can't talk — no matter where he is.

"I haven't talked to him since, I believe, last Monday night, and I was just sitting at the table at the break room eating lunch and I was praying to God that he's okay," Bryant said recently.

"There's not a day that goes by that I don't pray that he's safe."

Chairman Julius Genachowski

Received & Inspected

NOV 19 2012

FCC Mail Room

I wrote this person and had my mother  
contact her and tell her a letter was coming and  
would she call my mother back just to say I  
got your letter. As you see it turned  
into a story and a lie. Diana Tyler  
lied with her interview.

They wonder why we have or  
try to get cell phones. All I have  
is mom and dad and there old.  
my mother Mary Bryant 501-258-6700.

Help Us Please

11-9-66  
2012

I Turned 46 Today  
Mary Bryant

## CAMPAIGN FOR PRISON PHONE JUSTICE



WORKING  
NARRATIVES



### JOIN THE CAMPAIGN FOR PRISON PHONE JUSTICE!

A national coalition of media and criminal justice activists, led by the Human Rights Defense Center, Working Narratives and the Center for Media Justice, invite you to join a campaign to fight the high cost of prison phone calls.

We need those inside our nation's jails, prisons and detention centers to speak up about the impact of the cost of prison phone calls on you and your family. With your support we will advance a state-by-state legislative challenge, while also pushing the Federal Communications Commission (FCC) to take action.

#### WHAT YOU CAN DO

Send a brief letter to the Federal Communications Commission explaining the impact the high costs of prison phone calls have had on you and your family. Address the letter "Dear Chairman Genachowski," and please speak from your own personal experience. You must state the following at the top of the letter: "This is a public comment for the Wright Petition (CC Docket #96-128)." Your letters will be made part of the public docket in the case.

#### Write to:

Chairman Julius Genachowski  
Federal Communications Commission  
Public Comments  
445 12th Street, SW  
Washington, DC 20554

Our goal is to gather thousands of powerful stories. The prison facility which registers the most letters will be highlighted on the campaign website and will get a co-producer credit on our national radio program addressing the high cost of prison phone calls.

We also need your help organizing on the outside. Ask your family members to sign up for the campaign at [www.phonejustice.org](http://www.phonejustice.org) and invite them to share their story about the high costs of prison phone calls. They can also register their comments online, directly with the FCC, at: <http://apps.fcc.gov/ecfs/upload/display.action?z=whn8> (enter docket #96-128).

Only with your support will we end the abusive cost of prison phone calls. Encourage others to join us in this struggle!

**For more information: [www.prisonphonejustice.org](http://www.prisonphonejustice.org) and [www.phonejustice.org](http://www.phonejustice.org)**