



# MISSOURI STATE PUBLIC DEFENDER SYSTEM

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**FCC Mail Room**

Commission Secretary, Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St. S.W.  
Washington, DC 20554

RE: *In the Matter of Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375.

Dear Commission Secretary:

The Missouri Public Defender System is a statewide government agency which represents indigent persons as appointed counsel in criminal cases throughout Missouri. We understand that the FCC is currently considering various proposals to reduce the cost of interstate phone calls from incarcerated persons. We wish to comment on this problem of high phone costs for incarcerated persons.

While we do not propose or endorse any particular solution to this problem, we wish the FCC to know that the problem of high phone costs from jails and prisons is not something that impacts only prisoners and their families. The Missouri Public Defender System has also been impacted by this problem, since most of the phone calls we receive from our incarcerated clients must be "collect," with our agency absorbing and paying the cost.

Our experience is that such costs are extremely high – far higher than rates we are able to find when we have the ability to select a phone carrier ourselves. Prisoners are literally a captive audience with no ability to select a phone carrier; the carrier is chosen for them, and, thus, us. Many of the calls on which we pay high rates are less than one minute in length, but collectively, they have cost us over \$75,000 per year – to the point that the Missouri Public Defender System has for years had to limit the number of collect calls we can receive. This reduces our ability to communicate with our clients about their cases, diminishes the quality of representation we are able to provide, and thus, risks denying clients their Sixth Amendment right to effective counsel.

While we understand that many of the calls that we receive are intra-state, we nevertheless hope that the FCC's actions to address this problem may ultimately result in lower phone costs for intra-state inmate phone costs as well. Thank you for working to address this issue.

Sincerely,

Cat Kelly  
Director, Missouri State Public Defender

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