March 25, 2013

Marlene H. Dortch, Commission Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-B204
Washington, DC 20554


Dear Commissioners:

Helping Educate to Advance the Rights of the Deaf (“HEARD”)1 hereby submits comments from nineteen deaf prisoners representing eighteen different prisons across the nation, responding to the Commission’s request for information about rates for and access to interstate Inmate Calling Service (“ICS”) for deaf and disabled prisoners.2

HEARD is honored to deliver these comments, especially since some of these prisoners risked so much to submit them. We trust that these letters will guide the Commission as it ensures that all prisoners have accessible and affordable contact with family, friends, advocates, and attorneys.

Respectfully Submitted,

/s/

Talila A. Lewis, Founder & President

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1 HEARD is an all-volunteer nonprofit organization that advocates on behalf of deaf and deaf-blind prisoners across the nation. HEARD created and maintains the only national database of deaf and deaf-blind prisoners. See HEARD’s Public Comment in WC Docket No. 12-375 for more information. WC Docket No. 12-375, HEARD Public Comments on Rates for and Access to Interstate Calling Services for Prisoners with Disabilities, submitted on March 25, 2013.

Feb 11, 2013

To whom it may concern,

My name is Janet Locke, I am a deaf offender incarcerated at the Lane Murray Unit in Gatesville, Tx. My TDCJ # is 1491234. I am writing to you, the Federal Communications Commission (FCC) in regards to the phone rates for people incarcerated. I am completely deaf and communicate best in ASL (American Sign Language). I have asked someone for help with this letter who understands ASL and is writing this in proper English for me, because I don't communicate well in written English. ASL is my first language making it difficult for me to use TTY or relay phone systems. The cost of these phone calls is more than my family can afford.

Video phones are the only way I can effectively communicate with my family. The unit I am on is equipped with TTY phones, however calls are limited to 15 minutes, by the time the connection is made, added
to the length of time it would take me to type and receive messages, using a TTY phone is counterproductive. The possibility of miscommunication or understanding is high. The cost of the phone call is too high for such limited conversation. Thank you for your time and consideration of this matter.

God Bless,

Janet Stock
01-11-13
Time 6:42am
Hi tl,
good morning and how are you doing since? I just wait for my lawyer will go federal court in California on Jan 15 and 16 also I will call my lawyer from New York for VP and VRI and no more typo phone then new TV for me with closed caption not other allow not touch for TV that it...but 5 month for real setup with federal court...thank you and respect you of smile! see later!

----D C, Heard on 1/10/2013 9:30 PM wrote:

on 1/10/2013 11:51:38 AM wrote
01-10-13
Time 9:16
hi tl,
good morning and how are you doing since?
this type phone is problem always everything with mystic can get for real talk my power being will get problem by experience from collect must pay call and I told them I need VP will solve problem than typo phone is risk all the time. I just ignore by collect that it....thank you and respect you of smile! I will wait till will response to me soon?

----D C, Heard on 1/10/2013 1:00 AM wrote:
I just want you to know that I want to be apart of all of this. OK, I try to use the I77 phone at ____, and I can't never talk too my family because they all have cell phones the cheap one so I can't talk to them. I hope you can help. God bless.
Dear FCC:

My name is Vander Davis, and I'm a hearing impaired inmate, incarcerated in Maryland Department of Corrections. I was not born deaf but suffered my hearing loss at age 32. I cannot use traditional telephones, I require a TDD in order to communicate by telephone. Since my incarceration in 2004 I've been denied telephone service. In June of 2010 I was placed in an institution which has TDD communication. The TDD conversation takes significantly longer because I have to read then listen rather than listen to what's being said. It's also a financial burden to my family and loved ones, because the institution uses a private service company (T-Netix) to provide relay services.

cont. on next pg. 2
Inmates at this institution are required to make collect calls when using the TDDs and are charged an $8.00 dollar connection fee as well as 30¢ a minute. I cannot use a prepaid system which the hearing inmates use, so there goes my telephone rights again.

I’m also required to use the 1960’s TTY service, which works sometimes and my family has often complained about the TTY service.

If prisons were required to install captioned telephones and other auxiliary aids for the hearing impaired it would ensure equal telecommunication access for all prisoners. The TTY machine in this institution is kept under lock and key creating more hurdles to overcome, not to mention that it’s just one machine and outlet for the hearing impaired inmates population here. Sincerely Yours
DEAR MRS. LEWIS,

I JUST WANT TO INFORM YOU THAT I JUST GOT THE LETTER FROM PRISON LAW OFFICE, SO TO LET YOU KNOW THE CURRENT UPDATE.


I WILL HELP TWO (2) DEAF INMATES WITH THE B24 GRIEVANCE REGARDING THE T.D.D. SITUATION.

NOW, THERE IS A NEW DEAF INMATE WHO ARRIVED FROM OTHER PRISON, HE DOESN'T KNOW HOW TO TYPE THE T.D.D. AND DOESN'T KNOW WHAT TO SAY AND HOW TO EXPLAIN OVER THE PHONE, SO HE NEEDS MY HELP, SO WHICH I DID, NOW TWO (2) INMATES NEED MY HELP TO RELAY THE MESSAGES FOR THEM.

I LOOK FORWARD THAT THEY WILL INSTALL THE VIDEOPHONE IN OUR BUILDING #2, MY UNDERSTANDING THAT CDCR DON'T KNOW WHEN THE TIME IS GIVING OR WHEN.

SEVERAL DEAF INMATES HAVE EXPERIENCED THE NEW VIDEOPHONE AT MEDICAL APPT VISIT AND THEY LIKE IT VERY MUCH AND BETTER AND UNDERSTAND BETTER, ALL DEAF INMATES SAID THEY ALL HOPED THAT OUR BUILDING WOULD PROVIDED THE VIDEOPHONE SOMEDAY.

E.A.L. THE PRISON LAW OFFICE WILL PLAN TO VISIT ME IN DECEMBER, REGARDING FOR VIDEOPHONE ISSUES AND AS WELL AS VISUAL AID NOTIFICATION.
Mary Ann McBride, Inmate #712129  
Women’s Huron Valley Correctional Facility  
3201 Bemis Road  
Ypsilanti, MI 48197-0911

February 14, 2013

HEARD  
P.O. Box 1160  
Washington, DC 20013

I am responding to your request to help those of us who are hearing impaired, get the proper communication devices in prisons. My issues with the prison I am incarcerated at (see above address) are:

1) I really need to talk to my family because I am serving a long indeterminate sentence and must keep in contact with them for a long time. I cannot talk to my children by their cell phones. I can’t even talk to my parents by collect call because of the high fee they cannot afford it. It is very rare that I can get through to them because of the block of collect calls. Relay rep didn’t realize about the blocked collect calls. I couldn’t even reach the Relay rep and after several tries, I gave up, it was so frustrating and up-set me. When the Relay tuning starts, we only get 15 – 30 minutes limit for using the phone. I don’t get the full 30 minutes to talk to my family because it takes at least that long talking to the relay rep.

Typing words is also frustrating for those of us not skilled at keyboarding, i.e. misspelled, garbled words, take precious time from a conversation. I have deaf brothers and some deaf friends, they all use video phones, they no longer use tty. Relay won’t accept to talk between two deaf people (only one hearing person and one deaf person).

2) Interpreters should be here on Wednesdays and Fridays, at least two hours each day. They were unavailable since they have to be w/one prisoner at her call-out program which conflicts with times I need one. When the interpreters are no available, I must write down the notes to communicate, no paper or pen is provided to me for this, so it is an added expense. Often there is an interpreter in the unit but they are not available??? Example: The ARUS was out to lunch or not there, I had to wait days and sometime into the next week, to have them both together to talk.

The interpreter from church is going to move to Georgia in March. There is no other available interpreter for church. The Chaplain uses a prisoner to interpret for me to save money. The same thing happens for my bible study program and any other Christian program I attend like “Celebrate Recovery”. Chaplain Mardini told me through the certified interpreter (when the Chaplain happened to pass us in the hallway and I stopped him), when she went to my one bible study class (Bridge Builders and Saturday every month), about needing interpreter for the other bible studies programs and church. He told us that all those programs are not required and the state does not have to provide interpreters. I am being discriminated against for those programs that are not required because the “state is not required to provide an interpreter.” Clearly,
discrimination is a constitutional violation but no one seems to want to take up the cause for those of us discriminated against in prison.

Thank you for your efforts to make the communications between deaf/hearing impaired prisoners and their family and friends more affordable as well as bring up to date equipment into the prisons that are still forcing us to use out dated equipment at a unreasonably high cost.

Sincerely,

Mary McQuade
# 712129
Helping Educate to Advance the Rights of the Deaf

From: [Redacted]
Sent Date: Friday, January 11, 2013 11:35 AM
To: info@behearddc.org
Subject: RE: RE: WE NEED YOUR HELP- FCC requests comments o

For the Deaf this place only has ONE way of calling out and that is via old TTY machine. However, they were willing to let me use the outside line - not calling collect - this means free phone calls. But like I said, they were having problems with it, and the only way I could make the phone call is when someone was available to watch the conversation.

Hearing prisoners can call out in One way as well, and that is via the "payphone". I call it the payphone, but it looks just like the pay phones you see on the streets, THAT is always monitored by a computer, and the only way you can call out is by collect.

I'll let you do the math, 40 tru-units cost $2.00, every minute on the emails cost a unit. Normally it costs me 5 units per email around this size. (This email costed 8 units, but worth it!) What they really need to do is to double it for me, 80 tru-units cost 2.00, that would be a fair and reasonable accomodation. Could you help me with this?

Hope this helps,

-----Letter writer, Volunteer on 1/10/2013 10:30 PM wrote:

-----Letter writer, Volunteer on 1/10/2013 7:49:42 AM wrote
Hello,

While they Do have a TTY machine here, but it doesn't work properly - AND the only time we are able to use that machine is when someone is available to "monitor" it. What this means is my "counselor" has to take time off her work and to sit beside me and read our conversation. The problem is, my counselor is very rarely available in her office, let alone for my tty phone call. This means, I don't have free access to that machine as normal hearing inmates does to the phones. While yes, we do have access to emails to communicate, but they fail to recognize that it takes a lot longer to communicate via emails then it does on the phone, and won't make the email trulincs minutes cheaper for us.

Hope this helps.

-----Letter writer, Volunteer on 1/10/2013 2:00 AM wrote:
Talibah

Hello, I am writing this letter to explain the situation at MCTC and RCF regarding the TY. I started serving the sentence on July 11 of 2012 for violation of probation. I received 5 years sentence constructive on 3rd Burglary (Plea bargain). I was housed at Washington Co. Detention Center on July 11th of 2012, I was then transferred from W.C.D.C to MRDCC on July 13th of 2012. Upon my arrival at MRDCC, my rights to access to the phone were deprived due to factor that the OFC at MRDCC is inexperienced with the deaf inmate request to using TY. I only had few opportunities to use TY is like 2 or 3 times when I see Sgt. or Lt. that are more experience and know where I can access it. I was transferred to MCTC on 1st last week of July to MCTC. Upon my arrival at MCTC, they place me in Housing #8, I informed the Officer that I need to call my wife to let her know of my transferred from MRDCC, they told me the TY is at Housing #8, they have to retrieve the TY for me to use and required me to use TY with the Securus Phone, which I told them is blocked number due to need to dial #800 to using MD Relay Service. Sgt. in Charge called the main office to speak to Captain and told him I can use LT or Captain office for 30 minute which is not sufficient time to use TY as you know. I then were moved to Housing 4, the situation with using TY is getting worse, every time, I request to
Use the TTY, they either say wait until LT is back or they say wait until tomorrow while other inmates are able to use the phone at their RRC time, I finally press and they move me to housing #6 at MCC where there is TTY housing at, I request to use the TTY. They get TTY and say you need to use Secure phone which have no power outlet to plug in for TTY, and that place also block #800, so I complain and file ARP. The LT get me to use TTY in his office and he promise to let all 3-11 shift officer know to let me use TTY in there with someone there. He say he going to hold to the ARP form I filled out since I able to use TTY. They then place me in empty Case Worker office so I can use the TTY, they limit me to 15-20 minutes on TTY phone while other inmates have limited 30 minutes or more if nobody else want to use the phone. I were transfer to BCI (Buckley Correctional Institution) on 9/4/12, upon my arrival, they place me in Special Housing so TTY is in B-tier and I am in D-tier of Housing 1, there is 4-tier in 1 housing. A-B-C-D, that place block #800 number and didn't get resolved until 10/19/12, ARP Form is enclosed in the letter, TTY is old, lot of noise in background causing difficult to read the Operator, when I attempted to call my wife which should be local, they kept asking me "How would you like your call be billed?" I try to use phone every other day when it is my phone schedule night or day, it keep asking me "How you want your call be billed". I had talk to my wife by TTY maybe 5 or 6 times since my incarceration by TTY. How is that right?
INMATE REQUEST
(PLEASE PRINT CLEARLY)

Date: 9/11/17

TO: (CIRCLE ONE)
WARDEN
ASSISTANT WARDEN
SECURITY CHIEF
SHIFT COMMANDER
SOCIAL WORKER
V.A.C.
OTHER:

COMMITMENT MCI-H
PACKAGES
PSYCHOLOGY
UNIT MANAGER
EDUCATION
MAIL ROOM

CASE MANAGER
FINANCE BUSINESS OFFICE
ADMINISTRATIVE REMEDY COORD.
Chaplain (Name)
ADDICTION COUNSELOR
TELEPHONE REPRESENTATIVE

INMATE'S NAME
DOC#
H.U./CELL LOCATION
ASSIGNMENT

REQUEST: I need to use MD Relay Service, which is 1-800-735-2258, and Securus restricted me from using the phone. This is a violation of ADA and Section 504 of Rehabilitation Act, and also what is the dialing protocol for me to dial MD relay? Thank you.

This game is getting old with this, that, but, and all, I am about to contact a Civil Right Attorney on this matter.

DO NOT WRITE BELOW THIS LINE

REFERRED TO: __________________________ FOR: __________________________

OFFICIAL (SIGNATURE): __________________________ DATE: __________________________

FINAL DISPOSITION AND/OR RESPONSE TO INMATE:

Housing Unit is in the process of getting your situation handled. If you

OFFICIAL (SIGNATURE): __________________________ DATE: 9/11/17

DISTRIBUTION: ORIGINAL - RETURNED TO INMATE
COPY - RETAINED by OFFICIAL RESPONDING / or BASEFILE

FORM 200-1-1aR (REVISED 9/99)
need to install a electric box
to power TTY near the Securus Phone

Thanks.

No power outlet near phone!!!
CALLING PROBLEM/MESSAGE RECEIVED (check one)

- Yes / No Have you transferred facilities recently? If so, From: __________________________ Date: ____________

For all issues/complaints/concerns requiring a reply:

- Number(s) Called: 1- 800 - 735 - 2258

- Prepaid or Collect? __________________________ Date & time you made call: __________________________

- Calling Problem/Message Received

  -圈“Your account information cannot be verified at this time”
    - (May be caused by: Account # invalid, inactive, inaccurate, in-use, does not match custody account, or not enough funds)
  - Rating Error - Debit Rates Unavailable - “Please hang up and try again later”
  - No Answer - “The number you dialed was not answered” (caused by no answer or invalid phone number)
  - Busy - “The number you dialed is busy” (caused by busy or invalid phone number)
  - Invalid Number - “That is not a valid number” (caused by wrong phone number entered or # is no longer in service)
  - Never dials number - “Your call cannot be completed” (circle term code if known: debit failure, unexpected signal; timeout, central restriction)
  - Dialed number restriction (probably not on your calling list)
  - Your call was not accepted (the called party did not answer or a voice mail picked up)
  - Call cannot be completed as dialed (May be caused by: Privacy Mrg, Anonymous Call Block, # is not in service, # dialed incorrectly)
  - Collect calls are not accepted by this number (# has a collect call block)
  - Called Number Unable to Accept Charges
  - Call was dropped/disconnected
  - Technical (circle one) No Dial Tone/No Voice prompts ~ Volume Too Low ~ Noise on Phone Line ~ Wires exposed on handset ~ Keys on keypad sticking/not working
  - Has your PIN/Last 4 digits recently changed? If so, what was the OLD PIN#/last 4 digits?

- Have not received funds on my account Date of Receipt Purchase Amount

- Other is relay already set up? What is the protocol to dial

- AL/with 053 understood

Talk to Lt. Haynie regarding this. I was told the phone would be set up shortly. Also when using the phone to make a call, always make a collect call, not prepaid and instead of dialing the full 800 relay number just use code 053 and it should connect you to a relay operator.
MARYLAND DIVISION OF CORRECTION
REQUEST FOR ADMINISTRATIVE REMEDY
(Instructions for completing this form are on the back)

TO:  □ Warden of Institution

Emergency Request:  □ Check only if your complaint poses a continued threat to your health, safety, or welfare.

FROM:  

Last Name  
First Name  
Middle Initial  
DOC Number  
Institution

Housing Location  
Protective Custody  □ Administrative Segregation  □ Disciplinary Segregation

Part A – INMATE REQUEST

Violation of Rights: Lack of adequate TV. I am being denied access to TV for the following reasons: B-Tier has TV, but that TV does NOT allow me to call 1-800-735-2258, which is Maryland Relay Service under the Securus Phone System call-back number restriction. This is a

[Handwritten text]

11/3/12  
Date  
Signature of Inmate

Part B – RESPONSE

[Blank]

You may appeal this response by following the procedure prescribed on the back of this form.

Part C – RECEIPT

RETURN TO:  

Last Name  
First Name  
Middle Initial  
DOC Number  
Case No:

[Handwritten text]

Institution

I acknowledge receipt of your complaint dated 11/3/12 in regard to:

[Handwritten text]

Institutional ARP Coordinator

Original: White  Institutional ARP Coordinator
Copy: Canary - Inmate

DOC Form 185-002c (Rev. 7/08)
Violation of the Americans with Disabilities Act § 504 of the Rehabilitation Act, and the DPCS handbook equal access to programs and services.

Upon my arrival from MTC on 9/4/12, I tried to use the TTY for the number above. Being unable to complete the call, I spoke to the Tier rep, he spoke to Officer in Charge. He spoke to Sgt. Mueller and he spoke to Major, and he supposedly told him to "get it done" and I was told this would be worked out and that matter had been resolved on October 19 of 2012.

Now, there is 2 new issues that I have been trying to solve and do no available.

1. Too much noise in the background causing interference with my causing it to be garbled on my & operator of Relay Service side making it difficult to read and have to repeating often. Is there a way that you can set the line up somewhere else or install it somewhere where it is more quiet?

2. Unable to process the call and kept asking me for long distance carrier that I wish to be billed to. When I am in Hagerstown region and my wife is from Hagerstown which suppose to be a local call, not long distance call. I hope you can find the remedy to get this 2 issues resolved before my wife getting in contact with Civil Attorney regarding this matter, I would like to have this resolved so I can talk to her on TTY, thank you very much for your time & patience to investigate and resolve this matter, I have not spoke to my wife via TTY since my arrival, but

11/22/12

Inmate's Name: Print and Signature

[Signature]

* You may contact my wife to find out more. Thank you
**ROXBURY CORRECTIONAL INSTITUTION**

**INMATE REQUEST**
*(PLEASE PRINT CLEARLY)*

<table>
<thead>
<tr>
<th>TO: (CIRCLE ONE)</th>
<th>COMMITMENT MCI-H</th>
<th>CASE MANAGER</th>
</tr>
</thead>
<tbody>
<tr>
<td>WARDEN</td>
<td>PACKAGES</td>
<td>FINANCE BUSINESS OFFICE</td>
</tr>
<tr>
<td>ASST. WARDEN</td>
<td>PSYCHOLOGY</td>
<td>ADM. REMEDY COORD.</td>
</tr>
<tr>
<td>SECURITY CHIEF</td>
<td>UNIT MANAGER</td>
<td>CHAPLAIN(NAME)</td>
</tr>
<tr>
<td>SHIFT COMMANDER</td>
<td>EDUCATION</td>
<td>ADDICTION COUNSELOR</td>
</tr>
<tr>
<td>SOCIAL WORKER</td>
<td>MAIL ROOM</td>
<td>TELEPHONE REPRESENTATIVE</td>
</tr>
<tr>
<td>V.A.C.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER: Ms. Hebron</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INMATE'S NAME**

REQUEST: Hello, I am writing per ARP before residuated. My wife lives in Hagerstown and I also live in Hagerstown area, which is local. I am using MD Relay Service for my phone. According to the MD Relay Service, all local calls are free which I am qualified when I place a call to their operator. I need to make a collect call which I am qualified for. I need to make a collect call. They advised me to speak to you about getting that resolved. You may contact my wife at [redacted].

DO NOT WRITE BELOW THIS LINE

REFERRED TO: FOR: ( ) FOR YOUR INFORMATION

OFFICIAL (SIGNATURE): DATE:

FINAL DISPOSITION AND/OR RESPONSE TO INMATE:

I already talked to your wife, and I am writing back with more information.

OFFICIAL (SIGNATURE): DATE:

DISTRIBUTION: ORIGINAL - RETURNED TO INMATE
COPY - RETAINED by OFFICIAL RESPONDING / or BASEFILE

RCI FORM 200-1-1aR (REVISED 9/99)
Dear [Redacted]:

Now let me bring you up to date on some information that you may or may not be aware of: About the TTY/700 Hearing Impaired Phones.

First of all, [Redacted] have their phones set up with a 15 minute time limit. This timer starts the second you pick up the phone and dial your number. You must have to call Florida Relay Operator at 1-800-955-8771. We have a 501 #234000 number that forwards us to the 800 number listed above.

Once we reach the relay operator at that point we give the number that we are calling. Once we give the number to be dialed, the relay operator puts you on hold to verify if the number you are dialing [Redacted] is set up to allow collect calls. Once the relay operator verifies that collect calls can be made to the number you are dialing, the relay operator comes back on line and tells you that collect calls can be made to that number and ask
What your name is for the collect call. After you give the relay operator your name for the collect call. The relay operator puts you back on hold once again to see if charges will be accepted by the party at the other end that your calling.

This process takes at least five to eight minutes. This time is part of the 15 minute time limit that D.O.C. has on their timers for each call now. Keep in mind that a regular call cost a total of about two dollars but the relay service has a $3.62 hook up fee then so much for minute after that so you only get 5 to 7 minutes and you have to call back and repeat this process.

I have complained about this to staff and told them that we are not getting the allotted time. Their response was and is you can call back. Now their old rules of Chapter 37 states that the TTY/100 should have a longer time limit. I do not have the chapter 37 right to give it to you and just what it states but I do have their policy procedure directive rule and I quote it to you word for word at this time.

POLICY PROCEDURE DIRECTIVE.

P.P.D. # 604.101 (# 15) PERMANENT HEARING IMPAIRMENT, where used herein refers to a PERMANENT HEARING IMPAIRMENT so severe that an individual must rely on written
Communication, lip reading or sign language
these individuals residual hearing with
aids does not enable them either to
communicate effectively or hearing
emergency warnings.

Policy Procedure Directive 604.101 (35),
(a) 2. Such aids may include but are
not limited to: (a) Bilingual aids or (b)
Qualified Interpreters, (c) Sound Amplification;
(d) Captions TELEVISIONS /
(e) TELECOMMUNICATION DEVICES FOR
THE DEAF.

PPD 604.101 25. (6) (4) (5). STATES:
Inmates using Telecommunication Devices
for the deaf (will) receive three (3)
times the allotted phone time as non-
disabled inmates.

Right here by their on policy three
times the allotted time means 45 minutes
where it is with what we go through with
how they have it set up we are not even
receiving ten minutes as stated above.

Also keep in mind each time we have to
call back their is another three dollar and
something initial hook up fee all over
again so you can see it's a racket
and they are rapping who we call in
other words a 30 or 40 minute actual call
can turn it to fifty or sixty dollars
also there is some Spanish deaf
people here it's even worse for them
because of how they have the phones
set up for them to use on the regular
Phones you walk up and press 1 for English or press Two (2) for Spanish and thats it! Where as this is not
the case for use with TTY/TDD phones for deaf or hearing impaired.

If you are Spanish and/or calling
A SPANISH SPEAKING PERSON THE WAY ITS
SET UP HERE YOU MUST FIRST CALL FLORIDA
ENGLISH SPACING RELAY THEN YOU HAVE TO
BEY AND I MEAN BEY THE OPERATOR TO
SPEAK YOU OVER TO SPANISH RELAY
THIS TAKES AT LEAST 5 MINUTES ITS
SEEM SOME TIMES LONGER I HAVE TIMED
IT WITH THE SPANISH PEOPLE HERE BECAUSE
THEY HAVE ASKED ME TO HELP THEM
BECAUSE THEY CAN NOT GET THERE ON THEIR
OWN.

Then once they get the Spanish relay
TAKING 5 minutes then they HAVE TO COMPLETE
THE WHOLE PROCESS AS IS OUT LINED ABOVE
FOR ENGLISH CALLING PARTIES SO THE ONLY
GET ABOUT THREE OR FOUR (3 OR 4) MINUTES
OF CALLING TIME BEFORE THEY HAVE TO
REPEAT THIS PROCESS TO CALL BACK.

Now Florida relay does have a Florida
Spanish relay service That number is
1-800-955-8773 I have been trying
to help some of the Spanish people here
with trying to get D.O.C. To put these
Spanish relay numbers on their
calling list and/or to make that option
available to us but so far as of
this date we have been unable to
get D.O.C. To provide this service
-4-
Which is provided to hearing inmates at just the press of a button. Also in the past I have called the Florida Relay Supervisor and complained about the high cost of these calls. The Florida Relay Supervisor informed me that they do not charge anything for Florida Relay. That all Florida Relay calls are free.

"I asked if all Florida Relay calls are free. Who is charging these high prices?" The Florida Relay Supervisor told me point blank that all Florida Relay calls are free. That the Institution requested that all Relay calls be collected and worked out with the phone company that holds the contract. At this point I asked him, "So what you telling me is all Relay calls are free and D.O.C. worked out a deal with their contracted phone company to charge for free services.

The Relay Operator said it appears so. I said sounds like extortion and kickbacks to me. The Supervisor said I can't comment on that. I asked can't or want. He said not allowed. Maybe I need to try and call the Relay Supervisor back and have this same conversation with him/her.
Again and print it out and figure out some way to get this out of here and in to your hands so you will have it let me know what you think and feel about it.
HEARD
P.O. Box 1160
Washington, DC 20013

November 12, 2012

TO WHOM IT MAY CONCERN:

I’m PROFOUND DEAF AND USING AMERIKAN SIGNING LANGUAGE AS MY PRIMARY/NATIVE LANGUAGE. CURRENTLY I AM SERVING MY SENTENCE AT [ADDRESS REDACTED] CA. I HAVE BEEN SUFFERING WITH NO COMMUNICATION ACCESS SINCE THE PRISON ONLY PROVIDED TDD, WHICH I AM NOT WELL LITERACY TO TYPE NOR READING THE MESSAGE. I HAD AN INMATE’S ASSIST ME TO WRITE ADA MODIFICATE REQUEST (CDCR 182) TO REQUEST FOR A VIDEO PHONE. WENT THROUGH THREE LEVELS AND EXHAUSTED THE PROCESS. CALIF. DEPT. OF CORRECTIONAL AND REHAB. (CDCR) DENIED ME TO ACCESS A VIDEO PHONE IN THE FACILITY.

I ENCLOSED MY REQUEST AND APPEAL WITH THEIR RESPOND LETTERS. I NEED YOUR HELP TO MAKE THE CHANGE WITH THE ARMSTRONG REMEDIAL PLAN (ARP) THAT DEFINE THE SPECIFIC ADA ACCOMMODATION FOR THE PRISON TO FOLLOW AS WELL WITH CDCR OPERATION MANUAL. THEY STILL FOLLOWING THE OUTDATED TELECOMMUNICATION DEVICE; TDD AS AN EFFECTIVE TELECOMMUNICATION FOR THE DEAF INMATES. IT NEEDS TO BE UPDATE AND ENSURE EQUAL TELECOMMUNICATION DEVICE TECHNOLOGY AMONG THE DEAF COMMUNITY CURRENTLY USING THE DEVICE; VIDEO PHONE, NOT TDD ANYWAYS.

MUCH APPRECIATION,

[NAME REDACTED]

[DATE REDACTED]
NOTE: This form is to be used only by inmates/parolees with disabilities.

In processing this request, it will be verified that the inmate/parolee has a disability which is covered under the Americans With Disabilities Act.

In accordance with the provisions of the Americans With Disabilities Act (ADA), no qualified individuals with a disability shall, on the basis of disability, be excluded from participation in, or be denied the benefits of the services, activities, or programs of a public entity, or be subjected to discrimination.

You may use this form to request specific reasonable modification or accommodation which, if granted, would enable you to participate in a service, activity or program offered by the Department/institution/facility, for which you are otherwise qualified/eligible to participate.

Submit this completed form to the institution or facility's Appeals Coordinator's Office. A decision will be rendered within 15 working days of receipt at the Appeals Coordinator's Office and the completed form will be returned to you. If you do not agree with the decision on this form, you may pursue further review. The decision rendered on this form constitutes a decision at the FIRST LEVEL of review.

To proceed to SECOND LEVEL, attach this form to an Inmate/Parolee Appeal Form (CDC 602) and complete section VII of the appeal form.

Submit the appeal with attachment to the Appeals Coordinator's Office within 15 days of your receipt of the decision rendered on this request form.

If you are not satisfied with the SECOND LEVEL review decision, you may request THIRD LEVEL review as instructed on the CDC 602.

MODIFICATION OR ACCOMMODATION REQUESTED

DESCRIPTION OF DISABILITY:
Deaf, DPH, DPS, AMERICAN SIGNING LANGUAGE

WHAT VERIFICATION DO YOU HAVE OF YOUR DISABILITY?

SIGN LANGUAGE INTERPRETER REQUIRED

DESCRIBE THE PROBLEM:
I have a difficult to read/write since my TDI score is below average range at 2.9 score. The TDI requires me to reading the text, and typing which I couldn't. I haven't using TDI since got in here, TDI isn't accessible for me to use for Equal Communication due to my Lacking Reading & Writing skill.

WHAT SPECIFIC MODIFICATION OR ACCOMMODATION IS REQUESTED?

There is efficient equal communication for deaf people called Video Phone device. It's free device provided by various relay services. The video phone would let me using my native language, American Sign Language communicating with loved ones, friends.

INMATE/PAROLEE'S SIGNATURE

DATE SIGNED

HELP WRITING LETTER BY:

9/10/12

9/10/12
EFFICIENTLY EQUAL COMMUNICATION DEVICE

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A):

SEE ATTACHMENT CDCR 1824

B. Action requested (If you need more space, use Section B of the CDCR 602-A):

SEE ATTACHMENT CDCR 1824

Supporting Documents: Refer to CCR 3084.3.
☒ Yes, I have attached supporting documents.
☐ No, I have not attached any supporting documents. Reason: __________________________

☐ CDCR 1824

FIRST LEVEL RESPONSE

Date Submitted: 10/3/12

Inmate/Parolee Signature: __________________________

By placing my signature in this box, I waive my right to receive an interview.

C. First Level - Staff Use Only

Staff - Check One: Is CDCR 602-A Attached? ☑ Yes ☐ No

This appeal has been:
☐ Bypassed at the First Level of Review. Go to Section E.
☐ Rejected (See attached letter for instructions) Date: ______ Date: ______ Date: ______
☐ Canceled (See attached letter) Date: ______
☐ Accepted at the First Level of Review.

Assigned to: __________________________ Date Assigned: ______ Date Due: ______

First Level Respondent: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: __________________________ Interview Location: __________________________

Your appeal issue is: ☐ Granted ☐ Granted in Part ☐ Denied ☐ Other: __________________________

See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer: __________________________ Signature: __________________________ Date completed: ______

Reviewer: __________________________ (Print Name) Title: __________________________ Signature: __________________________

Date received by AC: __________________________

☐ Use of this form constitutes review by the director/assistant director of the appeals branch.

Date mailed/delivered to appellant: ______/____/____

☑ Use of this form constitutes review by the director/assistant director of the appeals branch.
OCT 24 2012

In re:

Facilit.

TLR Case No.:

Local Log No.:

This matter was reviewed on behalf of the Director of the California Department of Corrections and Rehabilitation (CDRC) by Appeals Examiner [redacted] Staff Services Manager I. All submitted documentation and supporting arguments of the parties have been considered.

I APPELLANT’S ARGUMENT: It is the appellant’s position that he is hearing impaired “Permanently Hearing Impaired” Impacting Placement (DPH), unable to speak (DPS), and uses American Sign Language (ASL) as his primary method of communication. He contends he experiences difficulty reading and speaking, because his Test of Adult Basic Education (TABE) score is below average, in the 2.7 Grade Placement Level range. He claims the TDD (Telecommunications Device for the Deaf) requires him to read the text and type, which he is unable to do. He notes “I have not been using TDD since I got in here, [as the] TDD isn’t accessible for me to use for equal communication due to my lacking reading & writing skill.”

The appellant requests accommodation to include use of an efficient equal communication device called “Video Phone,” which is a free accommodation provided by various relay services to allow him to use his native language, i.e., ASL, to communicate with loved ones and friends.

II SECOND LEVEL’S DECISION: The reviewer determined the institution currently does not have funding or capability to offer Video Phone services. The device will not replace TDD telephones, as use of this device would impose an undue financial burden on the CDRC, due to the impact on prison resources. It was noted the appellant’s alternate means of communication is via written notes, and the housing staff indicated they routinely communicate with him with written notes. It was also noted the appellant is currently enrolled in the Adult Basic Education-I (ABE-I) Education Class, which will further assist with reading and writing skills.

The Armstrong Remedial Plan (ARP) requires the CDRC to provide reasonable accommodation for inmates/parolees with disabilities to ensure equally effective communication with staff, other inmates, and where applicable, the public. Auxiliary aids which are reasonable, effective, and appropriate to the needs of the appellant shall be provided when simple written or oral communication is not effective. The department provides a variety of assistance to all inmates, and the appellant is encouraged to utilize the services of a sign language interpreter (SLI), staff, an inmate disability assistance program worker, sound amplification devices, or the TDD phone. Although the appellant contended the use of a SLI is not time-effective, he is reminded that he is afforded an extended amount of time to use the TDD; i.e., a 40-minute block of time set aside for each use. Interim accommodation was not required in this case. Upon completion of review, the Acting Warden concurred with and endorsed the determination rendered in this case. The appeal was denied at the Second Level of Review (SLR).

III THIRD LEVEL DECISION: Appeal is denied.

A. FINDINGS: In requesting Third Level of Review (TLR), the appellant expressed dissatisfaction and contended, “They continue to ignore my second level response,” because communication through a third party is expensive, time consuming, causes higher cost-per-minute, and does not keep conversation private. He contends the Video Phone service is free and “is not an undue burden to CDRC in any way.”

In reaching a decision at the TLR, the appellant’s claim is refuted, as he currently receives access to the TDD as required by the ARPV 1.10, which states that access and use of a TDD and telephones for
inmates with disabilities shall be consistent with CCR, Title 15, Section 3282(b). It was noted that
despite the appellant’s TABE Score of 2.9, his alternate method of communication is via written notes,
and the housing staff confirmed he regularly communicates with them via this medium. He is also
enrolled in ABE-I and should be able to improve his reading and writing skills to enable higher
proficiency via use of the TDD.

Moreover, the ARP states, “The TDD sign-up sheets shall be divided into 40-minute increments. The
TDD calls shall have extended time increments due to the time delay associated with the TDD relay
process. TDD access for the hearing impaired shall be consistent and similar to telephone access
provided for non-disabled inmates.” The ARP, CCR 3282(h), and CDCR Operations Manual, Section
(DOM) 52060.4, do not currently identify Video telephones as an approved means of communication for
hearing-impaired inmates; therefore, the institution is in compliance with the governing guidance at this
time.

The appellant is informed the ARP, the CCR, and the DOM provide specific guidelines for
accommodating inmates with disabilities and these guidelines were followed in this case. After
consideration of the evidence and arguments herein, it has been determined that Staff acted in accordance
with the dictates of the ARP in addressing the appellant’s request, and no additional accommodation is
warranted at the TLR.

B. BASIS FOR THE DECISION:
ARP: ARPI, ARPI.A, ARPII.B, ARPII.C.2, ARPII.E.1, ARPII.H.4, ARPIV.B.1, ARPIV.B.2,
ARPIV.1.16

C. ORDER: No changes or modifications are required by the Institution.

This decision exhausts the administrative remedy available to the appellant within CDCR.
September 21, 2012

Inmate: [Redacted]
Facility: [Redacted]

APPEAL LOG: FIRST LEVEL RESPONSE

APPEAL ISSUE: You state that you have a difficult time reading and writing since your TABE score is only a 2.7. You claim that the TDD phone requires you to read the text and type, which you claim that you cannot do. You state that you have not accessed the TDD phone since you got here because you claim it isn’t accessible to you for use for equal communication, due to you lacking in your ability to read and write.

You are requesting a video phone device for you to utilize as Efficient Equal Communication. You state that the video phone device is a free device provided by various relay services. You state that the video phone would allow you to use your native language; American Sign Language Communication with loved ones and friends.

INTERVIEW: You were interviewed on 9-21-12, by [Redacted] regarding this appeal. You were afforded the opportunity to further explain your issues and to provide any supporting evidence or documents. Effective communication was established with a Staff Assistant and Sign Language Interpreter [Redacted]. You understood by answering appropriately to the questions asked.

SUMMARY: All submitted documentation and supporting arguments have been considered. Additionally, a thorough examination has been conducted regarding the claim presented and evaluated in accordance with the California Code of Regulations (CCR) Title 15, the Department Operations Manual (DOM), the Institution Operational Procedure (OP) 403, and the Armstrong Remedial Plan (ARP).

The impact of accommodating your request on security, staff, other inmates and the allocation of prison resources; and whether your request represents an exaggerated response to prison concerns has been addressed. In all evaluations of requests for reasonable accommodation, public safety and the
health, safety, and security of all inmates and staff shall remain the overriding consideration.

Equally effective access is afforded to you through the TDD phone, an alternative method which is available for you to use. TDD phone access shall be consistent and similar to the telephone access provided for non-disabled inmates.

During the interview, I explained to you that each institution/facility staff provides the assistance and equipment necessary to ensure that inmates who have difficulty reading and/or communicating in writing are provided reasonable access to forms, CCRs, and institutional procedures. I informed you that upon request, you can utilize the help of an Inmate Disability Assistance Program worker (IDAP), or a Staff Assistant. You are currently enrolled in the Education Program on Facility G. You may also request assistance from your academic instructor.

DECISION: Based on the above information, your appeal is DENIED at the First Level of review. However, you may utilize the help of an IDAP worker, or a staff assistant to help read and write the transcripts on the TDD phone.

If you are dissatisfied with the decision of this appeal it may be submitted for a Second Level of Review.
October 10, 2012

[Redacted] Facility

APPEAL LOG SECOND LEVEL RESPONSE

APPEAL ISSUE: You state that you have a difficult time reading and writing, which is evident by your low Testing for Adult Basic Education (TABE) score of 2.7. You claim that you cannot use the Telecommunication Device for the Deaf (TDD) phone as it requires you to read the text and type.

You are requesting the use of a video phone device to communicate with your loved ones and friends. You state this would allow you to use your native language, American Sign Language.

You were not satisfied with the first level response and elected to submit your appeal to the second level of review. You added at the second level of review that the use of a sign language interpreter would not be an efficient form of communication and would be too time consuming resulting in your family having to pay for extra minutes on the phone call. You also claim you cannot use another inmate for assistance due to privacy issues.

INTERVIEW: You were interviewed on September 21, 2012 by [Redacted] Correctional Sergeant, regarding this appeal. You were afforded the opportunity to further explain your issues. [Redacted] American Sign Language Interpreter was present to provide effective communication during that interview. Effective communication was achieved by you responding to questions asked and the discussion held.

SUMMARY: [Redacted] Appeals Coordinator was assigned to investigate this appeal at the Second Level of Review. All submitted documentation and supporting arguments have been considered. Additionally, a thorough examination has been conducted regarding the claim presented and evaluated in accordance with the California Code of Regulations (CCR) Title 15, the Department Operations Manual (DOM), and the Institution Operational Procedure (OP) 403 and the Armstrong Remedial Plan (ARP).

During your interview you stated that you have not used the TDD phone since you arrived at the [Redacted] Facility because you feel you would not be able to use it due to your difficulty with reading and writing. You stated
that the video phones are available to the deaf community and should be provided in
the prison setting to ensure equally effective communication.

A Review of the ARP determined that the Department of Corrections and
Rehabilitation (CDCR) shall provide reasonable accommodations for
inmates/parolees with disabilities to ensure equally effective communication with
staff, other inmates, and where applicable, the public. Auxiliary aids which are
reasonable, effective and appropriate to the needs of the inmate/parolee shall be
provided when simple written or oral communication is not effective.

In an effort to ensure equally effective communication can be established by all
inmates, the CDCR provides a variety of assistance to all inmates. You are
encouraged to utilize a sign language interpreter, staff or inmate assistance, an
inmate disability assistance program worker (IDAP), sound amplifier devices or the
TDD phone. Although you feel the use of a sign language interpreter is not time
effective, please be advised you are given an extended amount of time to use the
TDD phone, specifically a forty (40) minute block of time is set aside for each use.

It is noted your alternate method of communicating is the use of written notes.
Contact was made with your building staff, who confirmed they routinely
communicate with you using written notes. It was also verified that you are assigned
to the ABE-1 education class, which will further help with reading and writing skills.

Although video conferencing is available in the deaf community, the CDCR currently
does not have the funding or capability to offer these services. It has been
determined that your request for a video phone device would impose an undue
burden to the CDCR by impacting prison resources. Rest assured the need to
establish equally effective communication for all inmates is of the utmost importance
to the CDCR. As such reasonable accommodations are provided for all qualified
inmates/parolees.

DECISION: Based on the above, this appeal is DENIED at the Second Level of
Review. Your request for a video phone device would impose an undue burden to
the CDCR by impacting prison resources. Alternate reasonable accommodations are
provided to you in an effort to establish equally effective communication. If
dissatisfied with the decision of this appeal you may submit it to the Director's Level
of Review.

APPEALS

Warden (A)  OCT 11 2012
Date: 1/5/2012

To: [Redacted]

Subject: [Redacted]

My name is [Redacted]. I am a deaf person and I use sign language to communicate. I am currently incarcerated at the [Redacted] located in the State of Wisconsin. As you may know, I myself and other deaf inmates have been struggling with deaf rights, special needs and provide fair treatment while in the Wisconsin prison system. Can you please send me the new up to date ADA guidelines. The old ADA guidelines stated that they (the WI DOC/DAI) are suppose to have a TTY machine (teletype machine). The deaf people in the free world communicate mostly through more advance technology such as videophone, so that deaf people can communicate with sign language instead of just typing words. Also, we are incapable to contact videophone through the TTY machine because the two are not compatible together. The TTY device is out dated equipment in past years. If you could please get me any, and or all information in regards to this, please send this to me as well as other deaf inmates, I would also like to acquire any/all legal information in regards to my rights. It will help the Department of Corrections staffs members to understand and realize that this is very important to us as deaf people, and that as technology advances, so should the attention paid to it.

Thank you for your time and consideration in this matter.

Sincerely,

[Redacted]

Note: The hearing inmate who knows ASL helped me to translate my ASL writing into Standard English writing.
My name is [Redacted]. I am now incarcerated in a minimum, medium security prison. We have both open and cell dormitories. This prison put most of the deaf inmates in I dorm at first. But now they have put us in other dorms, due to the deaf fighting among each other. Myself and another deaf inmate is now in [Redacted], because we applied for the faith and character program. All the dorms have TVs with built-in closed captioning. So far, [Redacted] is the only dorm with a TTY. The TTY works but, we get scrambled words on it, sometimes it will work, but the Relay system we contacted is from Texas, and we cannot get through because the Texas relay keeps asking us for a Calling Card. I suspect that the Texas inmates use calling cards in their state. We do not have any interpreters. We do have a inmate that was a certified interpreter on the outside, but we can not use him, because
Since we can not use the TTY system here, I want to install videophone here. I have asked my counselor about it. She said she looked into it and she said it is too expensive to buy and install. I told her that Sorenson Videophone is free for deaf people. I know the cost may be the Internet cost, but they are using computers with internet on it. I think she is trying to keep her job. That's why she said it is expensive.
Dear HEARD,

I want to tell you how things I had problem with person about phone calls.

When I moved into housing on ___ UT from ___ on ___ UT last Sept. 14, 2011, I asked AHD for my own to calls. Lt. and Capt. and Sgt refused let me use in office phone. (When I lived in ___ I used to use phone at case worker’s office. It use with Toll Free Relay Service.)

So __ LT. __ try work out get inmate’s phone for me and it took 3 months. So __ Lt. __ let me use office phone only 5 times in 3 months.

Inmate’s phone finally connected so I can use phone calls from there. It has been free with Relay Service. I born Calls home for 1/2 week with 10 calls till at end time they had change different vendor and now they make me pay for calls. I called out __ Lt. __ and he said use inmate phone, I talked to __ Lt. ___ about phone problems because that was not right that I had to pay like 3-5 x time then hearing minutes pays one time.

__ Lt. ___ understand what I means and he let me use office phone when I need but not regular like any time when I want.
I use office phone 10 times in 9 months till they had new Lt. and Capt. Now they won't let me use office phone.
Now there latest is our TTY phone. The hearing people "Inmates," only pay $1.86 for a 15 minutes call, and that's on the high end. The provider for the DOC is SecureC and they say in their contract that they provide free service to the Florida Relay. Florida Relay says they also provide free service but that DOC has placed restrictions on the only line the Deaf can use and they are to charge $9.99 for the first minute.

And $1.49 for each additional minute. That comes to $29.99 for the same 15 minutes the hearing people pay $1.86 for. I have pursued the issue but everyone points the finger at the other but no one fixes it. When our families call on the line they are told the price and ask for acceptance but who in their right mind would accept a collect call with such outrageous prices. So you see it's just another way to stop us from getting through to the people in the our side world for help.
DEAR MRS. LEWIS:

THANK YOU FOR THE LETTER.

I ALREADY WROTE INMATE REQUEST TO CHECK REGARDING TO ASK FOR ARRANGEMENT AN INTERPRETER AND SET-UP MEETING FOR ALL DEAF INMATE TO HAVE EXPRESS THEIR CONCERN ABOUT ADA ISSUES WE HAVE, SO I AM WAITING FOR HER RESPONSE FOR SET DATE, TIME AND WHERE TO MEET.

AS YOU MENTIONED THE LAST LETTER, WHAT I AM TRYING TO SAY THAT MOST OF THE DEAF INMATES CAN'T USE T.D.D. DUE TO THEIR ABILITY NOT TO UNDERSTAND THE RELAY MESSAGES OR FAMILY TRIED TO EXPLAIN AND STILL CANNOT UNDERSTAND AND ALSO THEY CANNOT TYPE FAST ENOUGH BECAUSE THE TIME USED UP SO FAST AND SHORT MINUTES BY LIMITING USE 40 MINUTES TIME IS UP BY PER POLICY AND AGAIN, THE COST OF COLLECT CALL, FOR EXAMPLE HEARING INMATES USED COLLECT CALL FOR 15 MINUTES MAX, WOULD COST ABOUT $5.00 TO $7.00, AS FOR DEAF INMATES USE T.D.D. FOR 40 MINUTES, COLLECT CALL WOULD COST FROM $45.00 TO $55.00!!! THE COST SHOULD BE FOR US TO BE THE SAME AS, HEARING INMATES WHO USE COLLECT CALL SHOULD BE THE SAME BUT IT SHOWS HUGHES DIFFERNTLY. THEIR FAMILY INCLUDED MINE REMINDED ME AND US NOT TO USE T.D.D. ANY MORE DUE TO RIDICULOUS COST, SO THEY CAN'T USE T.D.D. AND THE CDCR REFUSED TO LET US GET VIDEOPHONE DUE TO THEIR FINANCIAL BURDEN AND THEY PLAN TO BUY MORE NEW T.D.D., BUT THE T.D.D. IS OBSOLETE DUE TO THEIR FAMILY ARE CURRENTLY USE VIDEOPHONE MORE THAN T.D.D. AND THE CDCR TELLING US "TOO BAD USE THE T.D.D., THEY DON'T GET IT DUE TO THEIR TABE SCORE IS WELL BELOW 2.0 GPA OR LESS THAT IS SO IMPOSSIBLE FOR THEM TO COMMUNICATE BY WORD THAT THEY DON'T KNOW OR NOT UNDERSTANDING. THE DEAF INMATES FELT MORE COMFORTABLE BY USING VIDEOPHONE BY SIGNING BY HANDS TO COMMUNICATING BETTER BY FACIAL EXPRESSION AND BODY LANGUAGE AND CULTURE.
I WANT TO EMPHASIZE MORE TO PIN POINT OUT MOSTLY IMPORTANT THAT THEY HAVE UNDER 2.0 GPA THAT LEVEL ARE SO LOW AND SECONDLY, THE COST OF COLLECT CALL WAS HUGHES UNFAIRLY FOR US. THE INMATES USE COLLECT CALL THROUGH BY “GLOBAL TEK” AND WE USE PHONE IN ROTUNDA AREA THAT HAVE REGULAR PHONE NOT CONTRACT BY “GLOBAL TEK”, SO WE USE REGULAR PHONE BY USING PUBLIC PHONE IS NOT UNDER BY “GLOBAL TEK” CONTRACT WHICH IS WHY THE COST ARE SO RIDICULOUS. SO, MY POINT IS THAT THEY CAN'T USE T.D.D. UNTIL THEIR RELEASE BECAUSE OF NUMEROUS REASON AS I EXPLAINED ABOVE.

WE DO KNOW THE PRISON IS TRYING TO BLOCK US FOR NOT HAVE VIDEOPHONE WHICH IS A PROBLEM. EVEN THOUGH THEY SAID THEIR FINANCIAL BURDEN BUT, AS I KNOW OF THAT VIDEOPHONE IS FREE FOR WHO ARE HOUSED IN PRISON THAT ARE NO COST TO CDCR. THE ONLY BURDEN FOR THEM TO BUY VIDEO RECORING MONITOR.

I ALSO HAVE FILED 1824 GRIEVANCE ABOUT THE DRY ERASE BOARD HAS NOT BEEN USED FOR TWO MONTHS DUE TO NEW CORRECTIONAL OFFICERS HAS BEEN CHANGED A LOT EVERYDAY AND ARE NOT AWARE OF THE ADA NEEDS BY NOT USING DRY ERASER BOARD IN WRITING EFFECTIVE COMMUNICATION EFFECTIVELY AS A AUXILIARY NEEDS, SO THEY CALLED ME TO INTERVIEWED AUGUST 22ND, EXPLAINING ABOUT THE SITUATION WE HAVE CONCERNED THAT WHY IT HAS DIMINISHED AND TOLD THE ADA ABOUT LIGHT FLASHING IN ALL DAYROOM SECTION ‘A’, ‘B’, ‘C’ TO FLASH THE LIGHT SO WHICH THE CORRECTIONAL OFFICER DID FIRST DAY AND THEREAFTER FALL BACK AGAIN NEVER USED AGAIN I WONDER WHY IS THAT SO HARD FOR THEM TO USE COMMON SENSE. THE YARD OPEN AT 9:00 A.M. ALSO 7:00 A.M.

FINALLY I GOT A APPEAL BACK FOR SECOND LEVEL APPEAL STATED PARTIALLY GRANTED AND STATED THAT ADA ENSURE THAT ALL CORRECTIONAL OFFICER RECEIVED TRAINING THAT WHO ARE IN HOUSED # 2 D.P.P. INMATES.

ALSO ANOTHER PROBLEM IS SOME INMATES HAVE EXPRESSED ABOUT CORRECTIONAL OFFICERS THAT WHEN DEAF INMATES TRIED TO COMMUNICATE AND THE OFFICERS SHOO-AWAY AT THEM WHICH IS LACK OF COMMUNICATION AS I EXPLAINED TO CHECK ABOUT THE SITUATION AND SHE SAID “NEXT TIME IN THE FUTURE USE THE WRITING PAPER AND GIVE TO THE OFFICER AND IF STILL DOING THAT SAME PROBLEM, THE PAPER THAT WHOEVER WROTE TO OFFICER AND PUSHED AWAY SAVE THOSE PAPERS AND USE 1824 AGAINST THE OFFICER WHO NEGLECTED THAT WAY THERE IS A PROVE TO SHOW US THAT THEY DID TRY TO COMMUNICATE” SO I TOLD ALL THE DEAF ABOUT IT AND THEY ARE AWARE IF IT NOW FOR IN THE NEAR FUTURE.

ALSO I HAVE DISCUSSED ABOUT THE VISUAL AID NOTIFICATION, AGAIN THEY SAID STILL HAVE NO MONEY TO BUY, WHICH IS WHY IT IS MORE CHEAPER TO HAVE DRY ERASER BOARD, I UNDERSTAND. AGAIN AS FOR SAME AS HEARING INMATES HEAR EVERY ANNOUNCEMENTS WHICH WE MISSED A LOT A LOT SO, THAT SCROLL LETTERING SHOULD HAVE PROVIDED US WHAT THE OFFICER HAS TO SAY THAT WE MAY NOT KNOW WHAT IS GOING ON THAT AS WE USE EYES BY HEARING SAME AS HEARING USE BY EARS....

(2)
ONE GOOD POSTIVE NEWS IS THAT WE FINALLY WORKED OUT THAT THE CLOSED CAPTIONED IS NOW ARE USED EVERYDAY AND SUBTILTE IS ON BECAUSE THE ADA APPEAL HAS GRANTED BY ONE OF HEARING INMATES WHO HELPED US OUT BECAUSE HE HAVE VERY GOOD EFFECTIVE COMMUNICATING ON THE LETTERS IN 1824 EXPLAINING VERY GOOD POINTED OUT, SO WE THANKED HIM FOR THAT. I HOPE IT STAY CLOSED CAPTIONED ON FOR A VERY LONG TIME NOT TO BE RELAPSED BACK OLD WAY SO LOOK FORWARD TO STAY ALL YEAR LONG.

I THANK YOU VERY MUCH FOR YOUR HELP AND GIVE THEM SOME GOOD POSTIVE ENCOURAGEMENT AND I HOPE THIS LETTERS FINDS YOU TO HELP BUILD THE CASE AS WELL AS ATTORNEYS. I LOOK FORWARD TO MAKE THIS HAPPEN AND HOPE MY TIME IS DOING WORTH IT. IT'S A LOT OF WORK FOR ME TO DO FOR THEM ON MY ENERGY TIME I HAVE TO DO ALL THE WORKS FOR THEM. I HOPE THIS MAKE IT HAPPEN FOR US TO MAKE THIS HAPPEN TO GET VIDEOPHONE ONE DAY, I LOOK FORWARD TO MAKE THIS HAPPEN.

AGAIN, I WANT TO SAY THANK YOU SO MUCH FOR YOUR TIME AND DO ALL THE WORKS YOU HAVE DONE TREMENSOUSLY JOB I EVER EXPERIENCED WITH YOU. THANKS SO MUCH FOR ALL THE POSSIBLY.

SINCERELY,
Helping Educate to Advance the Rights of the Deaf HEARD DC

From:  
Sent Date:  Friday, January 11, 2013 1:33 PM  
To:  
Subject:  RE: WE NEED YOUR HELP-FCC requests comments on pri

I don't even have easy access to using the TTY system in the prison. From what I understand, I have to go through my counselor who makes the arrangements to the unit secretary. The unit Secretary have to find the time to allow me to use the phone. Next, I only have fifteen minutes to use the tty. This is relatively short in contra to the people who use the regular inmate phone since hearing people use to speak directly. Because I am in the federal prison system, I have to turn in the print out.

The cost by the way doesn't matter as long as we don't pay a dime. In some institution, we are required to pay a federal fee of 3.45 and it would be deducted from our account. This occurred when I was at USP Leavenworth since each time I wanted to make a toll free call, they will still charge me 3.45 for using their phone line. In this facility, the USP Marion, we don't have to pay an dime. Those are the difference between using the inmate phone and deaf prisoner phone access.

In order to resolve the difference, each facility receiving federal funding should have least install an inmate access tty phone similar to a pay phone. If an deaf inmate wants to use the tty, they can dial the number. If the phone answers in an tty mode, the tty machine would open and allow deaf inmate to use the tty machine. There are some facilities that have those phone system and it should be installed in most of the facilities.

You may use my federal prison id number and you have permission to use the statement above.

--- 1/10/2013 7:45 AM wrote:

>
March 19, 2013

Miss. Kayleigh Marshall,
H.E.A.R.D.
P.O. Box 1160
Washington, D.C. 20013

Greeting Marshall,

I want to thank you for sending me the HEARD letter and for considering me. This is a great news to finally be Heard.

In your letter head you mentioned to serve people with hearing impaired and to help us with an important advocacy work, I thank you and thank HEARD for that.

My name is [redacted], I am a deaf federal inmate at B.O.P. who wrongly convicted, I have been painful and fighting my case for the last 12 suffer years.

I need your help or if someone can hear me please, by forwarding this letter and all attachment to the right person in your organization or anywhere who can help me, and/or you can mail me back with the correct person to send him everything myself please because until today no one heard me yet.

Please find attachment for all the documents that I have submitted many grievances and complaints about this issue from the recent prison staffs at [redacted].

I have the full confidence in you and your organization that finally I hope I will be heard.

"Please confirm everything to me by mail as soon as possible!"

Thank you and best regards.
CCA CORRECTIONAL FACILITY
INMATE REQUEST TO STAFF FORM

TO: (Name & Title of Staff Member)  
DATE: APRIL 2012

FROM: ________________________  
REGISTER NUMBER: ____________

WORK ASSIGNMENT: (HEARING IMPAIRED)  
UNIT ORDERLY

UNIT: ________________________

SUBJECT: Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.

RESPECTFULLY, I WOULD LIKE TO REQUEST FOR YOUR ASSIST WITH A DEVICE OF ZVRI TO ALLEVIATE MY DISABILITY. ALSO IT NEED AN INTERPRETER FOR AN EMERGENCY MEETING AT TEAM & MEDICAL OFFICE. HOWEVER, I'VE BEEN REQUESTED A FEW SORT OF DEVICES THAT BEEN DENIED. CURRENTLY, THIS SORT OF REQUEST DEVICE IS A WAY EASIER TO USE & COMMUNICATE WITH STAFF MEMBERS, BECAUSE OF MY DISABILITY & I BELIEVED HAVING A LITTLE SORT OF MISCOMMUNICATE & MISUNDERSTAND IN FACILITY. THE REASON I REQUEST THAT A ZVRI BE PURCHASED FOR ME, AND THAT WOULD BE OF GREAT ASSISTANT ME TO UNDERSTAND BETTER COMMUNICATION WITH STAFF MEMBERS. CAN YOU PLEASE TO CONSIDERATION TO OBTAIN THIS AFFORDABLE DEVICE FOR ME PLEASE SEE ATTACHED. THANK YOU FOR YOUR TIME TO READ AND COMPREHEND THIS MATTERS OF MY CONCERNING;

(DO NOT WRITE BELOW THIS LINE)

DISPOSITION:

See the attached memo

Signature Staff Member

Date

Record Copy - File

Copy - Inmate

RECEIVED
MAY 3, 2012

By B.S.
MEMORANDUM

TO:

FROM:

SUBJECT:  Response to Inmate Request to Staff Form

DATE:    May 8, 2012

This is in response to your Inmate Request to Staff Form, dated April 2012, regarding the Z Video Remote Interpreting (ZVRI).

I have reviewed your request and the information that you provided on ZVRI, and I also asked our Health Services Administrator to review the information and provide a recommendation. Utilizing the same approach of the Utilization Review Committee, the factors that we feel needed to be considered were: the effects on the inmate's quality of life, cost of equipment, service, and training, and effects on the inmate's ability to perform his activities of daily living.

The ZVRI is not likely to provide substantial long-term gain for you. Approval of services expressly for an inmate's convenience, are usually excluded from the scope of services provided to Bureau inmates. The most cost effective and reliable means of communication is still the simple scribe and paper.

Your request for the facility to purchase the Z Video Remote Interpreting (ZVRI) is denied.

CONFIDENTIAL MATERIAL
TO: (Name & Title of Staff Member)  
FROM: "DEAF"  
DATE: 11-16-2012  
REGISTER NUMBER:  
UNIT:  
WORK ASSIGNMENT: VISITATION ORD.  

SUBJECT: Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.

Respectfully, I would like to sit and discuss with you about using a TELEPHONE TYPE DEVICE (TTY MACHINE) at night after 7pm with the assistance of any Captain or Lieutenant to make the calls. In case, I want you to make a ARRANGEMENTS for me to make the necessary calls if you, or the Unit Team are not available. I also need a MEMORANDUM from you to the shift Lieutenant or Unit Officer to allowing me to use the TTY machine in your office at such times. I would like to give you a SUGGESTION an example of this MEMORANDUM you could follow, (SEE: ATTACHMENT-A).

As always, I thank you from the depths of my heart for your assistance in this matter;

__________________________________________________________

__________________________________________________________

(DO NOT WRITE BELOW THIS LINE)

DISPOSITION: [Signature]  

[Date]

Signature Staff Member  

Date 12/1/12  

Record Copy - File  
Copy - Inmate  
Copy - Other
ATTACHMENT "A" TO COP-OUT

PROPOSED MEMORANDUM TO CAPTAINS AND LIEUTENANTS

From: Unit Manager

To: Any Captain or Lieutenant

Subject: Inmate Access to the TTY Machine, Telephone

Reference is made to the above captioned subject.

Inmate is a deaf/mute inmate housed in unit. He uses a special machine for telephone calls to his family, friends, and attorneys.

He needs access to my office to use the special machine for his telephone calls.

I request that any Captain or Lieutenant on duty assist him to make his telephone call in Marshall office. The calls must be logged.

As always, thanks for your assistance in this matter.
CCA/\[redacted\] CORRECTIONAL FACILITY
INMATE REQUEST TO STAFF FORM

<table>
<thead>
<tr>
<th>TO: (Name &amp; Title of Staff Member)</th>
<th>DATE:</th>
<th>12-24-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>FROM:</td>
<td>REGISTER NUMBER:</td>
<td></td>
</tr>
<tr>
<td>WORK ASSIGNMENT:</td>
<td>UNIT:</td>
<td></td>
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<tr>
<td>Visitation Order</td>
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</table>

SUBJECT: Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.

1) \[redacted\]

2) Again, I am here to tell you that I do not have sufficient cooperation with your staff to willing give me a phone call. I am not satisfied with this. I want a equal with all inmates that can make their phone calls at anytime, any day and any weekend/Holiday, like they do. Why can't I be alike them?

3) Are not you willing to approval for a Officer, Lieutenant or Captain to assist me with phone calls? Please I need your understand and help me with this issues. However, other Unit Maj. [redacted] and [redacted] had approved. Currently, what about you?

Thank you for your time. Please reply soon.

(DO NOT WRITE BELOW THIS LINE)

DISPOSITION:

[redacted]


Signature Staff Member

[redacted]

Date

1/8/08

Record Copy - File

Copy - Inmate

Copy - Other

602503-3302
MEMORANDUM

TO: [Redacted]
FROM: [Redacted] Unit Manager
SUBJECT: Inmate Request to Staff
DATE: July 23, 2008

This memorandum is in response to your Inmate Request to Staff dated, July 10, 2008. In this document, you raised several issues and I will address each.

- You requested a qualified interpreter to assist you. You explained that [Redacted] does not have a American Sign Language (ASL) certified translator at the institution; therefore, [Redacted] is not accommodating your disability. **Response:** Staff are able to communicate with you through the written method. Institutional staff are aware of your programming needs and “reasonable” accommodations, that are within the restrictions of a prison setting, will be made to allow you to program as those without a disability.

- You requested that you be provided with a pillow case vibrator alarm clock in order for you to participate in programs like other inmates. **Response:** You are and have been able to participate in programs since your arrival at [Redacted]. I was told by the Executive Assistant that, while at [Redacted], you previously owned a pillow vibrator alarm clock but it was lost during your transfer to [Redacted]. The Executive Assistant also said that she assisted you in completing a federal tort claim for the loss and you should receive a response from the claim by December.

- You requested that a public payphone be made accessible to you so that you would have access like the other inmates. **Response:** As for access to the phone system, staff have provided you access to a staff line to hook up the TTY machine and continued a practice of providing you an additional 100 minutes per month to account for the typing required with the TTY device. We ensure that the time you are allowed access to the phone line is greater than the total number of minutes you are allotted per month. You are given the opportunity to schedule your phone calls and was advised that your schedule needs to be submitted in advance for staff availability. The time frames vary slightly so that you may have some access during the day, in the evening, and or weekends; providing you no more access than inmates without a disability. May I remind you that during business hours, Monday through Friday, only one phone is available per pod for 48 inmates to utilizes. Your calls are limited in a manner similar to other inmates.
- You requested that officers assist you in making phone calls. Response: Although you attached a copy of a memorandum from [redacted], where it was approved for officers to assist you in making phone calls when the officers themselves are working on material in the office, our correctional officers do not work in unit staff offices. Unit Staff will oversee your phone calls.

If additional information is needed please let me know.

cc: Central File
July 2, 2012

Hey

Thank you for mail and card. I'm now move here at May 29th. TTY phone not work. Me told case manager and unit manager need new TTY phone got new TTY phone on June 2014 on 21th. It work but mess up All work on TTY phone me told them need fix it line phone still wait wait. I'm sent you print paper TTY phone you read it.

was in 16 month TTY work good All right word on TTY.

PLS Help me call here need fix it.

THANK YOU

Me not good to write letter sorry
Wrong Date and Time. THAT ok for me.

WANT RIGHT ALL word make me understand on TTY phone.

Relay phone number [REDACTED]

My number: inmate and pin#: [REDACTED]

Big word Black from Relay.

Small word Black THAT me.

Thank you.
BEA CAIP GA 740 867 876
2 SPRINT 9A AING LD
RINGING 1...
02 ... 3 ... 4 ... 5 ...
YOU HAVE RADC4760: 08742
YOUR PARTY MAILBOX IS
FULL I CAN'T RIVE ANYMORE.
PLEASE CALL AGAIN LATER IF YOU HAVE A
MAILBOX ON THIS SYSTEM.
ENT E 10 DIGIT PHONE
NUMBER THEN PRESS POU.
THAN YOU GOODBYE (F) 43;
9: UNG UP) GA PLS AGAIN.
9A (REP) RINGING 1...
2 ... 4 ... 5 ... 6 ...
2. (F) (JACK PAYING) (ANS
MACH HANG UP) GA
HELLO 9A NO ONE VON
THELVNVALAG FULL GA OH
PLS AGAIN 9A (RENEW)
RINGING 1 ... 2 ... 3 ...
... 5 ... 6 ... (ANS
PAYING) (GANS MACH HANG
PKU 9F PLS CALL)
9A DA CU746-5583C
SING 1 ... 2 ... 3 ...
... 4 ...
... 5 ...
5. (F) (F) HELLO HELLO
THE IS TER HOW ARE YOU
GA HI 9A I WAS GOOD I
LOVE YOU MISS YOU LOT
HOW ARE YOU 9A I AM
DOING RECAAO PAIZE AND
HIS YOU A OT TOO
AT HOME HE IS NOT WORK-
ING 9O SHOW VITKTO
YOU TIL GETS OUT IN SUFU
WILL WANT TO TALAO YOU
(SOUNDS KINJ) GAUK 9I WHAT
SORY TTY mess up all
word line phone not good
SORY 9A AREU NG OR
9A KUIS IT REAC THTEP
M YES IM good WHERE MY
dad 9A HE IS IN0E
Ovh IS ALMOST FINISH-
HE WANTS TO TALK TOTYU
9A WHAT 9A DAD IS
IN THE SUFXU ALMOTFIN
HE WANTS ALK TOTO
GA Oh he at work 9A NO
IS HEE TKING HOWER HE
ISANO WASHED GA Oh he
IN SHOWER OK I WAIT IT
I got food box on May 27
TH gone now eat all 9A
AvU WHAT YOU WANTS IN
PFOOD X 9A no not now
wait 9A I FSY R WHO
FROM SCHOOLUJIMMY LOVE
THE OTHER SID TO TELL
YOU HI GA oh realltthat
good 9A HIM AND IS MOM
WEREUISHO IN ANA IF 9M
THUBOTHASKEDYOUU 9E
EA WHAT SORY EA I
KNOWHAT E MEANS TOT WO
WHAT SORY...
GA ok can't wait see you again ya yes me too I can't wait gau yes me too I'm wish tty right all spelling word make me understand ga (BADUTAP-WU OH OK U NEED TOTL THEM MONEY NOT RIHT GA what sorry) ga U NEED TO GET CASE MANAGER KNOW (BBY TALKING G oh yes she told me stl will come here check here line still wait ga (BABY TALKING IN B GIDAIKV what ga (BAY TALKING IN BKGD ) WHEN THY GONNA BE THERE G FIX IT O GA this week or next week i dont know ga OH OK GA ok ga OKU ok i love you more lot all my heart miss you lot ga ED GA ESSN OU ULOT MORE MISS U GA yes same me ga WHAT UDUVNG TTNIGHT AGA watch tv that all ga OH OK (BABALKING IN BKGD9 (TALK TOSONGIEIAACKGROND) GAV what ga I WUVUT KIN TO OUR SON KU what sorry ga (COUGH) I CHL TO OUR SONIAV i dont understand still mess up on tty ga OR SON I CSTAD IN GA what ga I LOVULOT NO MISS U GA ok talk you tomorrow i love you more lot miss you lot good night bye ga YES SAME ME i LOVE UPY H ilu more
January 15, 2013

To whom it may be concern,

My name is , who is totally deafness since birth and is presently incarcerated at Woodbourne Correctional Facility that I have received a greeting post card which I was surprised and never heard about advocate office to help and serve deaf and Hard of Hearing people, so I am writing this letter to find out if your office has some kind of information and newsletter to read because I really need some help real serious about the Video phone has been tested by Commissioner of New York State Department of Correctional Services due to security reason and forced me to use the TV phone machine but I can't use or make the calls to my relatives and friends who are deaf. They switched from TV to Video phone long time ago in 2006 and in prison is very behind news for deaf world has been changed. I do know that about new technology for the Deaf Culture. How I suppose to make the calls them? that frustrated and painful for call them over three years. I feel suffer discriminated by requested for video phone installing. I also let you know that I will be release to parole supervision this March 27, 2013 that why I need the video phone to call my relatives for preparing for transition back to the community in Buffalo, New York. I do know that there is three other states prison that has video phone (Maryland, Vermont and West Virginia) not in New York oh well, I do not know if your office may be able to assist about the video phone issues, please feel free to write back to me soon as possible.

I thank you for your time and attention to this requested matters, look forward to hearing from you.

Sincerely,

[Signature]

Copy: Filed