Derrick Mack
#DC-8979, SCI-Dallas
1000 Follies Road
Dallas, PA 18612-0286

March 15, 2013

Received & Inspected
MAR 25 2013
FCC Mail Room

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

In re: Wright Petition (CC Dkt.#96-128)

Dear Mr. Genachowski:

I am a prisoner housed at the State Correctional Institution at Dallas, Pennsylvania.

Recently, the Penna. Dept. of Corrections changed telephone service providers. The new provider, **Global Tel Link**, does not allow our family members or friends to accept collect phone calls from this state prison.

Our family members are being instructed to open a specific account with **Global Tel Link** and place funds into that account prior to accepting any collect calls.

I filed a prison grievance on this issue (No. 446391). My appeal has been sent to Ms. Dorina Varner, Chief Grievance Officer, Penna. Dept. of Corrections. I have taken the liberty of including a copy of my grievance and the responses from SCI-Dallas prison officials.

It is my hope that in connection with your review of the **Wright Petition** the enclosed material will be accepted as part of the official record in this matter.

Additionally, I wish to offer for your consideration the enclosed article **"The Price to Call Home: State-Sanctioned Monopolization in the Prison Phone Industry,"** as published in the October 2012 issue of Prison Legal News.

You will note that the provider at-issue, **Global Tel Link**, has contracts for 27 state correctional departments. This provider has literally swallowed up **57%** of the total state prison population in the United States. Id.

This provider charges different rates in different states. See p.2 of enclosed article.

My family has chosen to do business with FreedomLine Phone Service. They offer their customers **Local Personal Telephone** numbers (LPTs).

As a matter of public policy concerning this, the FCC should permit outside consumers to choose whatever provider meets their particular needs and services. A state gov't agency should not be allowed to compel consumers to choose a specific contract they may want with an entity.

All the same, I appreciate whatever attention and merit you wish to accord my correspondence.

Sincerely,

Derrick Mack

encls.

The Price to Call Home: State-Sanctioned Monopolization in the Prison Phone Industry

by Drew Kukorowski

Ed. Note: In April 2011, Prison Legal News published a comprehensive cover story on the prison telephone industry based on two years of research into prison phone contracts, rates and kickbacks nationwide. This article provides a summary and update of issues related to the prison phone industry, including the Wright Petition, which remains pending before the FCC. See the Prison Phone Justice Campaign ad on page 25 for additional information.

Exorbitant phone rates make the prison telephone industry one of the most lucrative businesses in the United States today. The industry is so profitable because prison phone companies have state-sanctioned monopolistic control over the state prison markets,[1] and the sole federal agency with authority to rein in prison phone rates nationwide has thus far failed to provide meaningful relief.

Prison phone companies are awarded monopolies through bidding processes in which they submit contract proposals to the state prison systems; in all but eight states, these contracts include provisions to pay "commissions"—in effect, kickbacks—in either the form of a percentage of revenue, a fixed up-front payment or a combination of the two.[2] Thus, state prison systems have no incentive to select the telephone company that offers the lowest rates; rather, they have an incentive to reap the most profit by selecting the company that provides the highest commission.[3]

This market oddity—that the government entity has an incentive to select the highest bidder and that the actual consumers have no input in the bidding process—makes the prison telephone industry susceptible to prices that are well above the phone rates for non-incarcerated persons. This fact, coupled with what economists would call the "relative inelastic demand"[4] that incarcerated persons and their families have to speak with one another, leads to exorbitant rates. The prison telephone market is structured to be exploitative because it grants monopolies to the producers (prison phone companies), and because the consumers—the incarcerated persons and their families who are actually footing the bills—have no comparable alternative means of communicating.[5]

Exorbitant telephone rates are not only bad for incarcerated persons and their families, but also are bad for society at large. High phone rates reduce the ability of incarcerated persons to communicate with their family members, and family contact has been consistently shown to lower recidivism.[6] Currently, there is public debate about reducing the costs of mass incarceration by focusing on ways to lower the likelihood that incarcerated persons will re-offend after their release.[7] For example, the Republican Party Platform for 2012 endorses "the institution of family-friendly policies ... [to] reduce the rate of recidivism, thus reducing the enormous fiscal and social costs of incarceration."[8] And the Democratic Party Platform for 2012 notes that the party "support[s] ... initiatives to reduce recidivism."[9] Lowering prison telephone rates would serve the uncontroversial goal of reducing the likelihood that incarcerated persons will re-offend after their release, as family contact is linked to lower recidivism.

Fortunately, government regulation can help achieve this goal. The Federal Communications Commission is considering a modest regulation to impose price caps on long-distance prison telephone rates. Such regulation, when considered against the backdrop of the corporate monopolization of the prison telephone market, would both reduce the price-gouging that incarcerated persons and their families suffer, and simultaneously contribute to the social good by reducing recidivism.

The Prison Telephone Market is Broken

Markets for goods and services work best when consumers have the freedom to select the best option. In the prison phone market, though, consumers have no choice as to which telephone company they use. That choice is made for them by the state prison system. But state prison systems cannot be expected to advocate for lower phone rates because they don't have consumer interests in mind. And prison telephone companies have little incentive to provide reasonable rates to their customers because they do not answer to those customers.

These state-sanctioned monopolies prey upon people who are least able to select alternative methods of communication and who are least able to sustain additional expenses. Incarcerated persons have below-average literacy rates that make it less practical for them to communicate in writing.[10] Further, it is difficult for families of incarcerated persons to pay for phone calls because people in prison tend to come from low-income households.[11] A study of recently-released people from Illinois prisons found that the high cost of prison phone calls was one of the two most significant barriers to family contact during incarceration.[12] Therefore, prison phone companies not only have monopolies, but their customers have no comparable alternatives to telephone communication.

In addition to these structural problems within the prison telephone industry, corporate agglomeration has exacerbated already exorbitant prison phone rates. Over the past few years, three companies have emerged to dominate the market: 90% of incarcerated persons live in states with prison phone service that is controlled by Global Tel*Link, Securus Technologies or CenturyLink.[13] The largest of these corporations, Global Tel*Link, currently has contracts for 27 state correctional departments following its acquisition of four smaller prison phone companies between 2009 and 2011.[14] Global Tel*Link-controlled states contain approximately 57% of the total state prison population in the United States.[15] Government regulation was designed to address this kind of corporate domination over a captive market.

Exorbitant Rates Result from the Monopolistic Market

The combination of corporate consolidation in the prison phone industry, state-granted monopolies and inelastic demand for prison telephone service has led to exorbitant pricing. In many states, people behind bars must pay about $15 for a fifteen-minute phone call.[16] For families trying to stay in touch on a regular basis, such costs are often backbreaking.

Because phone rates vary widely between states—even between states that use the same prison phone company—nationwide regulation is appropriate. For

example, a fifteen-minute long-distance call from Global Tel*Link costs $2.36 in Massachusetts, but the same call costs more than $17 in Georgia.[17] This significant difference in rates originates in large part from the wide range—anywhere from 15% to 60%—in the size of kickbacks that prison phone companies pay to state governments.[18]

Prison phone companies and state prison officials use different arguments to defend the high rates. The companies argue that rates must be high in order to cover costs associated with providing secure telephone service, such as call monitoring.[19] But this argument is refuted by the phone rates charged in New York's prison system. New York law bans kickbacks and requires that "the lowest possible cost to the user shall be emphasized."[20] Currently, Global Tel*Link charges incarcerated persons and their families about $0.05 per minute for local and long-distance calls from New York prisons. Thus, low rates in the prison phone market are entirely consistent with call monitoring and other security measures.

Corrections officials argue that phone kickback revenue pays for prison amenities that otherwise would go unfunded by state legislatures.[21] This argument fails to stand up to scrutiny when considering that the federal prison system charges comparatively low rates, $0.06/minute for local calls and $0.23/minute for long-distance, yet still generates enormous revenue. As a recent Government Accountability Office report points out, the federal prison phone rates were sufficient to cover costs plus generate $34 million in profit in 2010.[22] Thus, substantial profits can still be realized when prices are set at relatively low levels, and both prison telephone companies and state prison systems would be able to cover their costs and generate revenue even with rate caps in place.

High Prison Phone Rates Harm Society

The link between family contact during incarceration and reduced recidivism is well-documented.[23] Indeed, the federal Bureau of Prisons states that "telephone privileges are a supplemental means of maintaining community and family ties that will contribute to an inmate's personal development."[24] Congress itself has found, in the context of enacting the Second Chance Act of 2007, that "there is evidence to suggest that inmates who are connected to their children and families are more likely to avoid negative incidents and have reduced sentences."[25] The American Correctional Association, the world's largest professional corrections organization and an accreditation agency for correctional facilities, has repeatedly resolved that "sound correctional management" requires that "adult/juvenile offenders should have access to a range of reasonably priced telecommunications services," and that rates for such services should be "commensurate with those charged to the general public for like services."[26] Thus, a variety of stakeholders and policy-making bodies agree that high prison telephone rates are harmful, yet such high rates persist.

In addition to reducing recidivism, lower phone rates that lead to increased contact between incarcerated people and their children increase incarcerated persons' involvement with their children after release.[27] As of 2007, 52% of people held in state prisons and 63% of people held in the federal prison system were parents of minor children.[28] Lowering the cost of telephone communication for these incarcerated persons would improve parent-child relationships by permitting more frequent calls.

The economic consequences of high prison phone rates are harmful as well. The revenues generated by prison telephone rates are offset by the costs of larger prison populations caused by increased rates of re-offending. Forgoing revenue from exorbitant phone rates now will decrease correctional departments' costs in the future, because fewer people will find themselves back in prison. If state governments are serious about cutting costs by reducing their prison populations, then lowering prison phone rates provides a simple, straightforward and evidence-based way to achieve that goal.

High prison phone rates also function as a regressive tax on communities that experience higher incarceration rates.[29] This is the opposite of our generally progressive tax structure where tax burdens increase as income rises. In this context, low-income families pay exorbitant phone rates that fund state revenues. But taxpayers are already paying for prisons. It is unfair that taxpayers whose family members are incarcerated should be subject to an additional tax in the form of high prison phones rates, especially considering that this concurrently enriches prison phone companies and negatively impacts recidivism.

Finally, lower prison telephone rates

PA. = .35 per minute

A PUBLIC COMMENT FOR THE WRIGHT PETITION (cc Docket #96-128)

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

Received & Inspected
MAR 25 2013
FCC Mail Room

Dear Chairman Genachowski,

I am writing to you with concerns about the price that myself, my family and my friends are paying for me to call. I am only making phone calls in state. That is ridiculous to have to pay these prices. They have even gone as far as our families have to send them money up front so that I may call them. They call it collect calling, I do not see how they can call it that. If I do not buy a phone card or my family/friends do not send them money up front I can not call them. It is like one big racket tiering scam. Who will give who the biggest kick back!

It will be greatly appreciated if you can and will look into this matter at hand. Thank you very much for your time and patience. They are both very much appreiated. I can be reached at the address below.

Virgil Tuttle CY-8402
1000 Follies Road
Dallas, PA 18612

Sincerely,
Virgil Tuttle

THIS IS A PUBLIC COMMENT FOR THE WRIGHT PETITION (cc Docket #96-128)

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

Received & Inspected
MAR 25 2013
FCC Mail Room

Dear Chairman Genachowski,

I am writing to you with concerns about the price that myself, my family and my friends are paying for me to call. It is costing us around six dollars for fifteen minutes. I am only making phone calls in state. That is ridiculous to have to pay these prices. They have even gone as far as our families have to send them money up front so that I may call them. They call it collect calling, I do not see how they can call it that. If I do not buy a phone card or my family/friends do not send them money up front I can not call them.

It will be greatly appreciated if you can and will look into this matter at hand. Thank you very much for your time and patience. They are both very much appreiated. I can be reached at the address below.

David McHenry KT-1499
1000 Follies Road
Dallas, PA 18612

Sincerely,
David McHenry
David McHenry

Received & Inspected

MAR 25 2013

FCC Mail Room

This is a Public Comment for the Wright Petition (cc Docket #96-128)

Chairman Julius Genechowski
Federal Communications Commission
Public Comments
445 12th street, SW
Washington, D.C. 20554

3.17.13

Dear Chairman Genachowski,

My name is Walter Johnson and I am a Federal Prisoner held at F.C.I. Manchester, in Manchester, KY. I recently read an article pertaining to a campaign for prison phone Justice and this really hit home with me. I have been incarcerated for several years now and sadly, I have almost completely lost all contact with my family due to high phone rates and gas prices. Before I came here it cost close to $20.00 for 1 (one) 15 minute phone call to my family in the next state over. Thats absurd! I call that a crime! Its cheaper to make a 30 minute call to china than it is to call one state over and therefore it is impossible for my family to afford for me to call home. I understand I committed a crime and broke the law. I am paying my dues for that, but no matter what I have done in my past, it should never cost me my family. Yet it has because certain phone contracts give companies a monopoly on phone prices and the are out of control with greed. I humbly request you do all you can to make a change in policy. Thank you.

Sincerely,

Walter Johnson

Walter Johnson #32842-074
F.C.I.Manchester
PO Box 4000
Manchester, KY. 40962

This is a public comment for the WRIGHT PETITION (CC Docket #96-128)

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

Received & Inspected
MAR 25 2013
FCC Mail Room

Dear Chairman Genachowski:

I'm writing to ask that you act on the WRIGHT petition to cap inmate telephone rates and stop the exploitation of prisoners and their loved ones.

I am serving time in the Michigan Department of Correction. Since coming to prison, I have tried to remain in close contact with my family and friends, but with each passing year it becomes more difficult. Despite publicly trumpeting the benefits of prisoners remaining in close contact with their families, the self serving policies and actions by the MDOC are continuing to tear at the very fabric of these bonds.

The two most important and critical ways for a prisoner to keep in contact with his family comes through visits and telephone calls. For most families, including mine, making the trip to visit is a rare occurrence. When you consider the bad economic times, and that most of these visitors themselves are struggling near the margins, the cost of making the trip to visit is prohibitive. Add to this that the MDOC has reduced the amount of days a prisoner can get visits, and restricted the number of visitors an inmate is allowed to see, it's not surprising to see the number of visits being reduced by 70%.

This leaves the telephone as the main lifeline for a majority of prisoners. Rather than making this critical service more convenient, the MDOC has chosen instead to exploit this service for profit. They, along with predatory telephone providers, have colluded to extort and target those who can least afford it. Of the average $3.25 charged for a 15 minute call, $2.50 goes directly into the pockets of the MDOC and telephone provider.

The MDOC claims it needs its share to shore up its budget. Prisoners and their families should not be charged outrageous rates to support prison budgets, that burden should be borne by the entire tax base. As for the telephone provider, they get a 30 % cut of the overcharge. Remember, the telephone provider has already built in their cost and profit margins for providing the actual telephone service. Public Communication Services is Michigan's current provider and they are making more money from administering this slush fund than they are from providing the actual inmate telephone service.

It seems one of the functions of our Federal Communications Commission is to protect the consumer from predatory behavior, and if this doesn't qualify for that protection, then I don't know what would. Please put a stop to this. Cap the rates!

Sincerely, Tamir T. Bell

Tam Bell

Inmate Appeal to Final Review

Grievance

INMATE NUMBER	NAME	FACILITY	DATE	GRIEVANCE#
DC-8979	Derrick Mack	SCI-Dallas	March 14, 2013	446391

Ms. Dorina Varner:

I'm appealing to **Final Review** the above stated grievance.
The Inmate Phone Representative at SCI-Dallas, Ms. Kelly McCrea, elected to cut off nine (9) phone nos. on my list which were area code 570. I filed a telephone discrepancy ("TSDF") on Jan. 8, 2013. This is attached to my grievance.

Ms. McCrea stated "Per DOC Policy Call Forwarding is not allowed."

Following this response, I filed the instant grievance on Feb. 4, 2013. The grievance was assigned to Lt. Martin, Security Office, for initial review.

I was interviewed by Lt. Martin. He stated that, in essence, I was right but, he could not do anything about the situation. I requested that he put his words in writing; he flatout declined to do so.

The basis for my appeal is that my family purchased a contract with FreedomLine Phone Service. This is not a "call forwarding" service. I attached their policy statement to my TSDF. My family should not be inhibited from purchasing whatever telephone contract they desire.

INMATE SIGNATURE: Derrick Mack

How can Ms. McCrea in good conscience state that "call forwarding" is not permitted when if a call is placed through Global Tel Link, the no. shows up on my family's phone bill as a 713 area code which is a Texas number!

Lt. Martin's decision was affirmed by Supt. Walsh on March 5, 2013. Based on this, I am appealing in full the responses I received from SCI-Dallas staff. I'm requesting that the 570 nos. which were removed be placed back on my authorized phone list. In the event of any possible future litigation, I am also requesting attorney fees, costs, paralegal fees, punitive and compensatory damages.

Respectfully submitted,

Derrick Mack

Derrick Mack
#DC-8979, SCI-Dallas

attachments/

cc: Julius Genachowski, Chairman
Federal Communications Commission

Modern communication technology is developing and changing very rapidly. Because of that, keeping up with new methods and developments can be difficult. This information sheet is intended to shed some light on one aspect of today's telecommunications field—that of providing Localized Personal Telephone numbers (referred to as LPT numbers) to businesses, key personnel within a company, or to individuals.

For several years major telephone carriers have offered Market Expansion Lines to their business customers. Until recently, that service was generally relatively expensive. FreedomLine now provides that same service for a fraction of what the major telephone carriers once charged.

Thanks in part to the FCC's Local Number Portability rules, we also provide service to individuals by giving them local numbers in many areas of the US. At this point, a significant portion of our business is providing Localized Personal Telephone numbers to individuals who have a friend or family member who is incarcerated. While most institutions encourage inmates to stay in close and frequent touch with their friends and loved ones, telephone calls to a long-distance number are sometimes prohibitively expensive, effectively discouraging regular contact with friends and family by telephone. By providing those friends and families with numbers which are local to the facility where the inmate is housed, we are able to offer significant savings on the cost of the telephone calls.

It is common for an individual to have more than one telephone number by which they may be reached. When we provide a customer with a new Localized Personal Telephone (LPT) number, we are simply giving them a new number, in a specific geographical area, by which they can be reached.

Almost all facilities (and all Federal facilities) have established rules and procedures regarding inmate phone calls. While such rules may vary greatly among State-operated (or more local) facilities, among the clearest and easiest to understand are those which are delineated in the United States Bureau of Prisons Program Statement **5264.07.** However, despite its clarity, one of its major prohibitions is sometimes misinterpreted as applying to FreedomLine's (LPT) numbers. That provision states, among other things, that "*...inmates must place all personal telephone calls over the Trust Fund's ITS-II and must not circumvent the ITS-II via call forwarding, including automatic electronic forwarding or any other type.* The reasons this provision does not apply to calls placed to an individual's LPT number is three-fold, as follows:

All calls made by an inmate to any LPT number are, and can only be, placed through the institution's own, or contracted third party's, telephone system. There is no circumvention, nor is any circumvention possible. Monitoring, recording, logging, etc. are never interfered with in any way.

1. FreedomLine service never uses, nor do we offer, any type of call forwarding service.

    a. ***Call forwarding*** is defined by *dictionary.com* as "a telephone service feature whereby, ***when a customer chooses***, all calls coming in to one number are automatically rerouted to another, designated number." That is a customer-controlled, custom-calling feature which may or may not be available through a local telephone company, but it is ***not*** available from FreedomLine. When a FreedomLine LPT number is provided, it is ***permanently and directly routed*** to the callee. Neither the inmate nor the person who is called has access to or control over that routing.

2. ***The called destination is never masked.*** Wherever an inmate is required to have pre-approved numbers placed on an approved calling list, he or she is required to provide a number to be called as well as the name of the person to be called. When he or she provides that callee's LPT number and name, calling that number will reach that party, and no one else.

To further assure that no rules or procedures can be violated when an inmate's family member or friend orders an LPT number and provides that new number to an inmate, our highly customized proprietary equipment and software specifically makes it impossible to call 1-800, 1-888, 1-900, 1-976, credit card access numbers or any other toll-free numbers.

INITIAL REVIEW RESPONSE
SCI Dallas
1000 Follies Rd. Dallas Pa. 18612

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follow

Inmate Name:	Derrick Mack	**Inmate Number:**	DC8979
Facility:	SCI Dallas	**Unit Location:**	I-C-86
Grievance #:	446391	**Grievance Date:**	2.1.13
Publication (if applicable):			
Decision:	☐ **Uphold Inmate** ☑ **Grievance Denied** ☐ **Uphold in part/Denied in part**		

It is the decision of this grievance officer to uphold, deny ***or uphold in part/deny in part*** *the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.*

Response: *Frivolous*

I have been assigned as the grievance officer to investigate your grievance #44639, regarding the phone numbers that were removed from your phone list.

This is the second grievance that was written by you concerning this issue (call forwarding), the frist was on 1.22.13.

I had spoken to the Inmate Phone Representative and she stated, the service you are attempting to use, Freedom Line, is not an approved vendor.

DC-ADM 818 Section 2.B.2.H states, *"An inmate is prohibited from initiating calls to the following; Three way calling, call forwarding and calls through a call forwarding service through a local phone number."*

Based on the review of your grievance, the information received from the Phone Representative and the review of the policy, I find your grievance to be denied. The relief you seek, your removed phone numbers to be placed back on your phone list is denied.

Signature:	LDMark
Title:	CO 3
Date:	February 13, 2013

cc: Superintendent
Facility Grievance Coordinator
DC-15
File....*ll*

SCI DALLAS
APPEAL TO FACILITY MANAGER
GRIEVANCE

Inmate Number	NAME	HOUSING UNIT	DATE	GRIEVANCE#
DC-8979	Derrick Mack	I/86	March 4, 2013	446391

I received my initial response from the Grievance Office/Coordinator on _____ and have the following appeal issues.

Refer to DC-ADM 804, Grievance Appeal Procedures, for complete instructions.

Please provide a BRIEF (no longer than two pages) appeal statement.

Supt. Walsh:
I'm appealing a decision by Lt. Martin concerning nine (9) area code 570 tele. numbers that were deleted from my phone list by the AITS lady, Ms. Kelly MaCrae.

I filed a discrepancy form on Jan. 5, 2013. The response I got back was "per DOC Policy call forwarding is not allowed." I then filed a formal grievance about this issue on Feb. 1, 2013.

My family purchased a contract with FreedomLine Phone Service. This is not a "call forwarding" service. This issue is addressed in their policy statement which was attached to my grievance.

Lt. Martin stated he spoke to the Inmate Phone Representative. The explanation given this time is that the service I am using is "not an approved vendor."

During an interview he had with me, he also stated that I'm right; but, it is nothing that he can do. I requested that he place those words in writing on his decision. He stated no!

He also cited DC-ADM 818 Sec. 2.B.2.H which prohibits inmates from initiating calls either three-way, call forwarding, and calls through a call-forwarding service.
My appeal is based on the fact that FreedomLine Phone Service is not offering call-forwarding. Two, as far as the vendor, I am not purchasing something from a vendor as if I needed approval for an "outside purchase." The phone contract is entirely an independent choice being

--over--

INMATE SIGNATURE: Derrick Mack

made by consumers on the outside. Consequently, none of the reasons being advanced apply in my situation.

I am requesting for my 570 nos. to be added back to my phone list. And, in the event of possible future litigation, I am requesting attorney fees, costs, paralegal fees, punitive and compensatory damages.
Respectfully submitted,

Derrick Mack

Derrick Mack
#DC-8979, SCI-Dallas

Facility Manager's Appeal Response
SCI Dallas
1000 Follies Road
Dallas, PA 18612

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me and any other documents submitted.

Inmate Name:	Derrick Mack	**Inmate Number:**	DC 8979
Facility:	Dallas	**Unit Location:**	I
Grievance #:	446391		
Publication (if applicable):			

Decision:	☒ **Uphold Response (UR)** ☐ **Uphold Inmate (UI)** ☐ **Dismiss/Dismiss Untimely**

It is the decision of this Facility Manager to uphold the initial response, uphold the inmate or dismiss. This response will include a brief rationale, summarizing the conclusion, any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.

Response: UR *Frivolous*

I have reviewed the above-noted grievance, the Grievance Officer's response and your subsequent appeal of said grievance. My decision is as follows:

Lt. Martin was assigned as grievance officer and has adequately addressed your grievance. As you were informed, the service you are attempting to use is not an approved vendor. Lt. Martin provided you with a section from DC-ADM 818 regarding this matter, which I will not reiterate. Your request for relief is denied.

Therefore, I uphold the initial response.

Signature:	Jerome W. Walsh
Title:	Facility Manager
Date:	March 5, 2013

JWW:sml

cc: Ms. Lucas
Lt. Martin
Records/DC-15
File