

INFORMAL COMMENTS OF INSIDE CONNECT, D/B/A JAIL CALLS

One of the most effective things the Commission can do to help free inmate friends and family members from the tyranny of monopoly providers of inmate service like Securus is to order those providers to cease blocking the efforts of Jail Calls and similar providers to offer their alternative solutions.

Jail Calls' predecessor, Outside Connection ("OC"), was a pioneer in solving the problem of high rates for inmate calling. Using a perfectly legal, commonly available telecom feature (remote call forwarding), OC was able to offer inmate friends and families a telephone number that was local to their inmate's facility, thus saving the exorbitant toll charges that applied to inmate calls.<sup>1</sup> Calls to the OC-assigned number still went through the official government-sanctioned inmate phone system, but because the called number was local to the facility, the charges paid by the inmate friends and family members were significantly lower.

From the beginning, the monopoly providers of inmate phone service (and the corrections departments, who often received substantial commissions from the revenues generated) vehemently opposed OC's service, and did everything they could to attack and discredit it. The primary tactic involved mischaracterizing OC's service and raising bo-

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<sup>1</sup> Unlike the end-user "call forwarding" feature on many phones and PBXs, remote call forwarding (RCF) establishes a one-to-one connection between the dialed number and ring-to number. There is no ability for the call recipient or anyone else to use the feature to temporarily redirect the call to an unauthorized destination.

gus or exaggerated claims regarding the security risks of the service.<sup>2</sup>

Jail Calls now uses VoIP technology rather than remote call forwarding, but the solution is essentially the same: assignment of a new telephone number to the inmate friend or family member that can be called from the facility,<sup>3</sup> often at a lower rate. And Jail Calls has been hit with the same vicious opposition from the monopoly providers of inmate service, particularly Securus.

Securus mischaracterizes Jail Calls' service as a "call diversion scheme" (whatever that is). By inventing a sinister-sounding three-word phrase, Securus has disparaged perfectly legal telecom products and services that are generally available in the marketplace. In fact, RCF was ordered to be available in the Telecom Act of 1996.<sup>4</sup> Using perfectly legal telecom products and services that are available from most telephone companies, the general public that receive collect calls from correctional facilities can keep their rates lower. Securus calls this a "Call Diversion Scheme". It is simply using a legal product to avoid a long distance rate structure that is put into place to gouge the public for the ability to speak to a person in a prison or jail. Using a local NPA-NXX and thus only being charged a "Local Call Rate" is not illegal. It is saving people millions of unjustifiable overcharge, dollars. Especially when a long distance call is lower in actual cost to the carrier than a local call. Securus and Global Tel Link are required in most states by the Public Utility Commissions to charge a lower rate for that local call. These two name

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<sup>2</sup> See, e.g., WCB/Pricing Docket 03-14, Outside Connection Petition for Declaratory Ruling That Call Blocking By MCI/NYDOCS Is Unlawful.

<sup>3</sup> In some cases the called party's existing phone number cannot receive calls from the facility at all, either because the local provider does not have a billing and collection agreement with the inmate provider to allow the charging of collect calls, or because the inmate service blocks all calls to certain providers, e.g., Vonage.

<sup>4</sup> See 47 U.S.C. § 271(c)(2)(B)(xi).

companies intentionally change the NPA-NXX of the inmate phones to ensure that even local calls by true distance are not local. These two companies use VoIP to change the NPA-NXX and thus a local call is “long distance” and the only possible rational that this writer can find is, for monetary gain.

There are no illegal products being used here by the general public or by the telecom companies on the inmate’s or inmate’s families side. There is only one illegal action here and that is by Securus and how it acts to Jail Calls and other general members of the public. In early 2013 Securus went so far as to block – unilaterally, without notice, and in flagrant violation of law -- all calls to all Jail Calls numbers from certain of its facilities, causing massive disruption and huge economic loss to Jail Calls. At the same time, Securus apparently has no problem completing inmate calls to prepaid cell phone accounts (which also involve a newly assigned, possibly local, telephone number) – perhaps because those calls don’t involve a perceived competitor.

Securus makes the usual “security” arguments, suggesting that Jail Calls’ service somehow makes it possible for unauthorized persons to receive calls from inmates. That is simply not true.

In any event, all of Securus’ “security” arguments and objections are belied by the settlement it reached recently with Millicorp in Docket WCB 13-79.<sup>5</sup> This settlement shows that (1) the only real security concern involves making sure that inmate calls are directed only to the intended recipient, and (2) there are effective means to ensure that that happens.

The Commission should require Securus (and other monopoly providers of inmate

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<sup>5</sup> See letter dated April 26, 2013, from Securus’s general counsel to Julie Veach, Chief, Wireline Competition Bureau, in WC Docket 13-79.

service) to enter into substantially similar agreements with other providers. So long as Jail Calls is willing and able to put safeguards in place similar to those described in the Millicorp settlement (and in fact Jail Calls has had effectively similar procedures in place for years), then Securus should be ordered to cease blocking or otherwise obstructing Jail Calls' attempts to provide service.

Respectfully submitted,

/s/

Brian Prins, President  
July 7, 2013