



*Inmate 96-128*

EXECUTIVE OFFICES OF  
MARION COUNTY SHERIFF  
JOHN R. LAYTON  
40 South Alabama Street  
Indianapolis, Indiana 46204  
(317) 327-1310 Fax (317) 327-1315  
GENERAL OFFICES  
(317) 327-1700

Received & Inspected

JUL 16 2013

FCC Mail Room

July 8, 2013

Jessica Rosenworcel  
Commissioner  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Ms. Rosenworcel:

By way of introduction, I am a two time former U.S. Marshal, and two term Sheriff of Marion County, Indiana (Indianapolis). I was the first African-American to patrol Marion County in the early 1960s, and I was elected the first black Sheriff in 2002. In 1972, the federal courts took control of the Marion County Jail because of a lawsuit over unconstitutional conditions. In 2003, I inherited that lawsuit, which had been in place for 30 years. Nevertheless, the condition of the Jail was still utterly deplorable. I considered it a major civil rights battle and committed to deal with all the problems in the Jail: overcrowding, poor medical care, poor nutrition, and unsafe conditions throughout. Through hard work by many people, the Jail was released from federal oversight and the lawsuit dismissed, 35 years after it was filed. By 2010, the Marion County Jail was accredited by the American Correctional Association (A.C.A.). We were the only Sheriff's Jail in Indiana so accredited. I left office in 2010, but I am proud to say that my successor, Sheriff John Layton, has maintained my commitment to excellence and accreditation.

I am writing you to express my concerns about the FCC's consideration of inmate telephone charges. I maintain that the telephone revenue was absolutely key to Marion County and our ability to fight for, and eventually obtain constitutional conditions and ultimately, A.C.A. accreditation. In Indiana, our General Assembly has wisely looked at the issue of inmate telephones and enacted I.C. 5-22-23-6. In addition, the legislature has enacted a specific statute concerning the use of those funds for departmental betterment, specifically I.C. 36-8-10-21. Additionally, our appellate courts have considered challenges to our statutory provisions and rejected them out of hand. See Alexander v. Marion County Sheriff, 891 N.E.2d 87 (Ind. Ct. App. 2008). Thus, in Indiana, we have a judicially approved statutory scheme that allows Sheriffs to utilize telephone monies to operate and maintain jails in accord with high standards. Obviously, the accreditation by ACA, as well as the accreditation by the National Commission on Correctional Healthcare (NCCHC) directly benefits inmates and, ultimately, their families. Unfortunately, many local legislative bodies consider law enforcement accreditation a luxury.

Jail telephone communications are closely monitored at the Marion County Jail. Costs associated with Jail telephones are high due to the wanton destruction, and unusual wear and tear. Simply maintaining these lines is difficult enough. At the Marion County Jail, we have staff dedicated to making sure the telephones are in good repair. We have additional staff dedicated to ensure inmates do not rig the telephone system and gain access to outside lines that are not restricted. This is a constant and expensive endeavor.

We also fight a constant battle of the issue of cell phones. Cell phones pose a dangerous security risk, and we have worked closely with our telephone vendor to root out dangerous cell phones. A few times a year, a "cell phone dog" evaluates the Jail to detect these devices. We are now looking at technology which may assist in the prevention of cell phone security leaks. Unfortunately, the technology is expensive.

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Furthermore, we are working with the telephone vendor to provide additional opportunities to the inmates. Obviously, we could restrict inmate communication to Jail visits and written letters. However, in addition to telephone communication, we are investigating the possible inmate use of emails and texting. Furthermore, we are considering electronic games and other devices which would allow inmates more opportunity for diversion. "An idle mind is the devil's workshop," and we have foiled major escape attempts over the last few years. It takes time and money to develop these options for the inmates and their families, but the telephone monies allow us to move forward.

Finally, I am proud of our funding of Jail Programs such as GED, anger management, parenting classes, and AA/NA activities. All of these are funded and supported by the Jail's Commissary Fund. Marion County just recently created a new women's program to help address the rising number of female inmates. All of the new programs, clothing, and improvements to the infrastructure were funded through the Commissary's telephone monies.

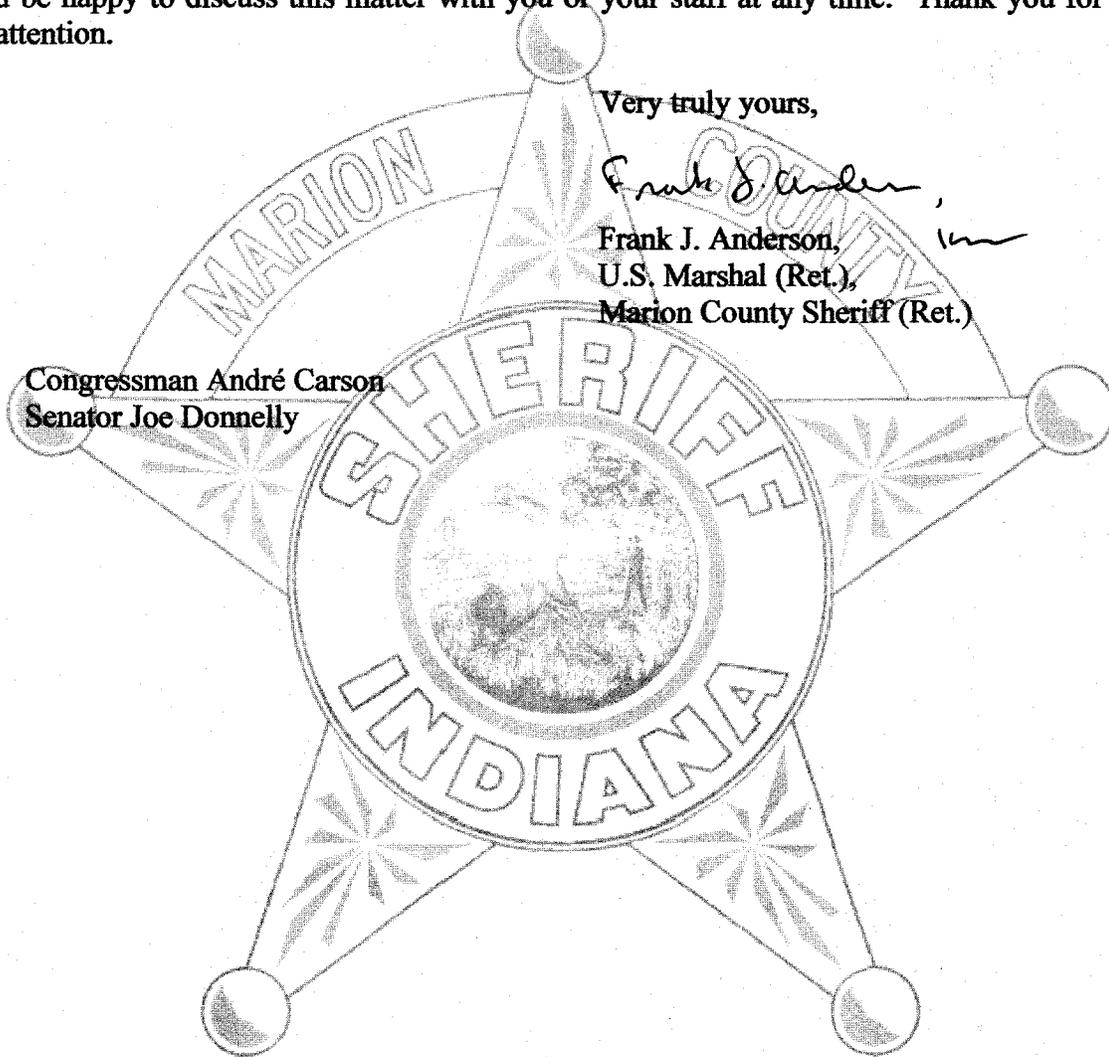
In my view, Indiana law has addressed the concerns of inmate families. Importantly, we do not get complaints on this subject since the Indiana legislation was enacted in 2002. In my 50 years in law enforcement, I have found the current provisions to fairly and fully balance the provision of the telephone service with the need to pay for those services, and all of its sequela.

At the end of the day, significant money is devoted directly for the betterment of the inmates. Lastly, please be reminded that the telephone system is wholly voluntary. Inmates' families may visit or write an inmate. There is no constitutional obligation that inmates have telephone service. In closing, I would simply say, please do not fix that which is not broken. I would be happy to discuss this matter with you or your staff at any time. Thank you for your kind attention.

Very truly yours,

*Frank J. Anderson*  
Frank J. Anderson,  
U.S. Marshal (Ret.),  
Marion County Sheriff (Ret.)

cc: Congressman André Carson  
Senator Joe Donnelly





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FCC Mail Room

July 8, 2013

Mignon L. Clyburn  
Acting Chairwoman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Ms. Clyburn:

By way of introduction, I am a two time former U.S. Marshal, and two term Sheriff of Marion County, Indiana (Indianapolis). I was the first African-American to patrol Marion County in the early 1960s, and I was elected the first black Sheriff in 2002. In 1972, the federal courts took control of the Marion County Jail because of a lawsuit over unconstitutional conditions. In 2003, I inherited that lawsuit, which had been in place for 30 years. Nevertheless, the condition of the Jail was still utterly deplorable. I considered it a major civil rights battle and committed to deal with all the problems in the Jail: overcrowding, poor medical care, poor nutrition, and unsafe conditions throughout. Through hard work by many people, the Jail was released from federal oversight and the lawsuit dismissed, 35 years after it was filed. By 2010, the Marion County Jail was accredited by the American Correctional Association (A.C.A.). We were the only Sheriff's Jail in Indiana so accredited. I left office in 2010, but I am proud to say that my successor, Sheriff John Layton, has maintained my commitment to excellence and accreditation.

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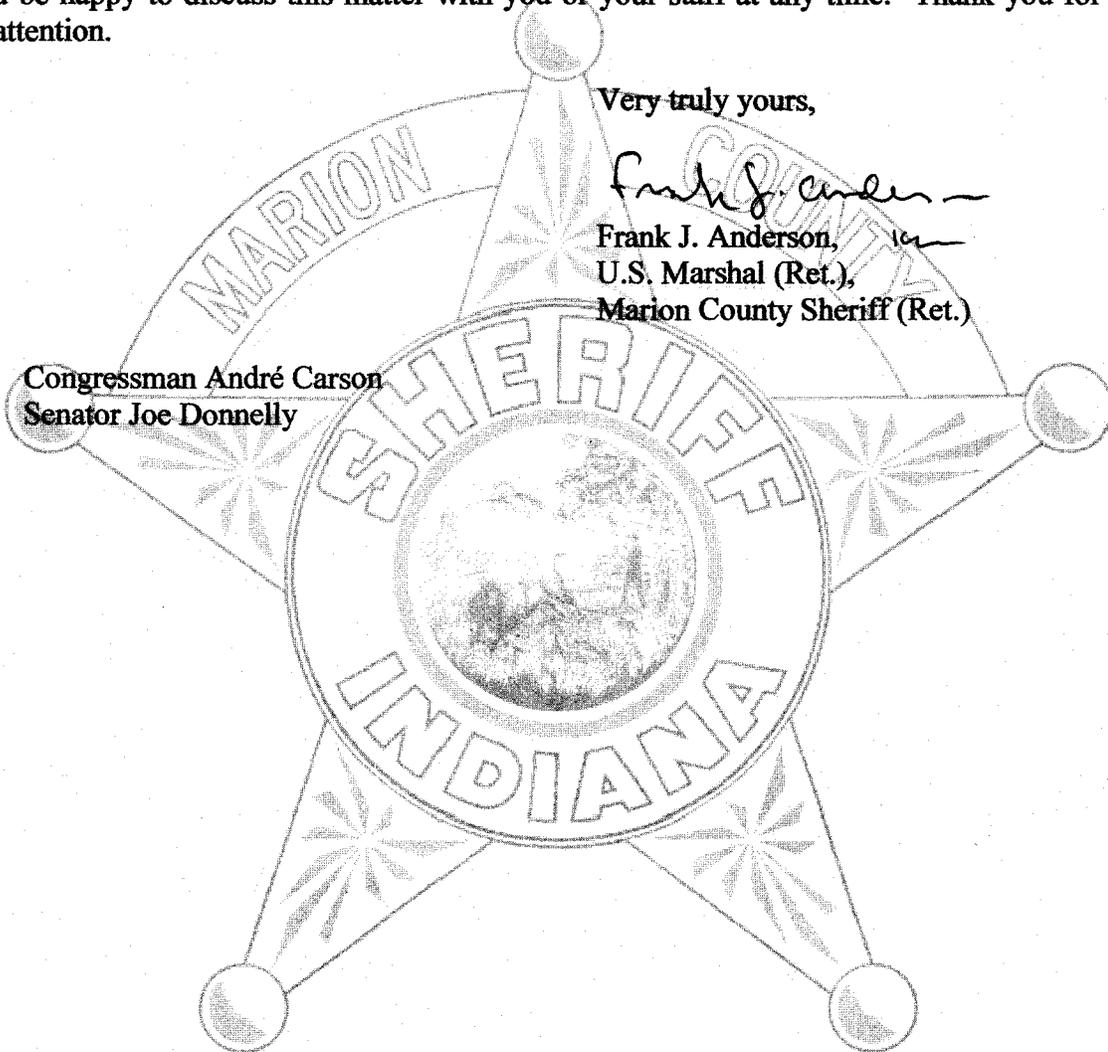
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Very truly yours,

  
Frank J. Anderson,  
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cc: Congressman André Carson  
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July 8, 2013

Ajit Pai  
Commissioner  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Mr. Pai:

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pg 1

96-128 Inmate

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Hello!

I am writing you in regards of your investigation on prison collect phone calls Rates. I feel as though I am affected by prison calls and I want to be a part of the lawsuit

I would sincerely appreciate it so much if you could get back to me & let me know what the outcome is. I need a up date on where were at with this lawsuit and a claim form sent to me as soon as possible

Thank You Very Much

Ms. Teshia Brown  
A77022

P.S. Please get back to me as soon as possible

Thank You

Inmate

96-128

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JUL 16 2013

FCC Mail Room

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

July 9, 2013

Dear Mr Genacowski,

I am writing you because of my phone experiences with Securus the prison phone system.

I think the rates are exorbitant. After only 45 seconds the phone was cut off on my prisoners end and I was charged the half hour rate of \$4.10. When I called Securus to get a refund I was told they do not credit cell phone accounts for the time. The same thing happened again after 1 minute 10 seconds. I was charged for a half hour. Again Securus told me because he called a cell phone there will be no credit. Only land line phones. This is totally wrong and unfair! The high rates are not fair, especially for dropped calls or hang ups. Opening up prison phone call markets to competition would eliminate the rate gouging monopolies currently in control and lower prices.

It would also help low income families to be able to talk to their loved ones in prison at more affordable rates too.

Sincerely,



Elaine Bruschk  
PO BOX 7083  
Villa Park, IL 60181-7083

Inmate  
Received & Inspected 96-128

JUL 16 2013

July 7, 2013  
FCC Mail Room

Hey my NAME is Eric Jordan # 20121031038

I HAVE Read your letter on the federal Communication Commission  
Investigation on prison collect phone call rates and yes I will  
like to help and all the way I could cause the phone charges  
rate is outrageous then the computer start talking when you get  
on the phone that should not be like that then phone hang  
up on you saying AINT NO THIRD PARTY IS ALoud but then  
while time it was never to third party on the phone so I  
will like this to stop so please let me know what's  
going on when you get a chance Thank you!

~~X~~ Eric Jordan

Mailing Address

Eric Jordan # 20121031038

Cook County Jail

P.O. Box 089002

Chicago IL 60608

Received & Inspected July 7, 2013

JUL 16 2013

FCC Mail Room

Hey my name is Daniel Ochoa # 20080028552

I have received your letter yes I will like to help you out with the Federal Communication Commission investigating collect phone call rates and when the computer is thinking and the phone hanging up when you on the phone and the computer saying airt no third party is aloud then it hang up. The computer talk atleast 3 mins of your time when you on the phone. so I will like this to stop so please let me know whats going on when you get a chance Thank you!

~~Daniel Ochoa~~

Mailing Address

Daniel Ochoa # 20080028552

Cook County Jail

P.O. Box 089002

Chicago IL 60608

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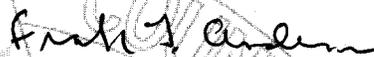
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