

96-128

DOCKET FILE COPY ORIGINAL

Mr. Sean Carterm #HD2084
SCI-Dallas 1000 Follies Road
Dallas, PA 18212-0286

Received & Inspected

OCT 21 2013

FCC Mail Room

Mr. Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

October 15, 2013

Dear Mr. Genachowski:

Recently there was a press release indicating that on Friday, August 9, 2013 the FCC voted to cap rates for prison interstate telephone calls.

I am including a copy of the article which reported this decision.

I am respectfully requesting a copy of the FCC's 2 - 1 decision.

Additionally the article indicated that affected parties could file a claim for reimbursement of excessive costs for the interstate calls. I am requesting any available information (such as a claim form) indicating how one may initiate the process for recoupment if excessive fees/costs, etc.

Much thanks for your office's attention to my inquiry.

Sincerely,

Sean Carter
Claimant, SCI-Dallas

attachment/

Agency Caps Inmates' Phone Rates

By JOE PALAZZOLO

The Federal Communications Commission voted Friday to cap rates for prisoners' telephone calls, ending an era in which inmates were charged as much as 89 cents a minute on top of setup fees that ran as high as \$3.95 a call.

The commission's 2-1 vote caps interstate charges for prepaid calls at 21 cents per minute and collect calls at 25 cents per minute. Those are still high at a time when unlimited long distance offerings are commonplace, but prisoners can file challenges and seek refunds for rates exceeding 12 cents per minute and 14 cents per minute for regular and collect calls, according to the FCC.

The move is the culmination of a process that began more than a decade ago when Martha Wright, a Washington, D.C., grandmother, filed a petition with the agency because she wanted to speak with her grandson, who was serving a murder sentence outside the district, without incurring \$18 in charges for a five-minute phone call.

Telecommunications companies and law-enforcement groups had argued the higher rates were reasonable in light of the costs of oversight, security and technology required to monitor calls and analyze recordings.

But the FCC majority said the rates reflected agreements in which states looked for the biggest commission rather than the best deal for consumers, and that the burden was largely borne by inmates' families.

"Their wait is finally over," said acting FCC Commissioner Mignon Clyburn, invoking the words of singer Sam Cooke. "It's been a long, long time coming, but change has finally come."

Prisoners' rights groups say the high rates stemmed from so-called site commissions—payments that phone-service providers agree to pay to the states in order to win business from



Bethany Fraser, a family member affected by the high telephone rates charged to prison inmates, listens to Friday's Federal Communications Commission hearing in Washington.

prisons. Prisoners have argued unsuccessfully in federal court that exclusive arrangements between prisons and service providers restrict their phone choices and drive up rates, chilling their speech in violation of the First Amendment.

Last year, the Eighth U.S. Circuit Court of Appeals rejected the First Amendment claims of an Arkansas prisoner who said a 10-minute interstate call cost him \$10.43, plus taxes and other charges.

The Eighth Circuit case highlighted a contract between the Arkansas Department of Corrections and Global Tel*Link, in which the company turned over 45% of its gross revenue to the prison system.

According to a study by Prison Legal News, a prisoner-advocacy group, states receive on average 45% of revenue from prisoners' calls.

The FCC decision also barred service providers from adjusting their interstate rates to account for such commissions, and from charging higher rates for those who use telecommunications relay services because of hearing or speech disabilities.

A spokesman for Global Tel*Link, which according to its website, provides service to about 50% of inmates nationwide, didn't immediately respond to a request for comment. The company is owned by New York-based private-equity firm American Securities LLC, which didn't respond to a request for comment.

CenturyLink Inc., another major service provider, declined to comment. Another provider, Securus Technologies Inc., didn't immediately respond to a request for comment.

Inmate calling services are typically limited to collect or

debit-based calling from pay phones. The new regulations apply only to interstate communications, but the commission has asked for public comment on revising rates for intrastate calls. Some service providers in meetings with FCC staff said their business could become unsustainable if the FCC lowered interstate rates without addressing rate caps set by the states for calls within their borders.

Commissioner Ajit Pai, who dissented from the ruling, said he supported regulation of inmate calling rates but questioned whether the FCC had the resources to sort legitimate costs from others.

"To put it simply, I'm concerned the order will prove very difficult to administer and have unintended consequences," he said.

—Ashby Jones
contributed to this article.

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OCT 21 2013

FCC Mail Room

STEVEN D. BROOKS, 004778-F2-16, P.O. Box 1649, LUMBERTON, NC 28359

13 OCTOBER 2013

CHAIRMAN JULIUS GENACHOWSKI, FED. COMM. COMM., 445 12TH
ST., SW, WASHINGTON, D.C. 20554

AND

MR. KUNEL KAJAL, CONTACT PERSON, GTL USA INC.
5200 TENNYSON PARKWAY, SUITE 200, PLANO, TEXAS 75024

RE: DEMAND FOR A SPECIFIED SUMMARY OF ALL
PURCHASES, AND DEDUCTIONS FROM MY INMATE
TELEPHONE ACCOUNT.

TO THE ABOVE PARTIES,

UNAUTHORIZED REMOVAL OF FUNDS FROM
MY INMATE TELEPHONE ACCOUNT HAVE
REPEATEDLY OCCURRED, AND I DEMAND
THAT A COMPLETE AND ACCURATE SUMMARY
OF MY ACCOUNT BE IMMEDIATELY
PROVIDED TO ME WITHIN TEN DAYS,
OR I WILL FILE 2 COMPLAINTS, ONE
WITH THE STATE ATTORNEY GENERAL,
AND ANOTHER WITH THE FCC.

THERE ARE OTHER VICTIMS AS WELL!

S. D. Brooks

October 14, 2013

Leroy A. McKenzie, #300416
Lieber Cor. Inst./S-A62
P.O. Box 205
136 Wilborn Avenue
Ridgeville, SC 29472

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OCT 21 2013

FCC Mail Room

Acting Chair Mignon Clyburn
Federal Communications Commission (FCC)
Complaint and Public Comments
445 12th Street, SW
Washington, DC 20554

RE: Leroy Alvin McKenzie (and Inmates (I/M) similarly situated) v.
South Carolina Department of Corrections (SCDC) and Global Tel* Link (GTL)
Prison Telephone Service Provider - FCC Complaint ID# 13-C00499705-1

URGENT MATTER

Dear Madam Chairwoman,

I am, Leroy A. McKenzie, the undersigned complainant in the above captioned. I hereby asseverate that the South Carolina Department of Corrections (SCDC) acting in concert or participation with Global Tel* Link (GTL), institutional telephone service provider are unlawfully obstructing telephone communications, "AGAIN", by prohibiting me from making collect telephone calls to my parents home phone. GTL, after notice of their illegal acts of telephone "slamming" in violation of 47 USC §227, §258, have unlawfully reverted my parents local exchange carrier (LEC) collect call service, repackaged to GTL prepaid account, illegally blocking authorized LEC collect calls to my parents home phone without consent or permission and had illegally replaced my parents collect call service.

FACTS

A. That on or about September 20, 2013, I had attempted to make a collect telephone call to my parents home phone. The collect call service had been prohibited [blocked] by GTL and the account had been reverted to a GTL prepaid account, along with a message that monies be deposited in the same.

B. That on September 23, 2013, I wrote a letter to my parents, providing them with GTL's contact information to clear this matter up and to have their collect call service reverted back to their LEC, as GTL had agreed to in their letter to State of South Carolina Office of Regulatory Staff - April 25, 2013, and GTL Letter May 31, 2013.

C. Again, on September 27, 2013, I had attempted to complete a collect telephone call to my parents home phone [to no avail] and the call restriction with GTL's prepaid account was still in effect and continues to be in effect.

Public Comment for the Wright Petition (CC Docket No. 96-128)

Date: 10-7-13

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

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OCT 21 2013

FCC Mail Room

From: Mr. Juan Turner
#499745/639531c
N.J.S.P
P.O Box 861
Trenton, NJ. 08625-0861

Re: Public Comment for Wright Petition
Docket No. 96-128.

Dear Chairman Genachowski,

This phone system has been a tremendous hardship on myself & family. It's bad enough that I'm indigent and cannot get a job in the institution, but these extreme rates that Global Tel-link infringes upon us makes it difficult for me to even have money to buy food to eat.

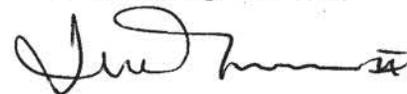
GTL phone calls are 33¢ a minute plus additional taxes and fees. Those additional tax fees are approx. 15¢ and cost even more when my family puts money on the phone from the outside. Each call last 15 minutes per call. Without a job, I only get 30 dollars a month from state pay, minus the fines imposed on every inmate by the Department Of Corrections, that leaves me with about 17-19 dollars a month.

If I were to put 11 dollars on the phone and 8 dollars towards food off of commissary, not only would I starve in here, but this would only allow me to speak to my family two times a month for only 15 minutes. Global tel-link doesn't allow us to put anything less than 10 dollars on the phone and as I stated earlier, the cost are even more when our families put money on it from the outside. So what would normally get me 5 calls for 25 dollars when I put money on the phone from in here, only gets me 3 calls for 25 dollars when my family does it.

In the New Jersey State Prison Inmate Handbook, page 68 paragraph 5 clearly states that: "the purpose of telephones installed in all housing units are to keep and to strengthen ties with family, friends, community and courts." However, it's clear that these excessive phone rates enforced on myself and other inmates go against this very statement in the inmate handbook.

With this limited communication to the outside world, how can we possibly strengthen ties with our children, attorneys, courts, communities etc..etc..? I'd appreciate any assistance you can provide regarding this matter.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Jim [unclear]", written in black ink.

96-128

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Maurice Espino, #198822B
168 Frontage Road
P.O. Box 2300
Newark, New Jersey 07114

Received & Inspected

OCT 21 2013

FCC Mail Room

DT: October 11, 2013

Marlene H. Dortch
445 12TH Street, Room TW-B204
Washington, D.C. 20554

RE: **Prison Telephone Complaint**

Dear Ms. Dortch:

This communication comes to you as it relates to the high cost of prison phone calls.

I would like to provide you with a brief overview concerning my complaint but first let me preface these comments by saying that I am an inmate at Northern State Prison in New Jersey; and my concerns are what Global Tel-Link recently did regarding the rates when my family adds money to the phone via debit card.

Since the recent Federal Communications Commission (FCC) regulations regarding inmates phone calls have been structured to be reduced, the mentioned above phone carrier has told my family and many others that it would cost them additional money to add finances to the phone with a debit, or credit card.

For example, my wife would add (\$25.00) to the phone to accept calls from me, and they would extract (\$4.00) for a service charge; which will leave (\$21.00) they are now asking for an additional (\$2.00) more, which now leaves (\$19.00) if she adds (\$25.00).

Also it should be noted that it cost (\$5.30) for 15-minutes per call, which means that it cost my family (\$25.00) for three 15-minute calls. My family as well as others believe that the mentioned company is continuing to take advantage of a captive audience, as well as low income individuals.

So can you please look into this practice that Global Tel-Link (GTL) has adopted so that it can be resolved with lower rates as your department has suggested.

In conclusion, I would like to thank you on behalf of my family, and others for your time, as well as your attention in this important matter.

Respectfully written,

A handwritten signature in black ink, appearing to read "Maurice Espino". The signature is fluid and cursive, with a long horizontal stroke at the end.

Maurice Espino

CC. Filed/me.

October 13, 2013

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96-128

Federal Communications Commission

Received & Inspected

445 12th St SW

OCT 21 2013

Washington, D.C. 20554

FCC Mail Room

RE: FCC 8/9/2013 vote regarding prisoners
telephone rates.

To Whom It may Concern:

According to a Wall Street Journal article dated August 10-11, 2013 (Weekend Edition) your Commission voted to restrict prisoner's pre-paid interstate telephone calls at 21¢ per minute.

Presently, I am incarcerated at an Arizona minimum security facility whose telephone contractor, Securus Technologies, Inc, and being charged \$2.40 for the first minute, and 40¢ for each additional minute for a pre-paid 15 minute maximum call length.

Do I have any legal recourse in acquiring a refund; and, is there any way to legally enforce your Commission's vote?

Sincerely,
Alfred Shadid

Alfred P. Shadid, 114103

ASPC-Lewis, Eagle Point Unit

P.O. Box 3700

Buckeye, Arizona 85326

OCT 21 2013

FCC Mail Room

To: FCC Commissioner
Mignon Clyburn
445 12th Street
SW Washington, DC-20554

From Eugene Miller [#] Am-451
S.C.I. Huntingdon
1100 Pike Street
Huntingdon, PA. 16654

Dear Commissioner Clyburn;

I pray my letter finds you and yours in the best of health and with God's blessing. I am writing to you to voice my concerns regarding intrastate phone calls and the extreme cost of these calls. Our current rates do not reflect the state and conditions of our economy which is not doing well. This condition also reflects upon those of us who are incarcerated, most of whom have no prison job or if we're fortunate enough to have a job, don't make enough to afford to purchase a ten (10) dollar phone card. This ten dollar card only allows for maybe two (2) calls. It's truly a struggle to have to make the choice whether to buy cosmetics and toiletries or to forgo these necessities so you can hear the voices of our Mothers and Fathers sisters and brothers, wives and children, and other close relatives. These rare moments for us are the ties that bind us, and help to keep the family resolute. Most of us receive funds from home and these monies are sacrificed by family to help us to make these calls. The majority of our families struggle from paycheck to paycheck to make ends meet and live at, below or just above the poverty level. When these rates were put into place by Global-Tel-Sinks these facts were disregarded and blatantly overlooked which all of us men and women in these warehouses ^(Fees) was done intentionally. This because the bottom line with Global-Tel-Sinks is the dollar.

When companies like this knowingly prey on those least fortunate than themselves, there must be an entity in place that will reign in these companies and their greed. Someone to make sure that those least fortunate in society will not be taken advantage of. Those whom I speak of are family members of those of us incarcerated. Ms. Clyburn, your help and the help of the rest of those on the commission is sorely needed to remedy the miscarriage of justice taking place. I can't express to you enough how much it hurts me to not be able to call and talk to my daughter or to just hear the voices of my grandchildren or to be able to impart some understanding that might help with solving problems in their life. Most of us here in these warehouses understand the great role that we (must) play in the lives of our children and grandchildren. We've got to try to keep them away from the pitfalls that can lead them down the wrong path. So, as you can see communication can play a major role in deterring our families from making bad choices. Also Ms. Clyburn there are quite a few of us who are housed in prisons that are great distances from loved ones. As a result there are few if any visits. If by chance someone gets a visit it is at great cost to the family to make the trip. This is another reason why this abuse must stop. Also Ms. Clyburn, Global-Tel-Sinks has taken it upon themselves to place blocks on the phones of family members without their permission. This I believe was done to force the men and women in these warehouses to purchase these phone cards with monies sent from home or earned from these low

paying prison jobs. Ms. Clyburn, if this isn't extortion which is illegal then I don't know what is. Commissioner, what myself and I truly believe others are seeking is a system similar to that which is in place in New York where they only pay I believe seventy-five cents (75¢) per fifteen minute call with no connection fee and one free call daily. This type of system would greatly reduce the burden on our families and on the men and women themselves. Can you imagine the benefit this would be for mothers and fathers separated from their children by prisons and long distances? It would truly be enormous. Also since the commission's ruling regarding changes in interstate calling, nothing has changed here in Pennsylvania. It's still business as usual for the companies providing phone service and those subject to this service. We here in these warehouses hold on to the hope that you and those on the commission who stand firm against injustice will correct this wrongdoing. We strongly believe that truth will not support injustice anywhere. Even in America and at the Federal communication commission. God Bless and keep you and yours Ms. Clyburn and may He guide you to do that which is right and just in His sight.

God Bless you!

Sincerely,

Eugene Miller #Am-4517
S.C.I. Huntingdon
Huntingdon, PA. 16654

"THIS IS A PUBLIC COMMENT FOR THE WRIGHT PETITION (CC DOCKET # 96-128)."

DOCKET FILE COPY ORIGINAL

GREENVILLE CORRECTIONAL CENTER

901 CORRECTIONS WAY

JARRATT, VIRGINIA 23870-9614

OCTOBER 15, 2013

CHAIRMAN JULIUS GENACHOWSKI

FEDERAL COMMUNICATIONS COMMISSION

PUBLIC COMMENTS

445 12TH STREET, S.W.

WASHINGTON, D.C. 20554

Received & Inspected

OCT 21 2013

FCC Mail Room

DEAR MR. GENACHOWSKI:

MY NAME IS LEROY A. LOVEACE, #1184022. I AM AN INMATE HOUSED AT GREENVILLE CORRECTIONAL CENTER, A LEVEL 3 FACILITY WITHIN THE VIRGINIA DEPARTMENT OF CORRECTIONS (VDOC).

I AM WRITING TO OFFER SUPPORT FOR THE WRIGHT PETITION AND TO PROVIDE A PERSONAL ACCOUNT OF HOW GLOBAL-TEL'S HIGH TELEPHONE RATES AND NEW POLICY TO REQUIRE A MONEY DEPOSIT TO A PIN DEBIT (INMATE PHONE ACCOUNT) PRIOR TO ALLOWING INMATES COLLECT CALLS, HAS PLACED A SUBSTANTIAL BURDEN ON MY EFFORT TO RETAIN HEALTHY FAMILY RELATIONSHIPS.

AS AN OUT-OF-STATE PRISONER, TELEPHONE CALLS ARE THE MOST EFFICIENT COMMUNICATING MEDIUM FOR ME TO MAINTAIN STRONG FAMILY TIES. HOWEVER, AS THE RESULT OF GLOBAL-TEL PLACING BLOCKS ON ALL OF MY COLLECT CALLS, IT HAS BEEN EXTREMELY HARD TO INTIMATELY COMMUNICATE WITH RELATIVES. MOREOVER, IT IS VERY DIFFICULT FOR MY RELATIVES TO FIND ENOUGH TIME TO APPROPRIATELY COMMUNICATE THROUGH LETTERS.

PLEASE SEND TO ME INFORMATION THAT CLARIFIES THE FCC'S DECISION, HOW IT WILL AFFECT VIRGINIA'S PRISONERS, AND INFORMATION EXPLAINING THE PROCESS FOR INMATES AND THEIR FAMILIES TO FILE CHALLENGES FOR REFUNDS FOR RATES EXCEEDING THE PER MINUTE MAXIMUM AUTHORIZED BY YOUR AGENCY.

I LOOK FORWARD TO HEARING FROM YOU.

SINCERELY,

LEROY A. LOVEACE, #1184022

CC: FIVE

FAMILY