

**SOLANO COUNTY SHERIFF'S OFFICE**
Thomas A. Ferrara, Sheriff-Coroner

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Received & Inspected

DEC 31 2013

FCC Mail Room

December 17, 2013

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

RE: WC Docket No. 12-375 (Rates for Interstate Inmate Calling Services)

Dear Madam Secretary:

On behalf of Solano County Sheriff's Office, I write to express my concern and disappointment concerning the Order and Further Notice of the Proposed Rule Making released by the Federal Communications Commission (FCC) which becomes effective on February 11, 2014. This order seriously hampers the ability of California Sheriffs to effectively secure and manage their jails, and fails to consider what is required in a correctional facility to provide telephone use to inmates. My comments below encompass both the current FCC Order regarding interstate calls as well as the impact of potential regulation regarding intrastate calls.

There has been much attention to the fact that inmates and their families are often required to pay more than prevailing market rates for phone calls in order to stay in touch. That criticism is heightened when the rates involve commissions paid back to the jails or prisons housing the inmates. However, I believe the Commission has failed to appreciate the complex and specialized environment in which inmate calling services are offered. Jail facilities of all sizes must balance the needs of inmates carefully against the need to protect the public, jail staff and the inmate population.

Inmate phone systems cannot be compared with standard common carrier services. They include security components that have consistently been able to detect criminal activity occurring inside correctional facilities. Individual calls are carefully managed and controlled; and the service integrates specific technological measures required by jails to ensure facility security and public safety.

The Order disregards this reality and creates a regulatory environment that jeopardizes these services by prohibiting any revenue recovery by jails of the costs associated in administering inmate calling services and monitoring phone calls to protect the public. All services provided in any sector have inherent costs of providing the service that must be recovered; correctional facilities are no different in needing to recover costs associated with providing telephone services to their inmates.

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With respect to criticism of revenue derived from inmate phones services, I direct you to California Penal Code §4025, which requires each county to establish an "Inmate Welfare Fund" and requires that "any money, refund, rebate, or commission... attributable to the use of pay telephones... by inmates" be deposited into the fund. The funds generated from these phone calls and deposited into the Inmate Welfare Fund (IWF), must be used for the welfare and benefit of the inmates.

As such, in California, our inmate phone services provide a funding source to assist all inmates with programs and services designed to help them be successful in returning to their communities. I maintain a high standard of being a good steward of the funding our office receives.

Solano County Sheriff's Office received \$401,534 from inmate phone services in FY 12/13. One hundred percent of the funding received went to the Inmate Welfare Fund. One hundred percent of this funding was spent in the same fiscal year. The funding supported drug and alcohol treatment programs, inmate counseling services, chaplain services, literacy skills and GED training as well as inmate legal services. In addition to program services, the fund supported the purchase of inmate welcome kits, indigent inmate kits, personal grooming items, reading materials, televisions, microwave ovens, and religious materials. The ability to maintain these supplies and services to reduce recidivism and enhance the safety both in the jails and in the communities is critical.

I urge the Commission to fully consider the critical public safety aspects of inmate calling services, the individualized environment in which services are offered, and the full impact on safety and security of any particular regulatory approach. If there are abuses of the call rates that are charged, those abuses must be addressed, but not by establishing a "one size fits all" model and intruding on my authority to effectively manage jail operations.

Thank you for your attention to this concern. Please don't hesitate to contact me if I can be of further assistance.

Sincerely,



Thomas A. Ferrara
Sheriff, Solano County

TAF/ks

cc: The Honorable Dianne Feinstein, United States Senator
The Honorable Barbara Boxer, United States Senator
The Honorable John Garamendi, United States Congressman
The Honorable Mike Thompson, United States Congressman