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FCC Mail Room

James E. Eisel, Sr., Chairman
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**DELAWARE COUNTY
BOARD OF SUPERVISORS**

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January 9, 2014

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

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

Dear Ms. Dortch:

In the FCC's Report and Order and Further Notice of Proposed Rulemaking on Rates for Interstate Inmate Calling Services ("ICS") (WC Docket No. 12-375) issued on September 26, 2013, the FCC has reduced the rate that can be charged for interstate inmate calling services in both prisons and jails by establishing arbitrary rules that fail to take into account the unique challenges inherent in providing telephone privileges. As a result of the FCC's "one-size-fits-all" approach to ICS, many jails may be forced to severely limit or altogether eliminate inmate telephone privileges. Accordingly, I am writing to request your support of the Petition For Stay filed by the Correctional Institutions. While I share the FCC's concerns about the ability of inmates to communicate with their loved ones, I cannot support the approach taken by the FCC in the Order.

The rate cap established by the FCC Order fails to take into account the costs incurred by jails in providing inmate calling services. Inmate telephone systems are built to reflect the unique needs of each correctional facility and provide a variety of important security components. The security features associated with ICS are a vital tool for law enforcement to combat continued criminal activity inside and outside correctional facilities. Voice and call frequency monitoring ensure that incarcerated persons are not misusing the telephone services to commit crimes outside the jail's walls. Other security features inherent in ICS systems provide valuable tools to protect corrections personnel and the jail population generally from preventing escapes, smuggling of contraband, orchestration of violent crime against prison officials and those outside the prison walls and to stop prison gangs from communicating with their cohorts outside the facility. These security components come at a cost to the facility. Small sized jails, having high turnover rates, must charge more per minute than larger facilities in order to recover the costs of providing ICS.

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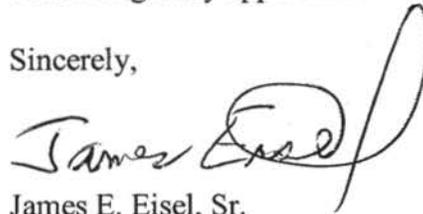
One of the ways in which jail services and programs are funded is through the receipt of commissions that are tendered the county by the ICS provider. Although interstate calls now only represent about 5% of the total calls, we believe the FCC plans to suggest that in the future all telephone calls be treated as interstate calls because they generally do not travel on local phone lines anymore, and are routed throughout the country on VOIP and internet, thus triggering the FCC's interstate jurisdiction.

In times of shrinking budgets at the Federal, State, and County levels, local officials can only continue to offer these important services if they receive adequate funding. Since no other outside funding is available for counties to continue these programs, the elimination of ICS commissions resulting from the FCC's new rate caps will have a devastating effect and cause significant disruptions to the services provided to inmates in Delaware County.

Since this Order is scheduled to become effective next month, please consider making a timely request in support of staying WC Docket No. 12-375.

Your favorable consideration of this request would be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Eisel, Sr.", with a large, stylized flourish extending from the end of the name.

James E. Eisel, Sr.
Chairman of the Board

JEE/pb

cc: U.S. Senator Charles E. Schumer
U.S. Senator Kirsten E. Gillibrand
U.S. Representative Chris Gibson