

MINNESOTA SHERIFF'S ASSOCIATION

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MAR 25 2014

Federal Communications Commission
Office of the Secretary

December 10, 2013

The Honorable Greg Walden
Chairman, Subcommittee on
Communication & Technology
Committee on Energy & Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Anna Eshoo
Ranking Member, Subcommittee
on Communication & Technology
Committee on Energy & Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Walden and Ranking Member Eshoo,

I write on behalf of the Minnesota Sheriffs' Association (MSA), an association of elected sheriffs representing the 87 counties in the State of Minnesota. I want you bring to your attention a proposed rule by the Federal Communications Commission (FCC) ahead of your subcommittee's oversight hearing next Thursday that would cap the inmate call rates for interstate calls and potentially jeopardize public safety by seeking alternatives to call blocking by local facilities.

The *Report and Order and Further Notice of Proposed Rulemaking on Rates for Interstate Inmate Calling Services* (WC Docket No. 12-375), which becomes effective February 11, 2014, will reduce revenue available to Sheriffs' offices through commissions which is used to provide calling services to inmates and security features designed to protect the public and victims of crimes from their perpetrators. Additionally, providing phone privileges to inmates comes at a high cost to our local jail facilities as each facility's phone system is designed to meet the security needs of that environment. These security features are expensive and our jails must charge more per minute to recover the costs of providing the inmate calling services (ICS). 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.

The FCC also issued a Further Notice of Proposed Rulemaking (FNPRM), which would extend its rules to intrastate inmate calling services. The FCC expects comments and reply comments all within a month which does not provide adequate time for sheriff's to analyze all impacts, including financial ones, of this order. Extending the comment period would be a first step in allowing our members to adequately address anticipated impacts.

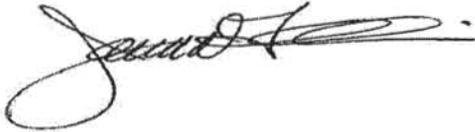
The FCC has simply caused a tax increase for all citizens of the State of Minnesota by hampering our Sheriffs ability to recover costs incurred for security features in our phone systems. We believe Congress needs to clarify the authority of the FCC in these areas.

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While we do not agree with the current FCC order, we do understand the need for a cooperative dialogue to determine reasonable regulation of interstate ICS rates. When considering reasonable rates, the safety of the public must strongly be considered with the inclusion of adequate security features built into our phone systems based on individualized needs of each of our facilities.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Franklin". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke extending to the right.

James D. Franklin, Executive Director
Minnesota Sheriffs Association