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Federal Communications Commission
Office of the Secretary

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ABINGDON, VA 24219
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H. MORGAN GRIFFITH
9TH DISTRICT, VIRGINIA

COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEES:
ENERGY AND POWER
OVERSIGHT AND INVESTIGATIONS
www.morgangriffith.house.gov

Congress of the United States
House of Representatives
Washington, DC 20515-4609

December 30, 2013

14-2

Dear Mr. Halley,

I am contacting you on behalf of constituents who have concerns regarding an order reforming inmate calling services.

Enclosed is the pertinent information related to the issue in question. I would appreciate the favor of a reply on this matter so that I can ensure that my constituent's issues are being timely reviewed and addressed.

If you have any questions or comments regarding this matter, please feel free to contact me or Jeremy Lippert from my staff in my Washington, DC office at 202-225-3861. I look forward to hearing from you.

Sincerely,

H. Morgan Griffith
Member of Congress





Sheriff's Office

417 CUMBERLAND STREET
CITY OF BRISTOL, VIRGINIA 24201
(276) 645-7430

Jack Weisenburger
Sheriff



December 1, 2013

The Honorable Morgan Griffith
1108 Longworth HOB
Washington, DC 20515

Dear Congressman Griffith,

I am writing to inform you about an *Order* issued by the Federal Communications Commission (FCC) that will adversely impact my office and the performance of my duties as Sheriff of Bristol, VA, and to seek your help in correcting this situation. Specifically, 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 to inmates.

The FCC *Order* establishes interstate inmate calling service (ICS) rate caps that fail 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. These security components come at a cost to the facility. Moreover, the small size of most jails, coupled with high turnover rates, means that jails must charge more per minute than larger facilities in order to recover the costs of providing ICS. The *Order* disregards these realities! It imposes unrealistically low rate caps that limit the ability of ICS providers to recover costs of administering services in smaller, higher cost facilities. 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 National Sheriffs' Association will soon be submitting a filing at the FCC to try to protect the ability of Sheriffs to continue to provide inmate calling services and to recover the costs of doing so. I will be contacting you again soon to get your support for this effort.

Sincerely,

Sheriff Jack Weisenburger

FACSIMILE

Roanoke County Sheriff's Office
Sheriff Michael G. Winston



Administrative Office
PO Box 510
Salem, VA 24153
(540) 387-6139
(540) 387-6140
(540) 387-6203 FAX

TO: CONGRESSMAN MORGAN COZITEN

ORGANIZATION: _____

DATE: 12/10/13

FAX: 202 225 9481

PAGES (INCLUDING COVER): 2

FROM: ROANOKE COUNTY SHERIFF'S OFFICE

FAX: _____

PHONE: 540-283-3102

COMMENTS: 12-375 RATES FOR INTERSTATE JAIL
CALLING SERVICE

Corrections
James D. Dorton, Captain
387-6303
387-6084 FAX

Chief Deputy
Charles I. Poff
387-6346

Court Services
Barry L. Tayloe, Captain
387-6137
FAX 387-5682

OFFICE OF THE SHERIFF



STATE ACCREDITED



NATIONALLY ACCREDITED

MICHAEL G. WINSTON, SHERIFF

COUNTY OF ROANOKE, VIRGINIA

P.O. Box 510 Salem, VA 24153

540-288-8102 Fax 540-387-6203

December 10, 2013

Congressman Morgan Griffin
1108 Longworth HOB
Washington, DC 20515

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

Dear Congressman Griffith,

I am writing to inform you that the Order reforming inmate calling service (ICS), which was published in the Federal Register on November 13, 2013, adversely impacts my office and greatly hinders me in the discharge of my duties as the Sheriff of Roanoke. As Sheriff, I manage a small/medium sized local jail with a rated capacity of 108 and average daily inmate population of 130. The jail serves the County of Roanoke, City of Salem, Town of Vinton, and State law enforcement agencies who are assigned to our county.

In the FCC's Report and Order and Further Notice of Proposed Rulemaking on Rates for Interstate Inmate Calling Services (WC Docket No. 12375), the FCC has reduced the rate charged for interstate inmate calling services in prisons and local jails, by establishing arbitrary rules. These rules fail to take into account of the unique challenges inherent to providing, servicing, and monitoring telephone privileges to inmates. The FCC's Order establishes an arbitrary interstate inmate calling service that fails to address the costs incurred by jails, in providing inmate calling services. Inmate telephone systems are designed to address the unique needs of correctional facilities by providing a variety of important security components to ensure offenders are not able to contact their victims, harass any witnesses against them, or continue criminal activity, while incarcerated. These security features come at a cost to the individual facility. Moreover, the smaller capacity jails like ours, coupled with high turn-over rates, means that small jails must charge more per minute than larger jails to cover the cost of providing ICS. The Order also fails to address and/or ignores those differences. As a result of FCC's "one size fits all" approach to ICS, many smaller jails like mine may be forced to cease proven methods of recording/monitoring and eliminate services by the Sheriff's Office's that has worked well.

Again, the "one size fits all" telephone rate caps, I believe, are too low for smaller jails like ours. I would suggest that the "Order" be stayed, as it pertains to jails, or existing contracts should be grandfathered, until a Cost Recovery mechanism can be added to the mandated rates.

Sincerely,

Michael G. Winston
Sheriff

C: Mr. Aaron D. Kennard, NSA Executive Director
Mr. John Jones, VSSA Director
Major Charles I. Poff, Jr.