

June 17, 2024

Jessica Rosenworcel
Chairwoman
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: WC Docket No. 23-62 and WC Docket No. 12-375

Dear Chairwoman Rosenworcel:

We join members of The Leadership Conference, a coalition of 200 civil rights organizations, in asking the Federal Communications Commission (FCC) to adopt new, lower rate caps for incarcerated communications services that are just and reasonable. We strongly support the prompt and vigorous action of the Commission to follow Congress' mandate in the Martha Wright Reed Just and Reasonable Communications Act. We further urge the Commission to adopt meaningful consumer protection and billing transparency policies and finish the reforms needed to fully protect incarcerated people with disabilities.

For decades, telecom profiteers have exploited incarcerated people and their families, forcing them to pay extreme costs to maintain connections with their loved ones. The right to communicate throughout incarceration is not only humane, it is essential for improving people's ability to successfully re-enter their communities – supporting family stability, facilitating access to community support and job opportunities, in addition to other meaningful resources. Exorbitant costs and fees heighten depression, isolation, and loneliness among incarcerated individuals – actively harming them instead of providing any discernible benefit.

We urge the Commission to adopt the lowest possible rates for voice and video communications. In fact, evidence in the record demonstrates that rates could be as low as pennies per minute. This data, as compiled by the economists working with the Wright Petitioners, demonstrate the Commission can adopt truly just and reasonable rates in this docket.

Incarcerated people and their loved ones should not be forced to subsidize services they do not want, or that are the responsibility of the incarcerating institution. Incarcerating institutions should bear the cost of security and surveillance. These services, such as call recording and monitoring services, and voice biometrics are not for the benefit of incarcerated people. They do not belong in the rate.

The Commission should adopt consumer protection measures. It should improve billing transparency. A consumer disclosure label that builds on the recently adopted broadband consumer labels, or dynamic consumer disclosures that are sent regularly and are easily saved and retrieved, would provide consumers with the information they need to monitor their own costs and ensure they are not paying illegally high costs--

particularly for the new international rates and new limits on ancillary fees. Additionally, the Commission should make sure consumers are able to recover unused funds in their accounts and funds in inactive accounts. Protections should apply to all consumer accounts, including debit accounts

In addition, alternative pricing structures must be approved if and only if those structures save money for consumers. Although it is possible that a subscription service could save consumers money, the negative track record of companies offering service to and from carceral facilities means that the FCC has every reason to proceed cautiously before approving new business models.

Incarcerated people with disabilities must not be denied equitable access to communications. Specifically, we agree that all providers must provide access to all relay services eligible for Telecommunications Relay Services (TRS) fund support, plus American Sign Language direct, or point-to-point video communications without charge. In addition, the FCC should reverse its decision to deprive incarcerated people with disabilities of point-to-point video in jails with an average daily population of less than 50 percent in facilities if those jails have broadband service.

We, the undersigned organizations, look forward to supporting the Commission's action to protect incarcerated people with and without disabilities from unjust and unreasonable communications rates. We look forward to working with you on this issue and others of importance to our country.

Sincerely,

Alabama Appleseed Center for Law & Justice
Alpha Emergence Behavioral Health
American Civil Liberties Union
American Friends Service Committee Prison Watch
American Humanist Association
Asbury United Methodist Church - DC
Atlanta Community Support Project
Benton Institute for Broadband & Society
Black & Pink National
Black Lives Matter Rhode Island PAC
Boston Immigration Justice Accompaniment Network
CDCR Family Support Group
Center for Art and Advocacy
Children's Defense Fund
Citizens for Prison Reform
Civil Rights Corps
Coalition on Human Needs
Colorado Criminal Justice Reform Coalition
Color Of Change
Community Alliance on Prisons
Cooperative Baptist Fellowship

COYOTE RI

Cunningham Township

DARE Direct Action for Rights and Equality

Detroit Justice Center

Drop LWOP New England

Electronic Frontier Foundation

Electronic Privacy Information Center (EPIC)

Elephant Circle

Empowering Women Impacted by Incarceration

The Episcopal Church

EXPO of Wisconsin

The Festival Center

Fight for the Future

Fines and Fees Justice Center

FREE! Families Rally for Emancipation and Empowerment

Free Press

Greater Boston Legal Services

Grove Park Foundation

Hawai'i Friends of Restorative Justice

High Desert State Prison Inmate Family Council

Interfaith Action for Human Rights

Jesse's Place Organization

Justice 4 Housing

Just Future Project

JustUS Coordinating Council

Latino Action Network

Latino Action Network Foundation

Legal Rights Center

Let's Get Free: The Women & Trans Prisoner Defense Committee

Louisville Family Justice Advocates

Luvly Doula LLC

Media Alliance

Michigan Liberation

Minnesota Incarcerated Workers Organizing Committee

Minnesota Office of the Ombuds for Corrections

Mission 29:11 Reentry

Multicultural Media Telecom and Internet Coalition

Mystic Valley Action for Reproductive Justice

National Consumer Law Center (on behalf of its low-income clients)

National Center for Law and Economic Justice

Near Futures Projects

NETWORK Lobby for Catholic Social Justice

New York Initiative for Children of Incarcerated Parents

Operation Restoration

Out for Justice, Inc.

Partnership for Safety and Justice

The Pennsylvania Prison Society

Public Citizen
Public Justice Center
Prison From The Inside Out, Inc.
Prison Policy Initiative
The Promise of Justice Initiative
Rasmussen Family
The Real Cost of Prisons Project
Restoring Hope California
Root & Rebound
Safe and Just Michigan
Salinas Valley State Prison (SVSP)
San Francisco Financial Justice Project
Secure Justice
Stand for Children, Inc.
Together Colorado
Underground Ministries
United Church of Christ
Unitarian Universalist Massachusetts Action
Washington Defender Association
We Resolve
Women & Incarceration Project, Center for Women's Health & Human Rights, Suffolk
University
Worth Rises