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December 17, 2024

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

Re: Rates for Interstate Inmate Calling Service, WC Docket Nos. 12-375, 23-62

Dear Chair Rosenworcel,

On behalf of The Leadership Conference on Civil and Human Rights and its Media/Telecommunications Task Force, we write in response to the Further Notice of Proposed Rulemaking implementing the Martha Wright-Reed Act.<sup>1</sup> As discussed below, the recommendations made by the commenters in the record, and those made here, provide a roadmap for the commission to continue to implement the Martha Wright-Reed Just and Reasonable Communications Act of 2022 (Martha Wright-Reed Act) efficiently and justly.

The Leadership Conference is a coalition charged by its diverse membership of more than 240 national organizations to promote and protect the rights of all persons in the United States. Its Media/Telecommunications Task Force is committed to ensuring that all communities, especially the historically underserved, have access to affordable, reliable, and high-quality advanced communications services.

We commend the Federal Communications Commission (FCC or commission) for continuing to move quickly and unanimously to implement the Martha Wright-Reed Act. The barrier between incarcerated people and their loved ones created by sky-high prison phone rates makes it more difficult for incarcerated people to succeed when they return home from a period of incarceration. Video phone calls create an opportunity to increase accessibility, engagement, and connection between incarcerated people and their support system on the outside, which is a key component of reentry.<sup>2</sup> This important aspect of an incarcerated person's success is put in jeopardy by predatory video phone rates and the poor quality of video calls in correctional facilities. Predatory rates and poor video quality also

<sup>1</sup> *In re Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, FCC 23-19 (rel. Sept. 20, 2024) (FNPRM).

<sup>2</sup> "Five Things About Reentry," National Institute of Justice (Apr. 26, 2023), <https://nij.ojp.gov/topics/articles/five-things-about-reentry>.

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place a significant financial burden on the families of incarcerated individuals, while disproportionately impacting communities of color.<sup>3</sup>

In these comments, The Leadership Conference and undersigned organizations:

- Support the FCC’s proposal to adopt permanent video incarcerated people’s communications services (IPCS) rate caps. Recent reporting has shown that many prisons are replacing in-person visits with video calls, leaving incarcerated individuals and their loved ones no choice but to spend more money on phone and video calls.<sup>4</sup> These calls have significant benefits for incarcerated individuals, allowing them to support and maintain connections when family members may not be comfortable going through jail or prison security searches or may not be able to afford transportation to the facility.<sup>5</sup>
- Urge the commission to collect data regarding IPCS video costs and other costs associated with the IPCS video marketplace; data on the type of equipment used to provide services; information on the extent to which those devices are used for non-regulated services as well as IPCS; and the breakdown between fixed and variable costs associated with providing video IPCS, as requested by the Wright Petitioners, the Benton Institute for Broadband & Society, and Public Knowledge.<sup>6</sup>
- Endorse the view in the record expressed by the United Church of Christ Media Justice Ministry and National Consumer Law Center that the commission has the authority to address video quality issues under Sections 202(a), 201(b), and 276(b)(1)(A) of the Communications Act.<sup>7</sup> In order to best address video quality issues, the commission must collect data on important metrics of call quality in its annual data collection and certification requirements for carriers.<sup>8</sup> Important metrics include call completion rates, rates of service quality failures, and more.<sup>9</sup> Just as cost serves as a barrier, poor video and audio quality can impact the ability of individuals to connect with their family members.
- Support the Disability Coalition’s petition for reconsideration seeking an FCC decision that human communications assistants (CAs) must be available to incarcerated people and their

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<sup>3</sup> Reply Comments of The Leadership Conference on Civil and Human Rights, American Association of People with Disabilities, Asian Americans Advance Justice - AAJC, Common Cause, Communications Workers of America, Japanese American Citizens League, National Consumer Law Center, National Disability Rights Network, and Southern Poverty Law Center Action Fund, WC Docket No. 12-375 (2023); Comments of Color of Change, WC Docket Nos. 23-62, 12-375 (2023).

<sup>4</sup> Dan Slepian, Kenzi Abou-Sabe, and Alexandra Chaidez, “Denied the Right to ‘Hug:’ In Many U.S. Jails, Video Calls are the Only Way Detainees Can See Loved Ones,” NBC News (June 20, 2024), <https://www.nbcnews.com/investigations/many-us-jails-video-calls-are-only-way-detainees-can-see-loved-ones-rcna158048>.

<sup>5</sup> Erica Bryant, “Video Visits for Families of People in Jail and Prisons Should be Free,” Vera (Jan. 9, 2024), <https://www.vera.org/news/video-visits-for-families-of-people-in-jail-and-prison-should-be-free>.

<sup>6</sup> Comments of The Wright Petitioners, the Benton Institute for Broadband & Society, and Public Knowledge, WC Docket Nos. 23-62, 12-375 (2024).

<sup>7</sup> Comments of United Church of Christ Media Justice Ministry and The National Consumer Law Center (on behalf of its low-income clients), WC Docket Nos. 23-62, 12-375 (2024).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

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friends and loved ones using Internet Protocol Captioned Telephone Services (IP-CTS).<sup>10</sup> IP-CTS offers users captions together with an audio channel to assist users who have some, but not total, hearing loss. Machine learning and artificial intelligence permit Automatic Speech Recognition (ASR) to produce captioning, but the record is clear that ASR does not adequately serve people who have accents, speak dialects (including Black English dialects), or have speech impediments. ASR illustrates how artificial intelligence can be a great stride forward in some circumstances, but does not serve all communities equitably. Human CAs must be available as an option for communities who need them.

Thank you for your consideration of our views on this important issue. If you have any questions about this letter, please contact Media/Telecommunications Task Force Co-Chairs Cheryl Leanza, United Church of Christ Media Justice Ministry, at [cleanza@alhmail.com](mailto:cleanza@alhmail.com) and Claudia Ruiz, UnidosUS, at [cruiz@unidosus.org](mailto:cruiz@unidosus.org), or Jonathan Walter, policy counsel, technology at The Leadership Conference, at [walter@civilrights.org](mailto:walter@civilrights.org).

Sincerely,

The Leadership Conference on Civil and Human Rights  
American Association of People with Disabilities  
American Humanist Association  
Asian Americans Advancing Justice – AAJC  
Best Practices Policy Project  
Communications Workers of America  
Free Press  
National Association of Criminal Defense Lawyers  
National Consumer Law Center (on behalf of its low-income clients)  
National Council of Churches  
NETWORK Lobby for Catholic Social Justice  
THE BSWC  
UnidosUS  
United Church of Christ Media Justice Ministry  
World Without Genocide

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<sup>10</sup> Petition for Limited Reconsideration of Deaf Equality and TDIforAccess, WC Docket Nos. 23-62, 12-375 (2024).

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