

***TC-1 Resolution Drawing the Attention of State Legislatures and Commissions to Consider Action to Ensure Cost Based Telephone Rates from Correctional and Detention Facilities***

*Whereas* inmate telephone service contracts are exclusive agreements between detention facilities and telephone companies that provide specialized functionality to enable monitoring of inmate telephone calls;

*Whereas* although costly specialized equipment and monitoring services are provided, the contracts for inmate telephone systems often include high connection fees and per minute rate charges which are unrelated to the cost of providing the service;

*Whereas* things have improved since the National Association of Regulatory Utility Commissioners first raised this issue in a 2012 resolution as the Federal Communications Commission (“FCC”) has capped the cost of interstate calls at 14 to 17 cents a minute and restrained the imposition of other fees, and most state prison systems have lowered their rates well below the FCC’s caps for in-state calls;

*Whereas* the problems that remain reside predominately in county and city run jails;

*Whereas* local and county jails are very different from state prisons because the vast majority of people in custody have not been convicted and are being held pretrial;

*Whereas* on average, phone calls from jail cost three times more than phone calls from State prisons;

*Whereas* charging pretrial defendants non-cost based prices for phone calls punishes people who are legally presumed innocent, drives up costs for appointed counsel, and makes it harder for them to contact family members and others who might help them post bail or build their defense. It also puts them at risk of losing their jobs, housing, and custody of their children while they are in jail awaiting trial;

*Whereas* even with convicted felons, phone calls are the most common way those behind bars and their families stay connected and studies show that communication between families and their incarcerated loved ones is tied to reducing recidivism; and

*Whereas* State legislatures are best positioned to address this issue by allocating additional authority to their State commissions to investigate and assure cost-based fees; *now, therefore be it*

*Resolved* that the Board of Directors of the National Association of Regulatory Utility Commissioners, convened at its 2020 Annual Meeting and Education Conference, draws attention to the ability of State legislatures and commissions to consider possible legislation and rulemakings so that State commissions can assure that inmate calls are cost-based.

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*Passed by the Committee on Telecommunications November 10, 2020*  
*Adopted by the Board of Directors, November 11, 2020*