



The high cost of phone calls for inmates

By Sukey Lewis

When most of us talk on the phone we don't think much about the cost—it's pennies. If we don't like a phone company or can't afford a plan, it's pretty easy to ditch the one we have and get a new one. Talk is cheap, for most of us. But for the 80,000 people in California's county jails, a phone call can cost more than \$1 a minute.

Some argue that pricey phone calls are just another consequence for those serving time. But, others, including some law enforcement professionals, say it's counterintuitive to make inmate communication so difficult because family connections actually help keep people from re-offending.

Filiberto Fuentes, an inmate at West County Detention Facility in Richmond, California. He says phone calls with his family have been important during this difficult time.

"One of my sons, second month I was here tried to commit suicide," he says. "So the phone calls are very important as long as they're not getting interrupted by dropping them and things like that."

Fuentes has been in jail for nine months for drug charges. He says he talks to his kids on the phone every other week.

"They fill me in on how they're doing in school. Their progress. You know there's problems money wise. They want me to be there for them physically, but unfortunately I can't, only verbally and through letters," Fuentes says.

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The cost of a call

A 15-minute phone call to his family usually costs Fuentes more than \$10. Fuentes, like most inmates in county jails across the state, can pay for a phone call in one of three ways: collect call, pre-pay, or debit. Making a call from jail can cost 400% more than an average phone call.

Aleks Kajstura, Legal Director of the Prison policy initiative—a national non-profit that does research on mass incarceration, says that part of the reason for these high rates is that when companies bid for a contract to provide phone services with a county facility, they tack on a commission. So, a portion of the rate for an inmate’s phone call actually goes back into the county’s pocket.

“Commissions requested by the counties are ever growing and there’s an ever growing decoupling then from the actual cost of the call,” says Kajstura.

Costs across the county lines

These commission rates vary county to county, but they can be as much as 80% of the cost of calls. This money goes directly to Sheriff’s departments to run their facilities and programs.

Now, a couple of Bay Area counties are starting to put a stop to these climbing rates. In San Francisco, Sheriff Ross Mirkarimi says he pushed hard to get the phone rates lowered—and succeeded.

“We’re the first sheriff’s department to move in this direction, he says. “We’re looking for a new floor, and a new ceiling trending down in terms of profit so that we’re not double taxing poor people.”

The cost came down in San Francisco to about \$4 for a 15-minute call. But, Mirkarimi says making phone calls affordable is a balancing act—since lowering the cost of calls means less funding for the Sheriff’s department.

And Mirkarimi isn’t the only sheriff who is re-thinking how much inmates are charged for calls. Across the bay in West County, the Contra Costa Sheriff’s Assistant Matt Schuler says he’d like to see change too, but he’s stuck between a rock and a hard place.

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“We’re not here to gouge the inmate population. We’re not taking the money and spending it on upgrades for the staff here,” he says. “All the upgrades to the facilities are for the betterment of inmates. This facility out here at West County runs on our programs and if we don’t have those programs there could be some anarchy out here and it wouldn’t be good.”

Schuler says everything from inmate benches to GED programs and chaplains are paid for, at least in part, by inmate phone calls. Contra Costa Supervisor John Gioia explains the conundrum.

“We need to make sure we’re providing people in jail the best opportunity to be successful when they’re released,” he says. “That’s why the programs in jail are really important, but this relationship where they’re funded through increased cost of phone calls is really a sort of contorted weird relationship because you want calls to be less expensive so there’s better contact and better quality contact between people who are in jail and their families.”

Gioia says the solution would be more revenue to replace the commissions they rely on. Mirkarimi did this in San Francisco with a \$1 million judgment from from Global Tel*Link--one of the major inmate phone companies that was overcharging for calls and underpaying commissions. But new revenue isn’t easy to come by.

“So that’s the dilemma,” Gioia says. “That’s the catch-22.”

Soon counties may not have a choice but to lower rates. In [February](#) of this year, the FCC declared that phone companies were monopolizing the inmate phone call market and capped state-to-state calls. A spokesman for the FCC said his agency is considering regulating the cost of in-state calls as well. I reached out to the two telecommunications giants, Global Tel Link and Securus, who together control about [80%](#) of the inmate phone services market-- over a one billion dollar industry, but they declined to comment.

“The telephone company service that provides telephone communication for inmates has essentially been an unregulated activity for decades,” Mirkarimi says, and he adds that lowering the cost of calls will also lower recidivism.

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“Eighty percent of those incarcerated typically through the US are poor. And typically it’s not just the inmates that are shouldering the burden of coping with a family member being incarcerated but it’s the people outside,” Mirkarimi says. “The families and their children who are also having to take responsibility for those costs.”

Charges not adding up

Christina Mansfield, Co-founder of Community Initiatives for Visiting Immigrants in Confinement, says she’s seen the way companies boost their profits with exorbitant fees.

“They’re all sorts of ridiculous policies, surcharges of \$8.75 simply to make a \$25 deposit. And that’s not a one-time set-up fee that’s an every time fee,” she says. “They will not disclose rates over the phone in some cases. They will not issue receipts of any kind to show that you’ve paid.”

Mansfield says dropped phone calls are also a big problem and when a call gets dropped, reconnection fees add up quickly. But, Assistant Sheriff Schuler says some of the dropped calls are for security reasons.

“At our request, if they suspect there’s a three-way or a forwarded call. If they suspect that’s happening it will be dropped. Sometimes, the way inmates talk into the phone, they try to work the system by breathing into it a certain way to make their plans,” he says. “If they suspect that’s happening the call will be dropped, but sometimes it’s actually a legitimate phone call that they’re doing.”

Rita, who declined to give her last name, was held in immigration detention earlier this year at West County for about three months. The 39-year-old mother of four and describes the tough choices her husband made while she was inside.

“My kids wanted to eat at McDonalds or Chucky Cheese or want to spend some time with dad when I was not there but my husband would choose to be able to give money to me,” she says.

Rita’s family lived in a shelter in Richmond, but her kids were in school, and her husband was trying to find work—she says she relied on those phone calls.

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“I needed those calls when I was arrested and detained—you become disconnected from the world so that was the only connection I had to the outside world,” she says.

For now, counties in California are wrestling with the problem of high phone rates by themselves. But, soon that might change. This year, a [bill](#) was introduced that could have banned the practice of paying for jail programs with phone commissions. It’s not going to pass this legislative session, but it looks like the momentum in California is shifting. And if the state doesn’t take action, the FCC might step in. But until then, counties and inmates are stuck on hold.

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