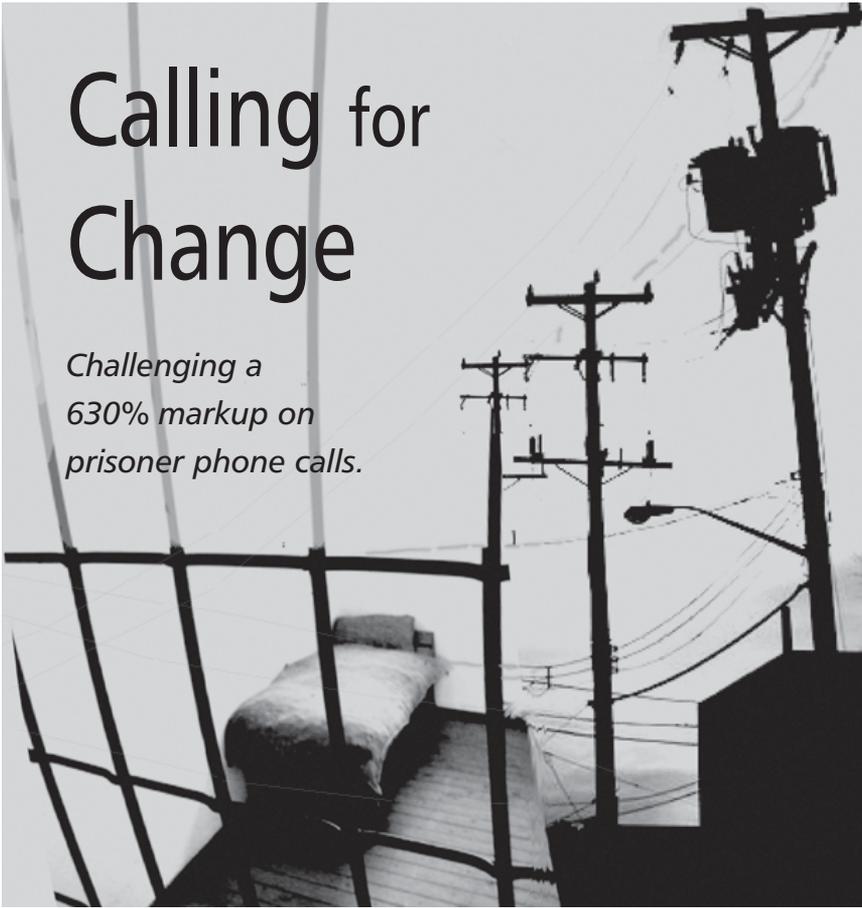


PHOTO COLLAGE: LIV GOLD

# Calling for Change

*Challenging a 630% markup on prisoner phone calls.*



BY LIV GOLD AND CHRIS STURR

Jackie Sparling's husband was incarcerated in New York State's Oneida Correctional Facility three years ago. Since then, she has lost her job, has gone on public assistance, and can't pay her phone bills. The phone bills are a particular problem, since this is how Jackie and her husband stay in touch—he calls her collect from the prison and Jackie accepts the charges. But there is something unusual about the charges—under the terms of a 10-year-old contract between MCI/Verizon and the New York State Department of Correctional Services (NYSDOCS), people like Jackie who receive collect calls from the state's prisons pay as much as six times the national average for their collect calls.

The contract between NYSDOCS and MCI/Verizon mandates a \$3 initiation fee and a rate of 16 cents per minute for a collect call originating in one of the state's prison facili-

ties. By contrast, MCI/Verizon advertises rates of five cents per minute for collect calls, with a \$5 monthly plan. Why would NYSDOCS accept a bid from a company charging such high rates? One reason is that the contract allows the state to collect 57.5% of the revenues from the calls; the state has netted over \$175 million since the contract began in 1996. Since the revenues generated in this way come specifically from prisoners' family members and loved ones—people who are, on average, more likely to be poor—the system amounts to a back-door tax on the poor.

The system is not unique to New York State. Most state prison systems have collect call systems under monopoly contracts, with similarly exorbitant rates and lucrative kickbacks (known as "commissions"). According to the Equitable Telephone Charges Campaign (eTc), Nebraska is the only state that does not accept commissions from the phone company

it contracts with for prison phone service. (Vermont is in the process of phasing out its commissions.) Only 13 states allow debit calling, whereby prisoners and their loved ones can avoid the high-rate collect calls by drawing on funds they pay in advance.

One common practice—"call blocking"—has been particularly frustrating for people trying to stay in touch with loved ones in prison. Prison phone service providers can with little or no warning place a "block" on a particular number, making it impossible for collect calls to be placed to that number. Blocks may be placed because the provider has no billing agreement with the recipient's primary phone company, or because the recipient has amassed charges beyond a certain limit—sometimes as low as \$100—which is not always made explicit in advance. The only way to have the block lifted is to pay a deposit (often a minimum of \$50) to the prison phone service provider.

One result of blocks and high rates is that communication between prisoners and family members breaks down. "People end up choosing between paying the phone bill or paying the rent," says Annette Dickerson, director of education and outreach at the Center for Constitutional Rights (CCR). "In lots of cases you end up with prisoners and family members who have an explicit agreement to forego communications. This is very real and very common." Phone calls are one of the only ways of keeping in touch with a loved one who is incarcerated, especially since prisoners are often far from their families. In New York State, for example, most prisoners are from downstate, but are housed in rural prisons far

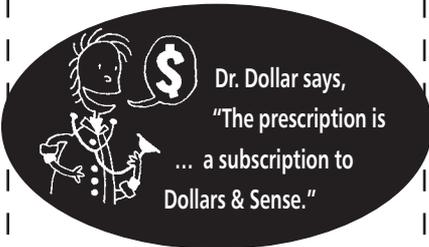
upstate. And maintaining contact is crucial. Lois Ahrens, director of the Real Cost of Prisons Project, notes, "All the research shows that ongoing communication between family members and people who are incar-

cerated is important for both the family and the person coming home and building a life after they are released from prison. Women, like men, are incarcerated far from home. More than half of mothers in state prisons have never been visited by their children. This makes low-cost telephone service crucially important for sustaining relationships."

In 2004, CCR filed a lawsuit against the

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NYSDOCS, arguing that the 57.5% kickback written into the contract with MCI/Verizon is illegal, because it amounts to an unlegislated tax, and unconstitutional, because it impedes freedom of speech and association. CCR has also joined with the Fifth Avenue Committee's Prison Families Community Forum and Prison Families of New York, Inc., to form the New York Campaign for Telephone Justice, which aims to "achieve more equitable rates for phone calls to and from prisoners, a high level of consumer choice within the prison telephone system, and fair service without unilateral preemptive cut-offs."

The campaign aims to augment the CCR's legal efforts by mobilizing family members, raising public awareness, and lobbying to end the monopolistic contract in New York State. The campaign's website, [www.telephonejustice.org](http://www.telephonejustice.org), serves as a grassroots organizing tool, facilitating collaboration and amplifying the demands of those most affected. On a national level, eTc has been raising awareness about the exploitative prison phone systems since it was founded in 2000. The eTc website provides a clearinghouse of information about the phone systems in all 50 states; eTc has also begun an innovative web-based campaign for coordinating letter-writing to elected officials, phone company officials, utility regulators, prison administrators, and

local newspapers. Citizens United for Rehabilitation of Errants (CURE), a DC-based grassroots organization with chapters across the country, has made the prison phone systems a focus of their organizing and has supported and collaborated with eTc.

In New York State, the activism is beginning to bear fruit. Last June, the state assembly passed the Family Connections Bill, which "will provide prisoners with fair-market telephone rates and prevent the state from making a profit from the system," according to eTc, and would allow facilities to provide debit phone service in addition to the collect call system. The Senate version of the bill has not yet passed. NYSDOCS's contract with MCI/Verizon expired on March 31. Negotiation of a new contract is underway, and as organizations like the Campaign for Telephone Justice gain momentum, change is in the air. "This injustice needs to stop," Sparling wrote in her testimonial on the campaign's website, "not just in New York, but in this country as a whole." ■

*Liv Gold is a Dollars & Sense intern. Chris Sturr is co-editor of Dollars & Sense.*

**RESOURCES** New York Campaign for Telephone Justice, [www.telephonejustice.org](http://www.telephonejustice.org); the Equitable Telephone Charges Campaign, [www.etccampaign.com](http://www.etccampaign.com); Citizens United for Rehabilitation of Errants, [www.curenational.org](http://www.curenational.org); the Real Cost of Prisons Project, [www.realcostofprisons.org](http://www.realcostofprisons.org).

This article appeared in the May/June 2006 issue of *Dollars & Sense* magazine. *Dollars & Sense* explains the workings of the U.S. and international economies and provides left perspectives on current economic affairs. It is edited and produced by a collective of economists, journalists, and activists who are committed to social justice and economic democracy. To order copies of this issue or to subscribe, visit [www.dollarsandsense.org](http://www.dollarsandsense.org) or call 617-447-2177.