

## Communication Costs for Persons Incarcerated in Jail or Prison

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### PROBLEM

State, county, and city governments contract with private companies to outsource correctional communications equipment and services in correctional facilities—a system that creates a burden particularly for individuals with lower incomes.

The companies generate revenue by charging fees and surcharges for basic communication methods. Phone calls, mail, and even emails come with “user fees” that create paywalls between incarcerated individuals and their families. These providers also charge fees for things like account creation, voicemails, transactions, and money transfer services. It is common for state and local governments to establish contract agreements with these communications companies that include commissions to be paid back to the government, [often exceeding 50% in southern states](#). This creates a model that encourages charging the highest allowable rates in order to generate more revenue.

These fees disproportionately impact and burden individuals and families with lower incomes. The costs create unnecessary and cruel barriers between incarcerated individuals and their families and support networks, which are critical for their mental well-being as well as the well-being of their families. Most incarcerated individuals have no means of generating income, meaning costs are displaced upon loved ones on the outside, many of whom are already financially suffering from the absence of a working adult.

During the pandemic, as a safety precaution to reduce the risk of spread, correctional facilities have had to restrict or altogether prohibit in-person visitations. This has limited the available means of communication to only those methods that come with unavoidable costs. The pandemic has further endangered already vulnerable incarcerated individuals and many facilities are restricting recreational time and other activities, resulting in increased psychological and emotional hardship. The pandemic has also imposed additional financial stress on low-income families. Neither of these ongoing impacts should be further exacerbated by a financial burden from the need to communicate with loved ones.

## SOLUTIONS

### Specific and Actionable Policy Measures

- State and local governments can make phone calls free. They can also prohibit commissions. Alternatively, state governments can restrict the rate charged per minute to significantly reduce financial burden. In 2019, [Illinois](#) had the lowest rate nationally at \$0.19 for a 15 minute in-state call. In the South, [rates ranged](#) from a low of \$0.48 per 15 minutes in West Virginia to a high of \$4.80 per 15 minutes in Arkansas.
- States should require that correctional communications contracts be negotiated based on the lowest cost to consumers, and that local governments can opt into those contracts under the same terms. Local governments lack the negotiating power of a state correctional system.
- Encourage the State Public Utility Commission to investigate and regulate the prison and jail communication services industry, like [Alabama](#).

### Equity Rubric for Policymakers

When considering proposals for these communications systems, policymakers should prioritize equity by asking these questions:

- Do incarcerated individuals have the same access to communication regardless of their finances?
- Are contracted services charging fees that are only likely to impact low-income families?
- What is the commission rate for the state on communications service fees? Why?