



AMERICAN JAIL ASSOCIATION

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Supporting Individuals Working in Our Nation's Jails

April 17, 2009

The Honorable Henry A. Waxman
Chairman
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Joe Barton
Ranking Member
Committee on Energy and Commerce
2322-A Rayburn HOB
Washington, D.C. 20515

Dear Chairman Waxman and Ranking Member Barton:

On behalf of the American Jail Association (AJA), a national nonprofit educational organization representing more than 70,000 jail professionals focusing exclusively on issues affecting them and their facilities. I am writing to express our strong opposition to the Family Telephone Connection Protection Act of 2009 (H.R. 1133). We concur with the National Sheriffs Association's position on this bill. The Act would require the Federal Communications Commission to prescribe rules regulating inmate telephone service systems, which would seriously hamper the ability of jail administrators to effectively secure and manage our Nation's jails.

As you know, jail administrators generally serve as the chief detention officer of their respective local detention facilities, and as such, to direct the management and operation of the jails. Currently, there are more than 3,300 jails in the United States with nearly 800,000 inmates on any given day, and 13 million admissions being booked through these facilities annually.

Jail administrators recognize that maintaining a fluid line communication between an inmate and his/her family can be a positive influence for that inmate's reintegration in the larger society after release. As such, AJA continues to advocate in support of reentry initiatives proposed by Congress. However, we cannot support the proposals in H.R. 1133 which would compromise public safety, put additional burdens on taxpayers, or force correctional institutions to eliminate reentry programs and access to telephones for inmates.

Under H.R. 1133, correctional institutions would be required to provide inmates with a choice of carriers when placing telephone calls. This proposal would amount to nothing less than the complete dismantling of the existing system of inmate phone service. Under the current system, one inmate phone service provider is contractually committed to monitor and control inmate calling for security and law enforcement purposes, which prevent fraudulent or criminal

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activities. Carrier choice would severely hinder the provider's ability to assist law enforcement with ongoing criminal investigations or to monitor the phone calls of suspected terrorists.

In addition, H.R. 1133 would prohibit the payment of commissions by providers of inmate telephone service to administrators of correctional institutions. The bill fails to recognize that these commissions are a primary source of financial support for a multitude of beneficial inmate programs such as inmate welfare funds, anti-recidivism programs, AIDS education, basic adult education, substance abuse programs and child abuse prevention programs. As local governments continue to face severe economic strains, many jails will be forced to eliminate these programs without the payment of commissions.

Furthermore, these commissions provide crucial funding to enable authorities to administer inmate phone systems. Without commissions, jails must either request more public funding, thus putting additional stress on taxpayers, or be forced to completely cease making telephones available to inmates. As a result, the proposal to prohibit the payment of commissions may not only increase the financial burden on the taxpayers but risk the increased recidivism that would result from removing inmates' access to telephone service.

To reiterate, the American Jail Association strongly opposes H.R. 1133, which would dismantle the current system of inmate phone service by impeding the ability of correctional institutions to provide a balanced system for inmates without compromising public safety.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gwyn Smith-Ingley', with a stylized flourish at the end.

Gwyn Smith-Ingley
Executive Director