



# NATIONAL SHERIFFS' ASSOCIATION

SHERIFF LARRY D. AMERSON  
President  
2012 - 2013

March 25, 2013

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TW-A325  
Washington, DC 20554

RE: WC Docket No. 12-375 (Rates for Interstate Inmate Calling Services)

Dear Madam Secretary:

I write on behalf of the National Sheriffs' Association (NSA), and the more than 3,000 elected Sheriffs nationwide that NSA represents, to file our Comment on the FCC's proposed rulemaking on Rates for Interstate Inmate Calling Services (ICS).

Sheriffs are typically the chief law enforcement official of their counties, and in addition to their policing duties also provide courthouse security and operate about 80% of the jails in this country. Accordingly, Sheriffs have a very real, public-safety interest in the FCC's proposed rulemaking on Rates for Interstate Inmate Calling Services, and we must have input into ICS rate structures!

The rates and realities of inmate calling services are often unknown and misunderstood by those outside the field of professional jail practitioners. Sheriffs are the experts in the operation of America's jails. And, as elected officials, representing the families of inmates, we understand the need for a balanced approach. But, lives depend on good security.

NSA certainly supports any FCC rulemaking "to ensure just and reasonable ICS rates for interstate, long distance calling at publicly- and privately-administered correctional facilities." However, it is imperative in this FCC rulemaking that Sheriffs continue to have control over and the ability to monitor – via cost-effect rate structures and a practical phone system – the communications that inmates have with others outside of the jail!

There are dangerous individuals in local jails who, via ICS, try to continue their criminal activities on the outside while they are incarcerated. Sheriffs have learned through hard experience that inmates communicate with other criminals outside the jail, as well as with inmates in other jails and prisons, to circumvent security. Inmates contact witnesses with wrongful intent. They call their victims. They plot and plan criminal enterprises. And these ICS events take place with startling regularity, literally every day.

Furthermore, the leaps in technology of computers and *smart phones* require that jails continually update ICS systems to ensure that mechanisms are in place to monitor and detect criminal activities. Everyone recognizes that traditional phone service by hardwired telephones has almost disappeared. Enhancements in calling services for inmates and their families, such as video visitation, Internet visitation, *FaceTime*, *Skype*, etc., require corresponding enhancements in ICS security measures. Accordingly, Sheriffs must have flexible and comprehensive monitoring and reporting capabilities built into the next generation ICS systems to deal with the next generation phone technologies. These security requirements are unique to jails and prisons, and they do increase the costs of calls for inmates and their families. But, these are costs that must be factored in when structuring ICS rates.

Under the current system in many jails, one service provider is contracted with to control and monitor inmate calls. Although this setup may not provide the rock bottom rate structure for inmate's phone services, it facilitates law enforcement's ability to monitor and track inmate calling for victim protection, investigative resources, and other public safety purposes. And the commissions sometimes received by Sheriff's Offices from ICS system providers for inmate calls provide the funding necessary to internally administer the phone system. Absent these commissions, counties would need to either increase taxes for the system or jails could potentially cease to provide inmates with this service.

In summary, on behalf of this nation's Sheriffs, NSA recognizes that maintenance of communication with family can have a positive influence for an inmate's re-integration into society after release. Furthermore, we support "just and reasonable" interstate calling rates. However, NSA strongly opposes any FCC rulemaking that would compromise public safety, put additional burdens on taxpayers, or force Sheriffs to discontinue providing inmates with phone services. Moreover, insofar as we are responsible for 80% of this nation's jails, it hopefully goes without saying that Sheriffs must be consulted, and our expertise incorporated, in any FCC rulemaking on Rates for Interstate Inmate Calling Services!

Respectfully yours,

A handwritten signature in cursive script that reads "Larry Amerson".

Sheriff Larry D. Amerson  
NSA President