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May 13, 2015

**Via ECFS**

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

**Re: *Ex Parte* Communication  
WC Docket No. 12-375; Inmate Calling Services**

Dear Ms. Dortch:

On May 11, 2015, the National Sheriffs' Association (NSA) and the American Jail Association (AJA) met with Commissioner Mignon Clyburn and Chanelle Hardy and Rebekah Goodheart of her office, Daniel Alvarez, Legal Advisor to Chairman Wheeler, and Lynne Engledow of the Wireline Competition Bureau Pricing Policy Division (WCB PPD) to discuss the above-referenced proceeding. Jonathan Thompson and Breanna Bock-Nielsen of NSA and the undersigned and Robert Kasabian of AJA participated in the meeting.

In the meeting, NSA and AJA emphasized the importance of a resolution to the proceeding that ensures not only that calling rates for inmates and their families are reasonable but also the continued availability of Inmate Calling Services (ICS) in jails of all sizes. NSA and AJA stated that access to ICS in jails will best be achieved if Sheriffs and jails receive cost recovery for the security and administrative functions that they must perform if ICS is to be allowed in jails. NSA and AJA discussed the NSA cost survey previously filed on the record, that shows Sheriffs and jails incur real and significant costs for security and administrative functions solely related to ICS and that demonstrates the cost to Sheriffs and jails varies. NSA and AJA stated that the variation in cost is based on a number of factors, including the ICS minutes of use in different facilities, which reflects, in part, the fact that some facilities allow more access to ICS than others. For example, ex parte filings by Sheriffs show that some Sheriffs allow calling 24 hours per day, seven days per week, while other Sheriffs allow significantly fewer hours of calling. NSA and AJA stated that the survey supports a different compensation amount for facilities based on Average Daily Population (ADP), with a higher

compensation for facilities with lower ADP. Accordingly, NSA and AJA stated that the record supports a tiered compensation amount for jails based on ADP.

NSA and AJA also stated their support for a tiered rate cap on ICS rates, with a higher rate for jails and, in particular, smaller jails. NSA and AJA stated that there are many differences between jails and prisons, including the volume of inmate churn and the need to access telephones more in jails than in prison, which cause the cost to provide service in jails to be higher than the cost to provide service in prisons. NSA and AJA continue to be concerned that a uniform ICS rate for all providers will jeopardize the ability of ICS providers to continue to provide services in smaller jails.

Finally, NSA and AJA stated their support for a two year transition for any change in payments to Sheriffs and jails in order to provide one to two budget cycles to accommodate the change.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS. If you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/ Mary J. Sisak

cc: Commissioner Mignon Clyburn  
Chanelle Hardy  
Rebekah Goodheart  
Daniel Alvarez  
Lynne Engledow