



31 October 2013

Public Testimony of State Representative Mandela Barnes

Re: Assembly Bill 242

Good afternoon Chairman Bies and members of the Assembly Committee on Corrections. It is an honor to have the opportunity to testify today in favor of Assembly Bill 242.

I begin my testimony today with my sincerest thanks for scheduling a public hearing. I believe that needless financial burdens should not be put on the families of incarcerated individuals for the purposes of boosting county revenues, and that families should not have to choose between paying exorbitant costs, or losing communication with a loved one.

As counties are creatures of the Wisconsin State Government, and as individuals are incarcerated for crimes they've committed under state statutes, I believe the costs of telephone calls by individuals in county houses of correction should not exceed costs imposed by State of Wisconsin prisons. This bill will offer consistency for families who need to be in contact with their loved ones.

I have spoken with several constituents who have shared their experiences of having to absorb these costs, enormous, relative to their household income. Though I'm sure the counties' actual intention was not to put this undue burden on these families, the reality is the exact opposite. Even the DOC fiscal analysis of this bill indicates that county revenues will be impacted by this legislation. Again, I'll state that I do not believe counties, unintentionally or not, should be gaining revenue from the pockets of families who have been put in an unfortunate situation.

The Milwaukee County House of Corrections and the Milwaukee County Criminal Justice Facility have charged upwards of \$5.55 for a fifteen minute call. Some families receive bills that exceed hundreds of dollars per month. Within the last decade, the Milwaukee County Budget revenues for telephone calls placed by inmates in Milwaukee County have exceeded a million dollars annually.

In contrast, the State of Wisconsin charges 12 cents per minute for in-state calls, and 18 cents for out-of-state calls. For the same fifteen minute call, in a state prison, the charge would amount to \$1.80. This model is much more affordable for families, many of whom have limited means.

In closing, many families are forced deal with the trauma of knowing somebody who has been arrested, convicted, and incarcerated. By no fault of their own, they must deal with these circumstances, and all of the barriers that come with it. This bill will, at the very least, help these families by reducing a significant financial barrier. These calls should not be means for boosting revenue.

I urge this committee's consideration of this legislation, and thank you for the opportunity to testify. I welcome any questions you might have.



MEMORANDUM

TO: Honorable Members of the Assembly Committee on Corrections

FROM: David Callender, Legislative Associate *DC*

DATE: October 31, 2013

SUBJECT: Opposition to Assembly Bill 242, Relating to Charges for Inmate Telephone Use at a Jail or House of Correction

The Wisconsin Counties Association (WCA) opposes Assembly Bill 242.

Assembly Bill 242 (AB 242) limits the rates county jails and houses of corrections may charge for inmate phone calls to the rates currently in place for the Department of Corrections. The current rate for DOC inmates is 12 cents a minute for in-state calls and 18 cents a minute for out-of-state calls.

WCA has consulted the Badger State Sheriff's Association, which also opposes AB 242, regarding the impact of this bill on county jails and houses of corrections. County sheriffs have noted that unlike prison phone systems, county jail inmate phone systems are often technologically advanced operations that:

- Require little or no additional jail staff supervision to operate.
- Require minimal jail staff time to monitor system use by inmates.
- Provide an up-to-date and rapid system for preserving, monitoring, recalling, and playing back inmate conversations.
- Provide a system that documents time, date, and content of inmate phone calls.

While the rates charged by jails for inmate calls are in many cases higher than the DOC rates, the county rates reflect the costs of providing these additional services.

Jail phone rates may also be used to recover some of the costs of providing other services to jail inmates that could not otherwise be provided due to county fiscal constraints. It is important to recall that, as WCA has pointed out in previous testimony to the Committee, county jails receive little or no state or federal funds. As a result, jail costs are borne almost entirely by local taxpayers. Any additional sources of revenue jails may obtain reduce the burden on local taxpayers.

WCA respectfully requests the Committee oppose AB 242.



STATE REPRESENTATIVE
FREDERICK P. KESSLER

WISCONSIN STATE ASSEMBLY

12TH DISTRICT

October 31, 2013

Representative Garey Bies
Chairman, Assembly Committee on Corrections
Wisconsin State Capitol, Rm. 216 North
Madison, WI 53708

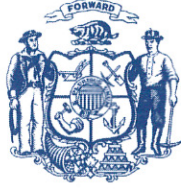
Dear Chairman Bies,

I have been an Assembly co-sponsor of this legislation for many years. This bill is very important to the people in my district, the 12th Assembly district, and I urge passage of AB 242 for the following reasons.

Under current law, there is no limit to how much a telephone company may charge an incarcerated person for making a call to their attorney or family from a county correctional facility. Under this bill, an incarcerated person calling their family or attorney from a county facility would be charged no more than person calling from a state correctional facility. Failure to place a limit on such charges is just another burden that families of the incarcerated must carry.

Right now, collect calls from inmates in county jails to their families and attorneys are significantly higher than collect calls made from inmates in a state prison. AB 242 would bring down the unreasonably high rates of phone calls made from county jails. The rate disparity between state and county telephone charges remains disproportionate and excessive. Furthermore, the exorbitantly overpriced phone rates result in less frequent communication between people in jail and their families – thereby shutting down an important line of communication for post-incarceration reintroduction. Family support is essential for successful rehabilitation.

By adopting this legislation, Wisconsin can lift a heavy financial burden off of inmates' families, many of whom are living at or below the poverty level. AB 242 can eliminate the heartbreaking decision some families must make between talking to their loved one and paying for household necessities.



Nikiya Q. Harris

WISCONSIN STATE SENATOR
6TH SENATE DISTRICT

**Testimony before the
Assembly Committee on Corrections
October 31, 2013
Assembly Bill 242**

Good morning Chairman Bies and members. I want to thank you for giving me the opportunity to testify today in favor of Assembly Bill 242.

This bill will ensure that inmates in our county jails will pay no more for telephone calls than their counterparts in our state prisons. By doing so, inmates will be better able to keep in contact with their families and other community support systems while they pay their debt to society.

Studies make clear that inmates who maintain contact with family and community while incarcerated have reduced rate of recidivism and are more likely to become productive citizens upon their release. Lower rates of recidivism also benefit society by reducing crime, the need for additional jail cells, and other costs.

In addition, the children of inmates would benefit from increased communication with an incarcerated parent. Many of these children face challenges that are manifested in higher rates of truancy, homelessness, depression and other ills. The current exorbitant price of calls from correctional facilities today adds to these challenges and actually *discourages* such communication because it is too expensive, (more than \$5 for one 15-minute phone call in Milwaukee) particularly for families facing economic hardship.

This bill provides an affordable means to *encourage* such communication and keep families connected.

Unfortunately, many families in our community know someone who has been incarcerated. This bill will, at the very least, help relieve one pressure on a very stressful situation and allow these families to stay in touch.

I thank the Committee for your consideration of this bill.

WI COUNTY JAIL INMATE PHONE SYSTEMS

The inmate phone systems that are found within most Wisconsin County Jails were selected and implemented by the Sheriff not only to serve as an inmate communications network to non-confined individuals, the systems were also selected to provide a well documented and well monitored telephone network that accommodates jail security while enhancing public safety.

The vast majority of County Jail inmate phone systems were selected by Sheriffs because they are technologically advanced systems that most County Jails simply could not afford to purchase on their own. The majority of phone systems provide:

- A communications network that requires little to no jail staff supervision to operate
- A minimum amount of jail staff to monitor system use by inmates
- An up-to-date and rapid system for memorializing inmate conversations
- An up-to-date and rapid system for recalling and duplicating inmate conversations
- An efficient and cost effective way to provide inmate communication opportunities throughout a jail facility to assist in proper inmate classification segregation
- A system that enhances public safety by easily documenting date, time, and content of inmate phone communications

The companies that provide inmate phone systems to County Jails are working in a competitive market that requires them to stay technologically up-to-date or they will lose a customer. This fact helps to insure each County Jail has access to the most advanced telephone communications technology at no cost to the County.

The inmate phone systems within County Jails serve a much different purpose than phone systems operated within State prison institutions. County Jail detainees consist of pre-trial and sentenced inmates. It is not unusual for a person to be booked into a Jail and immediately get on a telephone and make contact with their victim, make contact with a co-conspirator and discuss the crime, make contact with a friend and discuss the case or talk about another crime. These phone systems greatly enhance a Sheriff's ability to provide public safety service and solve crime within the County they serve.

Inmate phone systems not only enhance security and facilitate use with minimal staff, the systems also generate revenues to the Jail that are often used to provide other inmate critical services that otherwise could not be provided because of fiscal limitations.

A legislative change in Wisconsin that would require a reduction in inmate phone system rates to the level charged within state prisons would be detrimental to every County Jail in the State of Wisconsin.