

# **Telephone Service for Incarcerated Individuals**

As part of the FCC's efforts to ensure that rates for interstate and international phone calls are just and reasonable for all Americans, the agency is working to rein in the excessive rates and egregious fees on phone calls paid by some of society's most vulnerable people: families trying to stay in touch with loved ones serving time in jail or prison.

Telephone calling options for incarcerated individuals (also known as inmate telephone services and inmate calling services) are limited, as incarcerated persons typically cannot choose their calling provider. This lack of competition, combined with unrestricted rates, has often resulted in unreasonably high phone bills for incarcerated individuals and their families.

#### Rate caps for interstate calls from prisons and jails

FCC rate caps apply only to interstate long-distance calls, but not to in-state long distance, local, or international calls. The current interim, interstate rate caps are 21 cents a minute for debit/prepaid calls and 25 cents a minute for collect calls.

On August 7, 2020, the FCC proposed to lower the rate caps for interstate calls and to establish new rate caps for international calling (<u>https://docs.fcc.gov/public/attachments/FCC-20-111A1.pdf</u>). The interim rate caps will remain in effect while the Commission considers public comment and acts on its proposals.

# Additional service charges

Providers are allowed to impose the additional service charges listed in the chart below in connection with interstate or international calling services for incarcerated individuals. As of November 23, 2020, consumers may have to pay higher or different additional service charges, if at the time the charges are imposed the calls to which they relate are clearly only in-state calls. (<u>https://docs.fcc.gov/public/attachments/FCC-20-111A1.pdf</u>).

Permitted Additional Service Charges	Monetary Cap Per Use / Instruction
Applicable taxes and regulatory fees	Provider may pass these charges through to consumers directly with no markup
Automated payment fees	\$3.00
Single-call fees (i.e., fees for collect calls billed through third parties on a call-by-call basis)	Provider may pass this charge through to consumers directly with no markup, plus the per- minute rate for the call
Live agent fee (i.e., phone payment or account set up with optional use of a live operator)	\$5.95
Paper bill/statement fees (no charge permitted for electronic bills/statements)	\$2.00
Prepaid account funding minimums and maximums	Prohibit prepaid account funding minimums and prohibit prepaid account funding maximums under \$50
Third-party financial transaction fees (e.g., MoneyGram, Western Union, credit card processing fees, and transfers from third party commissary accounts)	Provider may pass this charge through to end user directly, with no markup



# Calls involving the use of TTY

In addition, the Commission has acted to protect incarcerated people with hearing or speech disabilities by limiting charges for calls in which incarcerated individuals or those they call use TTY (text telephones). Perminute rates for TTY-to-TTY calls are capped at 25 percent of the rates providers charge for other calls involving incarcerated individuals and providers are not permitted to collect any charge or fee for TTY-to-voice or voice-to-TTY calls.

### Other rules for interstate calling services for incarcerated individuals

No provider of calling services for incarcerated individuals may block a collect call solely because it lacks a prior billing relationship with the called party's telephone provider unless the provider also offers debit, prepaid, or pre-paid collect calling options.

FCC rules require that, when an incarcerated person places a collect call, each service provider must identify itself to the person receiving the call before connecting the call. Each service provider must also disclose how the receiving party may obtain rate quotations before the call is connected.

Additionally, the service provider must permit the receiving party to terminate the telephone call at no charge before the call is connected.

# Filing a complaint

If you feel you or a family member has been overcharged by a provider of calling services for incarcerated individuals, you can file a complaint with the FCC.

- File a complaint online at consumercomplaints.fcc.gov
- By phone: 1-888-CALL-FCC (1-888-225-5322); TTY: 1-888-TELL-FCC (1-888-835-5322); ASL 1-844-432-2275
- By mail (please include your name, address, contact information and as much detail about your complaint as possible):

Federal Communications Commission Consumer and Governmental Affairs Bureau Consumer Inquiries and Complaints Division 45 L Street NE Washington, DC 20554

#### Other resources

States may have their own rules governing in-state calling services for incarcerated individuals. To complain about violations of state rules, contact the state public utility commission in the state where the call took place. State public utility commission addresses may be found at <u>naruc.org/about-naruc/regulatory-</u> <u>commissions</u> or in the government section of your local telephone directory.

#### Alternate formats

To request this article in an alternate format - braille, large print, Word or text document or audio - write or call us at the address or phone number above, or send an email to  $\frac{fcc504@fcc.gov}{fcc.gov}$ .

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