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Johnson & Wimberly Bill to Lower Elevated Cost of Prison Phone Calls Clears Assembly Panel

(TRENTON) – Legislation sponsored by Assembly Democrats Gordon Johnson and Benjie Wimberly requiring the state and counties to contract with the lowest bidder for telephone service in state and county correctional facilities was advanced Thursday by an Assembly panel

The bill (A-4576) requires the state and the counties to contract with the lowest bidder for intrastate telephone service contracts for inmates in state and county correctional facilities.

“I understand we are all looking for ways to increase revenue, but this is not the way do it,” said Johnson (D-Bergen). “Charging such high rates puts an unfair burden on these families and makes it harder for them to stay in touch, which can make reintegration into the community that much harder for inmates once they get out. This bill ensures that families don’t have to choose between paying their bills and calling their relatives by prohibiting these facilities from charging unnecessarily high rates.”

“Just because we are dealing with people who are incarcerated doesn’t make it okay to charge exorbitant prices. We are essentially punishing families, many of whom come from modest means, for the mistakes of their loved ones and that’s just not right,” said Wimberly (D-Bergen/Passaic). “Profiting from the misfortune of these families is shameful. This bill will stop this unfair practice.”

Under the bill (A-4576), the maximum per minute rate for calls may not exceed the maximum rate allowed the Federal Communications Commission (FCC) for out-of-state calls. Furthermore, a bidder would not be authorized to impose a service charge or additional fee exceeding the per minute rate, including a per call surcharge, account set up fee, bill statement fee, monthly account maintenance charge, or refund fee. The bill also requires international calls to be made available at reasonable rates subject to FCC rules and regulations, but not to exceed 25 cents per minute.

The bill also prohibits a state department, county, or private correctional facility from accepting or receiving a commission or any other payment from the telephone service provider based upon an amount the provider billed for telephone calls made by inmates in the correctional facility.

The bill requires the Department of Corrections (DOC), the counties, and private correctional facilities to make available a prepaid or collect call system, or a combination of the two, for telephone services. Under a prepaid or “debit” system, funds may be deposited into an inmate account in order to pay for telephone calls, as long as the department, county, or private correctional facility is not required to provide for or administer that prepaid system. The provider of the inmate telephone service, as an

additional means of payment, is to permit the recipient of inmate collect calls to establish an account with that provider in order to deposit funds for advance payment of those collect calls.

Lastly, the substitute requires the DOC to establish rules and regulations or departmental procedures to ensure that any inmate telephone call system established by the substitute provides reasonable security measures to preserve the safety and security of state and county correctional facilities, staff members, and those outside a facility who may receive inmate telephone calls.

The measure was advanced by the Assembly Appropriations Committee.