

**TESTIMONY OF CHARLES SULLIVAN, DIRECTOR
CITIZENS UNITED FOR REHABILITATION OF ERRANTS (CURE)
BEFORE THE
COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE ON TELECOMMUNICATIONS AND THE INTERNET**

“The Future of Universal Service”

June 24, 2008

Thank you for this opportunity to talk with you. My name is Charlie Sullivan. I am Executive Director and Cofounder with my wife, Pauline, of Citizens United for Rehabilitation of Errants or CURE. CURE is a grass-roots prison reform organization that began in San Antonio, TX, in 1972 and expanded to a national organization in '85.

Our members come from every state in the union. They are, for the most part, people incarcerated and their loved ones. A strong argument could be made that they are, unfortunately, the most economically disadvantaged segment in our society today.

The number of people affected by the prison experience is staggering. Although we have only 5% of the world's population, we incarcerate 25% of the world's prisoner population. A recent study points out that one in 100 persons in our country is now in prison.

Thus, it would not surprise you that CURE was one of the many organizations that celebrated this year's passage of the Second Chance Act. This Act is an acknowledgement of just how important after-prison support is and how it must begin in prison. Our members understand this need on a very personal level. People being released know they need crucial social support which loved ones in the free world often provide. In fact, studies show that if persons stay connected to their families while in prison they have a six times better chance of not recidivating.

But, sustaining these vital family ties is not easy. Visiting is not always possible because of the cost of travel especially now with such high gas prices. Although letter writing is important, phone calls are the main method used to sustain this all important connection.

This leads to the issue I wish to discuss: The high cost of prison phone calls. For more than ten years, CURE has been working to reduce these costs. In 2000, we organized a nationwide campaign (the Equitable Telephone Charges Campaign) to mobilize family members of prisoners and other concerned citizens to advocate for changes. This eTc Campaign continues today under the creative and expert leadership of its Coordinator, Kay Perry. See eTc Campaign website or call 269-383-0028.

It has been a long campaign, but we are proud of the fact that we have seen substantial progress. When we started, only six states offered a reduced-rate debit calling system as an option to the expensive collect calls. Now, twenty states have a debit or prepaid option at reduced rates.

Despite the progress in many areas, there is one area that continues to be very troubling and that is the high cost of interstate phone calls from many state prison systems. The reason these calls are so expensive is because the contracted phone company pays the prison system a commission for each call. These commissions can be high as 60%.

But, there are some states that have made pro-family decisions to make their interstate phone systems much less costly. For example, family-friendly systems like Florida charge only \$1.80 for a collect and \$1.62 for debit/prepaid. In contrast, Washington State charges \$17.41 for a 15-minute interstate call with no reduction in debit/prepaid. The handout I am providing shows the latest information we have compiled on these interstate rates. Keep in mind that all of these systems have similar security features. Thus, there is no logical explanation for significant differences in the cost of doing business.

We have not been alone in our efforts and want to take this opportunity to thank Congressman Bobby Rush for his leadership on trying to solve this problem by assuring affordability to those families who have loved ones in prison. He introduced "The Family Telephone Connection Protection Act" last Congress (HR 4466) and again this Congress (HR 555). This legislation authorizes the Federal Communications Commission to:

- 1) Prescribe maximum rates
- 2) Require both collect and debit calling
- 3) Prohibit commissions
- 4) Require competition and
- 5) Prohibit call blocking solely because there is not a billing agreement in place.

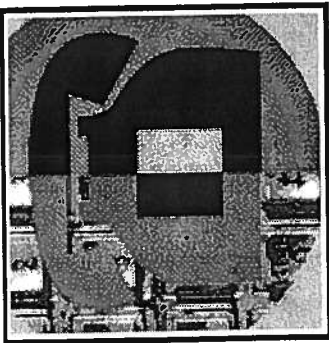
In closing, I want to express again how vital it is for prisoners and their families to be able to communicate with each other. CURE members have told us many stories about persons in prison being involved in family life through phone calls. This includes helping their children with homework, offering encouragement, and making decisions affecting the family.

One of the most moving stories involved Walter Lomax who spent 39 years in prison and was found innocent. He was released in 2006. His wife, son and daughter stayed in contact with him by visiting, writing and phone calls. He even in a way walked his daughter down the aisle when she married. At her wedding a relative held up a cell phone switched to speaker mode. Mr. Lomax listened on the other end from a phone in a Maryland prison. When the minister asked who was there to give his daughter Wanda away, it was Mr. Lomax who answered, "I do".

Needless to say, we would be happy to work with the Subcommittee to explore any and all possible solutions to making all interstate phone calls affordable for families of prisoners. Thank you for your time and attention. I would be happy to answer any questions you may have.

SUMMARY OF MAJOR POINTS OF TESTIMONY BY CHARLES SULLIVAN

- 1) Phone communication is the most important means of keeping people in prison together with their families and not recidivating.
- 2) Progress on reducing the high cost of these phone calls have been made in regard to intrastate calls but not in regard to interstate calls.
- 3) Passage of HR 555 would go a long way to reducing the high cost of these interstate phone calls.



PRISON SYSTEM INTERSTATE CALLING RATES FOR A 15 MINUTE CALL

STATE	COLLECT	Debit/ Prepaid
AK	\$17.30	
AL	\$14.15	
AR	\$10.70	
AZ	\$17.77	
CA	\$17.30	
CO	\$17.30	\$4.10
CT	\$17.30	
DE		
FL	\$1.80	\$1.62
GA	\$17.30	
HI		
IA		\$7.50
ID	\$15.60	\$14.65
IL	\$17.30	
IN	\$5.00	
KS	\$7.70	\$6.55
KY	\$6.50	
LA	\$7.05	
MA	\$13.35	
MD	\$7.20	\$4.50
ME	\$13.35	\$4.50
MI	\$17.34	\$17.34
MN	\$17.30	\$4.80
MO	\$2.50	\$1.50
MS	\$13.35	

State	Collect	Debit/ Prepaid
MT	\$5.75	
NC	\$17.30	
ND	\$6.06	\$5.10
NE	\$3.75	\$3.00
NH	\$2.70	\$2.25
NJ	\$15.10	
NM	\$10.50	\$7.50
NV	\$17.30	
NY	\$2.30	
OH	\$17.30	
OK	\$3.60	
OR	\$17.30	\$10.60
PA	\$12.61	\$9.75
RI	\$5.80	\$5.22
SC	\$8.20	\$6.56
SD	\$11.75	\$3.92
TN	\$14.30	\$12.87
TX		
UT	\$10.31	
VA	\$8.85	\$8.40
VT	\$10.75	\$8.10
WA	\$17.41	\$17.41
WI	\$7.25	
WV	\$6.25	
WY	\$12.85	\$10.76

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A Sample from CURE's Mail Bag

"I can only make two calls a year because each 15 minute call (one to Texas and one to California) costs \$22."

"It costs \$38.00 to call my mom in Texas for 30 minutes. The prison gets over 50% of that. My mom went through chemo for colon cancer. She can't afford to talk to me. Yet my voice would help her and her love would help my sanity."

"I no longer can call home over this big rip off, because my family has a hard enough time trying to make ends meet."

"I can only call my mom 1-2 times per year; the cost of the phone bill is \$19.41 for 15 minutes.... I would love to call my family members (in California, Utah, Nevada, and Colorado) more often, but they are on a fixed income."

"His phone calls are terribly expensive." (The bill enclosed with her letter included the following charges for calls with her fiancé: \$30.65 for each of two 30-minute calls, \$11.96 for a 9-minute call, and \$27.98 for a 27-minute call.)

"I must limit the number of calls to my family. My parents are retired and live on a set income, so my calling is just another burden I've caused them."

"My long time best friend Blanche is 81 years old and, despite my mistakes, still supports and encourages me to understand and stay hopeful.... We both look forward to our Saturday morning calls and always hope that others less fortunate financially could also.... Without Blanche, I would have lost any or all hope."

"My mom is 84-years old, in bad health, finances are terrible. I have not been able to phone her in 6+ years, because she has a rotary phone. Even if I could call her, she cannot afford the expensive calls! I have had no prison income in 6+ years!"

"I won't call friends who decide to put money in the phone system account. Three to four calls is \$50! And that's disrespectful...."

"My mother is in a nursing home and suffers from a neurological brain disorder. I write to her. Unfortunately, she cannot write back. Due to the low institutional income I receive once a month, paying for one call would leave me unable to buy hygiene products. This leaves me with no response from her."

"Your family has to prepay for your phone call. There is a surcharge and for a local call it can be up to \$8 for 15 minutes. Out-of-state is an automatic \$10."