

September 10, 2020

United States Senate
Washington, D.C. 20510

Dear Majority Leader McConnell, Minority Leader Schumer, Senator Wicker, and Senator Cantwell,

We, the undersigned 373 organizations from across the nation, write to urge you to include prison phone justice in the next stimulus package. In a moment of triple crises—a global pandemic, economic disaster, and racial injustice—you must ensure that families are able to stay connected with incarcerated loved ones.

The COVID-19 outbreak has overwhelmed many public systems, and the correctional system is no different. Prisons and jails have become breeding grounds for infection with people crowded into tight quarters, forced to share cells and showers, and denied necessary hygiene products. But in addition to the grave risk of infection that can only effectively be addressed by depopulating prisons, incarcerated people now face isolation from their families.

The ability to connect with loved ones is critical, especially as the need to check in on one another's health and well-being is at an all-time high and prison and jail visits remain suspended in many facilities. However, COVID-19 is highlighting and amplifying the tragic reality that incarcerated people and their families have been living with for decades: predatory prison and jail communication rates.

Even absent the recent crises, families struggle to stay connected with incarcerated loved ones due to the high rates charged by prison telecom corporations for phone calls, video calls, and emails. Prison telecom corporations charge as much as \$25 for a 15-minute local call,¹ consistently forcing families to decide between paying for rent or a call with their loved one behind bars. Nearly one third of families with incarcerated loved ones go into debt trying to stay connected, and 87% of those bearing the burden of these costs are women, and women of color in particular.² But the current crises have further exacerbated the burden of these high rates.

Today families with incarcerated loved ones, like millions of others, are struggling to stay afloat financially. They face delayed pay, job loss, unexpected elder and childcare, and, in the worst cases, their own illness. Many also include essential workers in hospitals, transportation, grocery stores, and sanitation. They should not need to worry about

¹ Peter Wagner & Alexi Jones, Prison Policy Initiative, [State of Phone Justice: Local jails, state prisons and private phone providers](#) (2019).

² Saneta deVuono-powell, et al., Ella Baker Center for Human Rights, Forward Together, & Research Action Design, [Who Pays? The True Cost of Incarceration on Families](#) (2015).

whether they can afford to be in contact with loved ones, neither should the one in 28 children with a parent behind bars.³

Moreover, continuing to allow this predation will lead to serious public health consequences. Incarcerated people and their families who are unable to afford communication are suffering from stress and despair,⁴ which have been shown to weaken immune systems and make people more likely to succumb to infection.⁵

We strongly urge you to address this emergency by including the COVID-19 Compassion and Martha Wright Prison Phone Justice Act, which has already passed the House as part of the HEROES Act (H.R. 6800, §§ 130701-03), in the next stimulus package. Its Senate analog, the Martha Wright Reed Just and Reasonable Communications Act (S. 1764) has bipartisan support. This legislation would provide immediate and sustainable relief to families.

The legislation would enable the Federal Communications Commission (FCC) to protect families from egregiously high rates by establishing the agency's jurisdiction over intrastate communications, which comprise about 80% of all calls. FCC Chairman Ajit Pai has lamented this existing gap in the law, stating in a recent letter to state regulators that he has "repeatedly expressed [his] desire to work with Congress" to fix the FCC's lack of jurisdiction to "address unreasonably and excessively high intrastate inmate calling services rates."⁶

Importantly, given the FCC's lengthy rulemaking process, the legislation would set interim rate caps at \$0.04 per minute for prepaid calls and \$0.05 per minute for collect calls. It would also prohibit site commissions, eliminating one factor contributing to egregious phone call rates.

Ultimately, this legislation would not only alleviate the unjust financial burden placed on families and prevent worsening health conditions, but also benefit our nation. Time and time again, studies have shown that incarcerated people who maintain contact with their families and other support networks during their incarceration are more likely to be successful upon release.⁷

³ Sylvia A. Harvey, [2.7 Million Kids Have Parents in Prison. They're Losing Their Right to Visit](#), *The Nation* (2015).

⁴ Gabe Stern, Juvenile Justice Information Exchange, [Auburn Prison COVID-fighting Policies Inconsistent, Deficient, Inmates Say](#) (2020).

⁵ American Psychological Association, [Stress Weakens the Immune System](#) (2006).

⁶ [Letter](#) from Ajit V. Pai, Chairman, Fed Commc'ns Comm'n to Brandon Presley, President, Nat'l Ass'n of Regulatory Utility Comm'rs (July 20, 2020) (emphasis in original).

⁷ Ryan Shanahan & Sandra Villalobos Agudelo, [The Family and Recidivism](#), *American Jails* (2012); see also Joan Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry* 246 (2006) ("Every known study that has been able to directly examine the relationship between a prisoner's legitimate community ties and recidivism has found that feelings of being welcome at home and the strength of interpersonal ties outside prison help predict postprison adjustment.").

We respectfully ask you to act now to protect families with incarcerated loved ones by adopting this critical piece of legislation. The cost of a call should never bar someone from ensuring their loved one is healthy, or worse yet, from comforting them if they are not.

Sincerely,

A Challenge To Change

A Little Piece Of Light

A New PATH (Parents for Addiction Treatment & Healing)

A New Way of Life Reentry Project

Abolition Apostles Jail and Prison Ministry

ACLU of Connecticut

ACLU of Mississippi

Action Center on Race and the Economy

Actual Innocence Clinic at the University of Texas School of Law

Advancing Justice - Asian Law Caucus

Advocates for Basic Legal Equality (ABLE)

African American Christian Clergy Coalition

Alabama Justice Initiative

Alaska Innocence Project

All of Us or None - Texas

Alliance of Families for Justice

Alternate ROOTS

American Federation of Teachers

American Friends Service Committee

American Friends Service Committee - Arizona

American Friends Service Committee - West Virginia

Americans for Financial Reform

Arouet Foundation

ARRO

Aspiration

Beauty after the Bars

Believers Bail Out

Bergen County Immigration Strategy Group

Black Church PAC

Brooklyn Community Bail Fund

Brooklyn Defender Services

Building Families Together

Building Promise USA

California Innocence Project

California Lawyers for the Arts

Californians United for a Responsible Budget
Carceral Tech Resistance Network
Center for Community Alternatives
Center for Criminal Justice and Professional Responsibility
Center for Justice at Columbia University
Central Ohio Restored Citizens' Collaborative
Central West Justice Center
Change of Heart Ministries
Charm City Care Connection
Chicago Area Fair Housing Alliance
Chicago Community Bond Fund
Children and Family Justice Center
Children's Defense Fund - New York
Citizens for Criminal Justice Reform
Civil Rights Corps
Clean Power Lake County
Close Rosie's
Coalition to Reduce Recidivism
Collaborative Center for Justice
College and Community Fellowship
Color of Change
Colorado Center on Law and Policy
Colorado Circles for Change
Colorado Criminal Justice Reform Coalition
Colorado-CURE
Columbia Legal Services
Communications Workers of America
Communities and Families Raising for Justice
Communities United for Restorative Youth Justice
Community Alliance on Prisons
Community Change Action
Community Justice Exchange
Community Justice Network for Youth at the W.H. Burns Institute
Community Legal Services in East Palo Alto
Community Passageways
Community Service Society of New York
Community Works
Congregation Beth Elohim Dismantling Racism Team
Connecticut Children with Incarcerated Parents Initiative
Connecticut Juvenile Justice Alliance
Connecticut Legal Services
Connecticut Prison Book Connection
Conservatives Concerned About the Death Penalty

Conservatives For Criminal Justice Reform
Constructing Our Future
Correctional Association of New York
COYOTE RI
Critical Resistance
Crossroads Fund
Daughters Beyond Incarceration
Dauphin County Bail Fund
DecARcerate
Deep Center
Delaware Center for Justice
Designing Justice Designing Spaces
Detroit Justice Center
Developing Despite Distance
Dignity & Power NOW
Dismas Family Farm
Dramatic Impulse Theatre
Drug Policy Alliance
Earl Carl Institute for Legal & Social Policy
Economic Freedom Fighters Indiana (EFFI)
Ella Baker Center for Human Rights
Emancipate NC
Emancipation Initiative
Empire Justice Center
End Mass Incarceration Georgia Network
Equal Justice Under Law
Equal Justice USA
Equity And Transformation
EX-incarcerated People Organizing (EXPO)
Exalt Youth
Exodus Transitional Community
Fair and Just Prosecution
Faith in Texas
Faith United Methodist Church
Families For Freedom
Families for Justice as Healing
Filling the Gap
Fines and Fees Justice Center
Fiscal Policy Institute
Florida Cares Charity Corp.
Florida Justice Center
Florida Legal Services
Florida Rights Restoration Coalition

Formerly Incarcerated Union of Rhode Island
Fort Wayne Justice Project
Forward Justice
Free Press Action
Friends Committee on Legislation of California
Friends Committee on National Legislation
Friends of Restorative Justice
From Prison Cells to PhD
Frontline Dads
FWD.us
Galaxy Gives
Georgia Association of Criminal Defense Attorneys
Graham Windham
Grassroots Leadership
Greater Boston Legal Services
Greater Hartford Legal Aid
Habitat for Habilitation
Hands Of Hope Outreach Ministries
Hawai'i Friends of Restorative Justice
Heartland Alliance
Homeboy Industries
Hope House
Human Rights Defense Center
Human Works Foundation
Idaho Innocence Project
Illinois Coalition for Immigrant and Refugee Rights
Illinois Innocence Project
Illinois NOW
Imagine Justice
Immigrant Defense Project
Indivisible Nation BK
Initiate Justice
Innocence Project
Innocence Project Clinic at University of Baltimore
Innocence Project New Orleans
Innocence Project of Minnesota
Interfaith Action for Human Rights
Interfaith Alliance of Colorado
International CURE
Intouch Outreach
Iowa Coalition Against Sexual Assault
Iowa Unitarian Universalist Witness Advocacy Network
It's A Process

Jaylen Barker Foundation
JCCA
John Howard Association
Just City - Memphis
Just Liberty
Justice League
Justice Strategies
Justice Support Group
JustLeadership USA
Kansas Appleseed Center for Law and Justice
Kentucky Coalition to Abolish the Death Penalty
Kentucky Equal Justice Center
KidsMates
La Defensa
LA Voice
LatinoJustice PRLDEF
Lawndale Christian Legal Center
Legal Council for Health Justice
Legal Services of New Jersey
Live Free
Living Beyond the Bars of Iowa
Logan Square Neighborhood Association
LOTO: Life on the Outside
Louisville Family Justice Advocates
MacArthur Justice Center at the University of Mississippi School of Law
Make the Road NY
Mass Liberation Arizona
Massachusetts Against Solitary Confinement (MASC)
Massachusetts Law Reform Institute (MLRI)
Media Alliance
Media Mobilizing Project
MediaJustice
Mercy Unleashed Compassion Ministries
Michigan Center for Youth Justice
Michigan Citizens for Justice - Washtenaw
Michigan Citizens for Prison Reform
Michigan League for Public Policy
Michigan Liberation
Michigan-CURE
Middle Ground Prison Reform
Midwest Innocence Project
Migrant Justice
Mijente

Milwaukee County Human Rights Commission
Mississippi Center for Justice
Mississippi Poor People's Campaign
Mississippi Rising Coalition
Missouri-CURE
Mommieactivist and Sons
Moms Demand Action
Mother's Against Wrongful Convictions
Motherhood Beyond Bars
Movement for Family Power
National Alliance on Mental Illness-Iowa
National Association of Criminal Defense Lawyers
National Consumer Law Center (on behalf of its low-income clients)
National Council of Churches
National Employment Law Project
National Juvenile Justice Network
National Lawyers Guild
National Religious Campaign Against Torture
National Resource Center on Children and Families of the Incarcerated
Nebraska Appleseed
Nebraskans for Alternatives to the Death Penalty
Nehemiah Trinity Rising
Nevada Coalition Against the Death Penalty
New England Innocence Project
New Haven Women's Resettlement Working Group
New Hour for Women & Children Long Island
New Mexico Innocence and Justice Project
New York County Defender Services
New York Immigration Coalition
Next100
North Carolina Center on Actual Innocence
North Carolina Justice Center
Northern California Innocence Project
Notes From The Village
NYCAIC #HALTsolitary Campaign
Obsidian Group
Occupy Bergen County
Ohio Rational Sexual Offense Laws
Once Incarcerated
One Community
One Fair Wage
ONE Northside
One Voice

Operation Restoration
Oregon Criminal Defense Lawyers Association
Oregon-CURE
Orleans Parish Prison Reform Coalition
Osborne Center for Justice Across Generations
Our Lifeline
Our Piece of the Pie
Parole Preparation Project
Path2Redemption
Peace Affirmation and Justice Committee of First Congregational Church Guilford
Peoples Advocacy Institute
Peter Cicchino Youth Project at the Urban Justice Center
PLUS ONE society
Poder in Action
POPS the Club
Pretrial Justice Institute
Prison CONversation
Prison Policy Initiative
Prisoners' Legal Services of Massachusetts
Progressive Prison Ministries
Public Justice Center
Public Knowledge
Pueblo Unido PDX
Queens Defenders (Formerly Queens Law Associates)
R Street Institute
RE:STORE Justice
Reaching & Educating for Community Hope (RECH) Foundation
Recess Art
ReEntry Matters
Reform Georgia
ReInventing ReEntry
Release Aging People in Prison
Represent Justice Campaign
Reproductive Justice Inside
Restorative Justice Coalition of West Michigan
Restore Justice
Revolve Impact
Rising Ground
Rocky Mountain Innocence Center
Root & Rebound
Safe & Just Michigan
San Francisco Public Defender
SawariMedia

Set Free Ministries
Sex Workers and Allies Network
Shiloh Baptist Church of Waukegan
Shriver Center on Poverty Law
South Carolina Appleseed Legal Justice Center
South Carolina for Criminal Justice Reform
Southern Center for Human Rights
Southern Delaware Alliance for Racial Justice
Southern New England Conference United Church of Christ
Southern Recovery Advocacy
Speak Ya Truth
Southern Poverty Law Center Action Fund
Starting Over
Stop Solitary CT
Students for Sensible Drug Policy
Take on Wall Street
Team Roc (division of Roc Nation)
Ten Million Strong
Tennessee Justice Center
Texas Advocates for Justice
Texas After Violence Project
Texas Appleseed
Texas Criminal Defense Lawyers Association
Texas Criminal Justice Coalition
Texas Inmate Families Association
Texas Jail Project
Texas Organizing Project
The #LetUsBreathe Collective
The Episcopal Church of the Incarnation
The Exoneration Project
The Gathering for Justice
The Greenlining Institute
The Justice Collaborative
The National Council for Incarcerated and Formerly Incarcerated Women and Girls
The New York Initiative for Children of Incarcerated Parents
The New York Law School Post Conviction Innocence Clinic
The Ordinary People Society
The Osborne Association
The People's Lobby
The PRADO of Transitioning Forward
The Real Cost of Prisons Project
The Rhode Island Center for Justice
The Striving To Achieve Reform Together (START) Project

The Soze Agency
Transitions Clinic Network
UltraViolet
Unitarian Universalist Church Montclair, Undoing Racism Committee
Unitarian Universalist FaithAction NJ
Unitarian Universalist Mass Action
Unitarian Universalist Prison Ministry of Illinois
Unitarian Universalists for a Just Economic Community
United Church of Christ, OC Inc.
United Voices of Cortland
University Democrats at University of Virginia
Until Freedom
Urban Justice Center
Visionary V
VOCAL-NY
Voice of the Experienced (VOTE)
Voices Of Women Of Color
Washington Innocence Project
We Are All Criminals
WE GOT US NOW
West Side Heroin/Opioid Task Force
Western Center on Law and Poverty
What's Next Washington
Wisconsin Innocence Project
WISDOM
WITNESS
Witness to Innocence
Witness to Mass Incarceration
Women & Justice Project
Women Against Mass Incarceration
Women's Community Justice Association
Workers Center for Racial Justice
Worth Rises
Yale Undergraduate Prison Project
Young Women's Freedom Center
Youth Justice Coalition
Zealous