

11/29/04 Inmates' calls cost top dollar / Critics say state's high rates are de facto tax on the poor

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HELENA - Long-distance phone rates for men incarcerated at Montana State Prison in Deer Lodge are nearly 16 times higher than those charged outside the prison system, figures show.

Although rates vary depending on where in the state an inmate wishes to call, a typical 15-minute phone call from the prison to Billings costs \$16.41, said Gary Willems, manager of the Department of Corrections contracts division. The fee consists of a \$3.95 connection fee which includes the first minute of the call and 89 cents a minute after that.

A long-distance call using Qwest long distance outside the prison system costs 7 cents a minute with a basic plan, according to company information. That means a 15-minute phone call from Deer Lodge to Billings costs \$1.05.

Critics of the cost of phone calls for inmates call Montana's rates - and similar rates charged in many states - a de facto tax on the poor. State and county officials, however, say the money goes back into services for inmates, such as cable television and gym equipment and to pay inmate medical bills at county jails.

All inmates at Montana State Prison must call collect, Willems said. Compared to other collect calls, prison rates are still high, more than twice as much, but more commensurate than non-collect calls made from outside the prison system. A typical 15-minute collect call from Deer Lodge to Billings using AT&T outside the prison walls would cost about \$7.99, including a \$2.39 connection fee which includes the first minute and 40 cents a minute after that.

The rates are high for a variety of reasons, Willems said, and the state doesn't actually make any money off the inmates.

"Every call placed is recorded," he said. "A computer clicks on and records it."

All that requires a special kind of phone system and the state, along with many Montana counties, sign contracts with companies specializing in prison phone systems to provide the service. Some of the increase in costs is to pay for the necessary recording equipment, Willems said.

"It's a very technical system," he said, adding that the cost of telephone calls is one of the most common complaints the department hears.

The department also gets half the money generated from inmate calls. Last year, that amounted to \$302,655 for the men's prison and \$37,573 from the Montana Women's Prison in Billings, department statistics show.

All the money goes to a special account managed by the inmates and used for goods and services designed to make life behind bars easier. That includes purchases such as microwave ovens for inmates or to refinish the floor of the gymnasium at the men's prison, Willems said.

None of the money goes to the department's own coffers or to offset expenses such as guards' salaries or other necessary fees, he said.

Montana's rates are more expensive than those charged in other states. The Idaho prison system, for example, charges a \$2.25 connection fee for the first minute and 30 cents a minute after that, said Teresa Jones, spokeswoman for the Idaho Department of Correction. That's about 61 percent cheaper than rates charged Montana inmates.

Idaho also mandates inmates must call collect and any money returned to the state from the calls also goes into an inmate welfare fund, Jones said.

California inmates pay a \$2 connection fee and 28 cents a minute after the first minute, said Matt Grey, head of the Voters Corrections Reform Coalition, headquartered in that state. That's about 64 percent cheaper than rates charged Montana inmates, although the state of California funnels all the money back into the state's general fund, Grey said, meaning inmates don't benefit from the high cost of phone calls.

Montana prisons aren't the only lockdowns that rely on companies that charge higher rates for inmate phone calls - all of which are recorded. Inmates at the Yellowstone County Detention Facility pay a flat \$2.76 to make a local phone call no matter how long they talk, said Jim Kraft, director of Disaster and Emergency Services for Yellowstone County.

But if Yellowstone County inmates want to make a long-distance call to Helena, for example, the call recipient will pay a \$3.95 cent connection fee and 50 cents for every minute, including the first one, according to rate information from Correctional Billing Services, the company that holds the Yellowstone County contract. That makes a 15-minute phone call \$11.45.

Rates at the Lewis and Clark County Detention Center in Helena are slightly higher, said Capt. Dave Rau of the Lewis and Clark County Sheriff's Department. They pay a \$3 connection fee and 59 cents a minute. But there's a caveat, Rau said. Inmates are not charged more than \$11.85 no matter how long they talk on the phone.

All the money goes to pay for the medical bills of inmates, Rau said.

Inmates at the Butte Silver Bow Detention Facility pay the same fees as those in Billings: \$2.76 for local calls and a \$3.95 connection fee plus 50 cents a minute for long distance, said Capt. Jerome McCarthy of the Butte Silver Bow Law Enforcement Department.

But Butte inmates are not forced to make collect calls. The inmates can buy a phone card for \$5, McCarthy said.

Rates at the Missoula County Detention Facility are the cheapest: a \$2.76 connection fee and 50 cents a minute, according to information from Correctional Billing Services, which also handles the phone service at the Missoula lockup.

All the money at every county jail contacted goes into services for inmates. All inmates, save for those at the Butte Silver Bow Detention Facility, must call collect.

Lewis and Clark County Sheriff Cheryl Liedle said her county relies on the fees from inmate phone calls to provide medical care for inmates. "We use it to offset and reduce the amount of the bill taxpayers have to foot for inmate care and custody," she said.

While those uses are laudable, California activist Grey said the idea of high fees charged to inmate families is generally a bad idea. Inmates with a strong family and support network fare better after they are released, he said. What's more, he said, the families of inmates are often poor and it's unfair to make them pay what amounts to a tax.

"The more ties you have to your community and the stronger your family relations are, the more likely you are to stay out of prison," he said.

Some of the fees charged to those receiving calls from Montana prison inmates actually exceed a rate cap set by the Montana Public Service Commission, said PSC Chairman Bob Rowe. The PSC set a cap of 83 cents a minute for inmate calls several years ago, he said. But inmates at the Montana State Prison are paying 89 cents a minute. Rowe said the PSC staff would follow up on the situation when staff members learn the name of the company charging the fees.

As for whether the fees are fair, Rowe said regulators must make tough choices. The money goes to reduce the overall tax burden on Montanans and provide valuable services for inmates, and all that is good.

"The balance is made even more complicated because, on the one hand, the individual customer may be low-income, may be in a distressful situation," Rowe wrote in a prepared statement, adding that some people in county jails haven't been convicted of anything. "It would make sense for the commission and the consumer counsel to examine other approaches."