

## The Martha Wright-Reed Just and Reasonable Communications Act

**116<sup>th</sup> Congress Cosponsors:** Sens. **Portman**, **Booker**, **Schatz**, **King**, **Markey**, **Gillibrand**, **Warren**, **Blackburn**, **Casey**, **Udall**, **Blumenthal**, **Wyden**, **Klobuchar**

The **Martha Wright-Reed Just and Reasonable Communications Act** is technology-neutral, targeted legislation that addresses long-standing, bipartisan concerns regarding inmate communication rates at prisons and jails across the nation. Policymakers of all stripes acknowledge that the existing market has failed to produce adequate competition to protect inmates and detainees, their families, and law enforcement. The bill addresses this market failure (“localized monopolies”) that limits competition at facilities.

This is ***not* a one-size-fits-all approach**. In fact, it’s the exact opposite. By recognizing that the needs of law enforcement varies greatly across rural, suburban and urban areas, we can ensure that federal actions account for these challenges. This commonsense technical fix advances three key goals:

1. **Protects consumers:** While existing law requires all intra- and interstate inmate calling to be “fair,” the U.S. Court of Appeals found that the term only applies to communications *providers*, *not consumers* (including inmates, their families and law enforcement). The bill makes clear that ratepayers should also receive “**just and reasonable**” charges, drawing on the standard in Section 202 of the Communications Act.

The bill *does not* set call rates, it *does not* cap rates and it *does not* eliminate commissions or revenue sharing. The bill simply ensures that rates are **just and reasonable**. Nothing in the bill undermines law enforcements’ ability to recoup safety and security costs. In fact, applying the **just and reasonable** standard *preserves* sheriffs’ ability to recoup those costs.

2. **Future-proof:** When Section 276 of the Communications Act was adopted in 1996, it was written with traditional telephones and payphones in mind. Today’s inmate communications providers utilize advanced technology to lower their costs, promote the highest security and provide innovative services. Our legislation makes clear that the obligations of fairness and **just and reasonable** rates apply to *all* inmate communications regardless of technology, like video visitation services and other advanced communications services.
3. **Targeted purpose:** The bill is precisely targeted at clarifying *existing* law in light of the U.S. Court of Appeals decision and to permit the FCC to use its traditional procedures and authority to address unjust and unreasonable rates. **Just and reasonable** communications rates enhance community safety and security by improving the community connections of inmates that studies have shown to reduce recidivism.

Put another way, the bill simply clarifies the FCC’s authority to ensure that the state utility commissions are setting **just and reasonable** rates.

### **Organizational Support:**

- A New PATH (Parents for Addiction Treatment & Healing)
- A New Way of Life Re-Entry Project
- Access Humboldt

- ACLU
- The American Conservative Union
- American Jail Association
- American Psychological Association
- Americans for Prosperity
- Asian Americans Advancing Justice -- AAJC
- California Families Against Solitary Confinement
- California National Organization for Women
- Californians United for a Responsible Budget (CURB)
- Center for Media Justice
- Center on Juvenile and Criminal Justice
- Christian Reformed Church, Office of Social Justice
- Church of Scientology National Affairs Office
- Common Cause
- Community Works
- Congregation of Our Lady of Charity of the Good Shepherd, US Provinces
- CURE (Citizens United for Rehabilitation of Errants)
- Ella Baker Center for Human Rights
- End Solitary Santa Cruz County
- Face To Face Knox
- Fair and Just Prosecution
- FAIR CHANCE PROJECT
- Faith & Freedom Coalition
- FedCURE
- Fr. Michael Bryant, Catholic Chaplain, D.C. Jail
- Franciscan Action Network
- Free Press Action Fund
- Freedom for Immigrants (formerly CIVIC)
- Friends Committee on National Legislation
- Friends of Guest House
- Healing Communities USA
- Helping Educate to Advance the Rights of Deaf Communities (HEARD)
- Human Rights Defense Center
- Illinois Campaign for Prison Phone Justice
- INCOMPAS
- Interfaith Action for Human Rights
- Interfaith Worker Justice
- International CURE
- Islamic Society of North America
- John Clark (Retired), Warden and Assistant Director, Federal Bureau of Prisons
- The Jordan Center
- Justice Strategies

- Ken Kerle, founding editor, American Jails Magazine
- Kenneth L. Faiver (Retired), Director of Health Care, Michigan Department of Corrections
- The Ladies of Hope Ministries (The LOHM)
- LatinoJustice PRLDEF
- The Law Enforcement Action Partnership
- The Leadership Conference on Civil and Human Rights
- Legal Services for Prisoners with Children
- Life for Pot
- LPS/LIFE Progressive Services Group Inc.
- Maine Prisoner Advocacy Coalition
- Michigan Citizens for Justice
- Middles Ground Prison Reform (Arizona)
- NAACP
- National Hispanic Media Coalition
- National Advocacy Center of the Sisters of the Good Shepherd
- National Alliance of Faith and Justice
- National Association of Social Workers
- National Association of the Deaf
- National Consumer Law Center, on behalf of low-income clients
- The National Council for Incarcerated and Formerly Incarcerated Women and Girls
- National CURE
- National Hispanic Media Coalition
- NCIC Inmate Communications
- New Jersey Advocates for Immigrant Detainees
- No Exceptions Prison Collective
- Opportunities, Alternatives and Resources of Tompkins County, NY
- Oregon CURE
- OVEC-Ohio Valley Environmental Coalition
- Place4Grace
- Prison Policy Initiative
- Public Knowledge
- Queer Detainee Empowerment Project
- R Street Institute
- Right on Crime
- Riverside All of Us or None
- Robert A. Hood, M.Ed., Warden (Retired), Federal “Supermax” Penitentiary
- Robert Woodson, Founder and President, Woodson Center
- Ron Hampton, former Executive Director of the National Black Police Association, Inc.
- Sharon Dolovich, Professor of Law, UCLA School of Law; Director, UCLA Prison Law and Policy Program
- Sheriff Pete Dougherty, Jefferson County, West Virginia

- Sheriff Ross Mirkarimi (Retired), San Francisco, CA
- Social Workers Against Solitary Confinement
- Starting Over, Inc.
- Stefan LoBuglio, Former Chief of Pre-Release and Reentry Services Division, Montgomery County Department of Correction and Rehabilitation
- StoptheDrugWar.org
- Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)
- The Rt. Rev. Mariann Edgar Budde, Bishop, Episcopal Diocese of Washington
- U.S. Conference of Catholic Bishops
- UCLA Prison Law and Policy Program
- Union for Reform Judaism
- Unitarian Universalist Association
- United Church of Christ, OC Inc.
- The United Methodist Church - General Board of Church and Society
- Urbana Champaign Independent Media Center
- Verizon
- Voice of the Experienced
- Volunteers for Hancock Jail (ME) Residents (VHJR)
- Working Narratives