

EDITORIAL

# Charging for prison phone calls burdens families

While the SJC ponders the “legalized kickbacks” of telecom contracts, lawmakers can fix this now.

By [The Editorial Board](#) Updated November 3, 2021, 4:00 a.m.



Inmates make calls inside their cell block at Minnesota Correctional Facility Stillwater in February 2020. JOHN MINCHILLO/ASSOCIATED PRESS

It’s a relatively simple proposition: [Good corrections policy](#) that helps those behind bars maintain family ties can lead to better outcomes — like lower recidivism rates and more successful reentry to

the community.

That raises the question of why county prisons in Massachusetts, and those run by the state as well, charge big bucks for inmate phone calls — costs actually picked up by families or attorneys on the receiving end. Worse yet, why are sheriffs allowed to collect hefty commissions on those telephone contracts?

Those questions are now before the state's [Supreme Judicial Court](#), which heard arguments Monday in a case brought against Bristol County Sheriff Thomas Hodgson for the fees he charged inmates in his facilities, but the answer will impact all of the state's sheriffs.

Hodgson's dubious corrections policies, like his early [fondness for resurrecting chain gangs](#), make him an easy target. So, too, the enormous amounts of money collected from the phone contract. Between 2011, when Hodgson entered into a [contract with Securus](#), a private telecommunications service, until 2013, the sheriff's office collected more than \$1 million in commissions, according to [briefs filed in the case](#). Under a 2015 contract, the commissions were eliminated in favor of a lump sum arrangement of \$820,000 over four years.



The company presumably recouped that and more with its monopoly over service — and phone rates that doubled under those contracts, according to the [amicus brief](#) filed by the American Civil Liberties Union of Massachusetts.

The ACLU called those agreements and commissions “legalized kickbacks” from “a correctional telecom provider with yearly revenues in the hundreds of millions of dollars, [earned] at the expense of Massachusetts families with incarcerated loved ones.”

Nationwide, private telecom companies take in some [\\$1.4 billion](#) from prison systems, of which the ACLU estimates Securus collects about half. The company services all but two Massachusetts counties, plus the state’s Department of Correction, according to data compiled from public records requests by [Prisoners’ Legal Services of Massachusetts](#).

Most of those contracts now set rates at 14 cents a minute (the state contract calls for rates ranging from 12 cents to 16 cents a minute). But, [as recently as 2018](#), Securus was charging Bristol County inmates \$3.16 for that first minute, plus 16 cents a minute thereafter.

“Families who want to avoid the high cost of phone calls have few inexpensive options for staying in touch with loved ones,” the brief noted. “An e-mail to or from a person in a Massachusetts prison starts at \$0.25 and a video call (billed per 20-minutes) incurs a \$12.99 fee.”

During the COVID lockdown, when phone calls and Zoom meetings provided a lifeline for most families, prisons, which were closed to visits, were still allowing Securus to gouge inmates. It wasn’t until this summer that the [Massachusetts Sheriffs’ Association agreed](#) to allow 10 free minutes of calling time per week to each inmate and to assure a top rate of 14 cents per minute.

“As the nature of corrections continues to evolve in the Commonwealth, we are proud to reaffirm our commitment to maintaining and strengthening familial bonds,” said Steve Tompkins, Suffolk County sheriff and president of the association at the time.

The sheriffs’ agreement, reached in June, to be implemented by Aug. 1, came the same week Governor Ned Lamont of Connecticut signed a bill to make all inmate calls free, making his the [first state in the nation to do so](#).



And that really goes to the heart of the issue — above and beyond whatever the Commonwealth’s highest court will do. The court case attempts to get at those pernicious commissions and other cash payments, and whether Hodgson and other sheriffs actually have the power to collect them.

But it’s the state’s lawmakers who can really put an end to the practice and its human consequences. [Legislation](#) filed by Senator Cynthia Creem and Representative Chynah Tyler would require all state, county, and juvenile correctional facilities to provide telephone calls at no cost to inmates or to their families and said the prison systems “may supplement” those calls with video conferences or e-mail.

Millions of dollars are spent each year on prison rehabilitation programs, and yet prisons continue to charge for, and make money off, what remains perhaps the most restorative programming of all — reconnecting families through the sound of the human voice. The current policy is simply misguided, and it needs to change.

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