



March 31, 2022

The Honorable Steven Bradford
Chair, Senate Public Safety Committee
1021 N Street, Suite 7210
Sacramento, CA 95814

Re: SB 1008: The Keep Families Connected Act (Becker) - SUPPORT

Dear Senator Bradford:

The National Consumer Law Center (NCLC)¹ supports Senate Bill 1008, the Keep Families Connected Act, by Senator Josh Becker. SB 1008 would make all communication services—including phone calls, video calls, and electronic messaging—free in all county jails, juvenile halls, and state prisons in California, thereby eliminating predatory communications costs for incarcerated people and their loved ones.

The high cost of jail and prison communications services extracts tens of millions of dollars from low-income people every year and disproportionately impacts Black and brown communities. The excessive cost of these services has created needless financial hardship for our clients—and prevented them from having more regular contact with their loved ones.

The exorbitant cost of calls forced one of our clients, Kellie Pearson, to navigate impossible decisions between meeting basic needs and maintaining contact with her fiancé, who was incarcerated pretrial.² Ms. Pearson estimates that she spent thousands of dollars to speak to her fiancé while he was incarcerated, severely straining the family budget. Her teenage daughter had to rush through conversations with her father so the call didn't get too expensive. As Ms. Pearson described, "It was crushing to her." Ms. Pearson was overwhelmed by bills, and she eventually

¹ The National Consumer Law Center (NCLC) is a nonprofit organization that engages in research, education, advocacy, and litigation to advance economic justice for low-income and other disadvantaged people, including people of color and older adults. NCLC works with nonprofit and legal services organizations, private attorneys, policymakers, federal and state governments, and courts across the nation to protect low-income people from harmful lending and debt collection practices, help financially stressed families build and retain wealth, and advance economic fairness. Through its Criminal Justice Debt Project, NCLC works to address fines-and-fees policies that criminalize poverty and strip wealth from communities of color, as well as abuses by private actors, including prison telecommunications companies.

² NCLC currently represents consumers challenging what we allege is an unlawful kickback scheme between a county sheriff's office in Massachusetts and Securus Technologies—a telecom giant that operates in over 100 California correctional facilities, as well. See Complaint, *Pearson v. Hodgson*, No. 1:18-cv-11130 (D. Mass. July 30, 2018), <http://www.nclc.org/images/pdf/litigation/securus-complaint.pdf>; Securus Technologies, "Facilities We Serve," <https://securustech.online/#/facilities-we-serve>, last accessed Mar. 30, 2022.

had to tell her fiancé that they could no longer afford to talk regularly. As reported by the *Boston Globe*, he took his life just days later.³

The economic hardship caused by the COVID-19 crisis has exacerbated the financial strain on those, like our clients, who already were struggling to maintain contact. Indeed, even before the COVID-19 pandemic and accompanying economic crisis, one-third of families with incarcerated loved ones went into debt trying to stay connected.⁴ Unless California provides access to free communication by passing SB 1008, many families will simply be unable to afford to communicate with their loved ones.

Free communication does not simply benefit incarcerated people and their families. Research shows that those who maintain contact with their families during incarceration are more likely to reenter society successfully.⁵ As one researcher summarized, “*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.”⁶ In this way, regular communication between incarcerated people and their loved ones benefits the State of California and our society more broadly. Given that the entire state benefits, struggling families should not be the only ones who pay for it.

In response to a movement led by incarcerated people and their loved ones, jurisdictions around the country have started to make calls free.⁷ California counties have been leaders in this movement. In August 2020, San Francisco made all jail phone calls free, and in 2021,⁸ San Diego County announced that all phone calls from its county jails and juvenile facilities would be free.⁹ Los Angeles County has stated that it will explore how it can do the same.¹⁰ And the California Public Utilities Commission temporarily capped rates on all intrastate phone calls

³ Maria Cramer, *Lawsuit challenges the high cost of calling from jail*, *Boston Globe* (May 3, 2018), <https://www.bostonglobe.com/metro/2018/05/03/lawsuit-challenges-high-cost-calling-from-jail/q17v1CL0bZBhxOXd9qOBRP/story.html>.

⁴ Saneta deVuono-powell, et al., *Ella Baker Center for Human Rights, Forward Together, and Research Action Design, Who Pays? The True Cost of Incarceration on Families 9* (2015), <http://whopaysreport.org/wp-content/uploads/2015/09/Who-Pays-FINAL.pdf>.

⁵ Ryan Shanahan & Sandra Villalobos Agudelo, *The Family and Recidivism*, *American Jails* (Sept. 2012), <https://www.prisonpolicy.org/scans/vera/the-family-and-recidivism.pdf>.

⁶ Joan Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry 246* (2006) (emphasis in original).

⁷ See Daniel A. Rosen, *Connecticut Makes All Prison Communications Free, Makes History*, *Prison Legal News* (Aug. 1, 2021), <https://www.prisonlegalnews.org/news/2021/aug/1/connecticut-makes-all-prison-communications-free-makes-history/> (noting that New York City, Los Angeles, San Francisco, and San Diego have made jail phone calls free, and Connecticut became the first state to take this step for its prison population).

⁸ Matthew Green, *San Francisco Permanently Scraps Jail Phone Call Fees*, *KQED* (July 14, 2020), kqed.org/news/11828999/san-francisco-moves-to-permanently-scraps-phone-call-fees-product-markups-at-county-jails.

⁹ Kelly Davis, *San Diego County to make inmate phone calls free*, *San Diego Union-Tribune* (Mar. 2, 2021), sandiegouniontribune.com/news/watchdog/story/2021-03-02/san-diego-county-to-make-inmate-phone-calls-free.

¹⁰ Elizabeth Marcellino, *LA County considers making expensive jail phone calls free*, *Los Angeles Daily News* (May 18, 2021), dailynews.com/2021/05/18/la-county-considers-making-expensive-jail-calls-free/.

made by incarcerated people at 7 cents per minute, the lowest such cap in the country.¹¹ However, only the legislature has the ability to provide meaningful relief for all Californians. By passing SB 1008 and making prison and jail communications free, California can become a leader in promoting economic security, racial equity, and community safety within communities most impacted by the criminal legal system.

For these reasons, NCLC urges your aye vote on SB 1008 (Becker). Thank you for your consideration.

Sincerely,

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cc: The Honorable Members of the Senate Committee on Public Safety
The Honorable Josh Becker, California State Senate

¹¹ Press Release, California Public Utilities Commission, CPUC Caps Phone Rates for Those Incarcerated (Aug. 19, 2021), [cpuc.ca.gov/news-and-updates/all-news/cpuc-caps-phone-rates-for-those-incarcerated#:~:text=Today's%20decision%20imposes%20a%20per.\(IPCS\)%20operating%20within%20California.](https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-caps-phone-rates-for-those-incarcerated#:~:text=Today's%20decision%20imposes%20a%20per.(IPCS)%20operating%20within%20California.)