



# Maine Sheriffs' Association

*"One Team, One Mission"*

**Sheriff Troy Morton, President**

Sheriff William King, 1<sup>st</sup> Vice-President, Sheriff Dale Lancaster, 2<sup>nd</sup> Vice-President – Sheriff Barry Curtis, Secretary – Sheriff Todd Brackett, Treasurer – Sheriff Kevin Joyce, Immediate Past President – Sheriff Joel Merry, Past President-at-Large - Mary-Anne LaMarre, Executive Director

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April 14, 2021

## **L.D. 1175 – An Act To Prohibit Excessive Telephone, Video and Commissary Charges in Maine Jails and Prisons**

Senator Dechambault, Representative Warren, and honorable members of the Joint Standing Committee on Criminal Justice and Public Safety,

My name is Bill King. I am the Sheriff of York County and 1<sup>st</sup> Vice-President of the Maine Sheriffs' Association. Maine sheriffs met to discuss this bill and our unanimous position is to oppose L.D. 1175 – An Act To Prohibit Excessive Telephone, Video and Commissary Charges in Maine Jails and Prisons.

The intent of this legislation is to ensure predatory pricing for telephone, video, and commissary purchases do not occur in Maine's Jails and Prisons. The well-intentioned representatives who introduced this legislation clearly understand that incarcerated individuals do not have opportunities to shop around for best pricing and this bill I believe is designed to fight for them.

Nobody should object to this a noble cause legislation, but it exceeds the intended mission. It requires private telephone providers to accept a ceiling of 11 cents per minute and allows for free telephone service, a cost most likely to be absorbed by taxpayers. Additionally, the legislation does not address commissary at all. This legislation limits Maine's jails and prisons' ability to enter into competitive requests for bids when seeking innovative and practical solutions to meet the changing needs of incarcerated individuals.

I can only speak to telephone pricing and commissary services that we offer in county jails. About 10 years ago, York County entered into an agreement with nine other jails with Securus Technologies for resident telephone services. The intent of this collaboration was to attract better bids for providing reliable and affordable telephone services to the residents of county facilities. Since this initial agreement, other county jails have either changed providers or entered into individual agreements for these services. York County remained with Securus, with the same pricing for the last 10 years. A recent review showed that the average monthly cost per resident to use the telephone system was \$36 per month. The cost per individual use is based on individual usage.

Like many other jails, York County is exploring the use of tablets for ins incarcerated population. Tablets can allow residents more access to telephone services to call loved ones. They can also use tablets to access legal materials more easily, search for employment, listen to music, read books, engage in educational programs, and use other recreational programming. Every resident will have access to a tablet at no cost. If they choose to rent a tablet, the cost to do so is \$5 per month. This

will allow the resident to access additional music, books and even movies at an additional cost, much like they could from their personal phone, computer or smart TV.

Any commissions earned by Maine jails for these services are placed in a benefit fund for inmates, with strict regulations on how this money is to be used. In many facilities throughout Maine, these funds are used to provide access to additional programs, benefits, services that are not normally provided but can improve or make more productive the time spent for a person who is incarcerated. Some examples of this are additional educational or job related skills learning opportunities, acquiring fitness equipment for residents and providing opportunities to see special speakers or motivational presenters.

The cost of a telephone call varies from jail to jail and from a recent unofficial survey, we found that only two jails have a “connection fee” of \$1.30 per call. However, one jail provides tablets to all residents and another appears to use the connection fee to lower the charges for additional minutes. Some jails have a higher fee for the first minute to allow for lower pricing for additional minutes while other jails have set pricing that varies from .14 cents to .99 cents per minute (the .99 cent facility provides tablets at no cost.) Each facility structures their payments to best meet the needs of its population.

In York County, and I am certain it is true elsewhere, Securus has invested several hundred thousand dollars in infrastructure to ensure the tablets and telephone service is reliable, up to date and relevant to the needs of the incarcerated individuals. We view Securus as a partner in providing resident communications with loved ones, ensuring the operational security of an institution, and protecting the public.

Sheriffs are elected officials that are tasked with operating a county jail. I ask that you trust those people that are elected to provide the best pricing and ensure our incarcerated population, also our constituents are not victimized under our care. Remember, incarcerated people are under our care, custody and control and we take that responsibility seriously.

Thank you for the generosity of your time. I would be pleased to answer any questions you might have.

Sincerely,  
Sheriff Bill King  
1<sup>st</sup> Vice-President, Maine Sheriffs’ Association