

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 1199

BILL TITLE: relative to telephone costs for county prisoners.

DATE: January 16, 2020

LOB ROOM: 301

Time Public Hearing Called to Order: 10:30 a.m.

Time Adjourned: 11:07 a.m.

Committee Members: Reps. Carson, Josephson, Porter, Treleaven, Gilman, Maggiore, Migliore, Abramson, Dolan, MacDonald, Perreault, Piemonte, Pratt and T. Lekas

Bill Sponsors:
Rep. Keans

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

1. **Rep. Sandra Keans - PRIME SPONSOR**

- a. This came from requests from families who are racking up large bills for phone calls
- b. Each county commissioners devise their own system for how prisoners are charged for calling families
- c. Each county has a different system -- some require the families to have a credit card # on hand or money in an account
- d. This is really about prison reform and that sort of thing -- the families are having to spend \$5/minute for a phone call once or twice a month is
- e. Prisoners perform better if they have regular contact with their family and prevents recidivism and does a better job to rehabilitate them
- f. I would implore upon all of you, when you are working on your county budgets to ask your commissioners what their systems are. Each one is different
- g. I think your punishment is being in jail, not contact with your family. It should not be decided by the county commissioners
- h. This bill may need work and I get that
- i. Q: Abramson: I know it's difficult to know costs, but maybe setting a max? (maybe, but we don't have enough information yet)
- j. Q: Lekas: You made two statements that don't go together -- it might be \$4-\$5/minute for the calls (yes, anecdotally) but you said it was \$5-10/month (no per minute.) \$40-50 for a phone call adds up for the families (yes it does)
- k. Q: Porter: would you support sending this to Interim Study to look at it more? (yes)
- l. Q: Dolan: I'm surprised this morning, I don't know anybody who pays per minute for long distance calling in the US anymore. I am surprised to hear that calls within NH are charging this, the question I have is do you know why our prison systems are not using VOIP where you can have free long distance calling? Why are we paying for long distance calling in our county budgets? (I don't know anything about the technological aspects of the systems. Start by looking at what they did at the state prison. You can't call in and talk to people in the jail. They have to call YOU. That's another issue. Just like visiting hours in prison)

- m. Q: Migliore: this sounds punitive to me, and I like Rep Porter's idea to have a committee. Could you provide more information to a subcommittee? (yes)
- n. Chair: I think we will likely do Interim Study
- o. Q: Migliore: could we do it as an amendment with a subcommittee? (we want all the information for all ten counties)
- p. Q: Treleven: do people still mail letters in and out of jail? (yes) do prisoners pay for the postage? (yes) Letters can come in but phone calls cannot come in (that's what I was told)
- q. Q: Dolan: My surprise is so acute in this, I don't understand why there's any charge for a prisoner to call their family. There may be privilege restrictions, but to charge them -- this is 1980's types of charges -- the prisons don't have a technology that doesn't cost the prison anything. The question is would you support an amendment that says there should be no charge to a prisoner? (You'd have commissioners here within seconds. It's a revenue source for the counties. But I don't disagree with you)
- r. Q: Porter: In other parts of the country, some prisons outsource their phone services and they charge even more than this (I don't doubt that. I think there's a completely separate system and possibly run by an outside private agency)
- s. Q: Perrault: I have more familiarity with prisons than I'd like -- I know that email is available. A prisoner can communicate by email and that could help with the relationships. Is that possible at the county at this time? (I think it's a good thing to add to any study on this bill. We don't want these people to come back, by staying in touch with their family they can stay out of prison)
- t. Q: MacDonald: I'm a law and order guy. Lots of times, the people in prison are there for a reason. Those calls are monitored (always, yes) There should be some control over who can call out and when (I am not suggesting unmonitored calls but it should not cost the family as much as it does to the families. It is a mishmash across the state)

2. Kate Horgan - NH Association of Counties - information only

- a. These are not money makers for the county
- b. They can set up emails
- c. No mail comes into Strafford County whatsoever unless it's a legal communication from your lawyer. If you get that, the envelope is opened in front of the prisoner, it is photocopied, the prisoner gets the copy and the original is shredded
- d. Q: Abramson: so we as representatives can't mail things to prisoners? (that is Strafford County, I don't know the process in other counties)

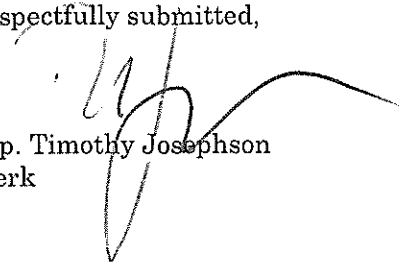
3. Laura Montenegro - NH Department of Corrections - informational only

- a. I want to clarify anything you need for the prison system because they are run differently -- county jails vs state prison
- b. We charge .013 c/min
- c. On a VOIP you can use the telephones, we have a shared tablet system and people can purchase their own tablets.
- d. We use GTL
- e. Phone calls yielded \$32k/month but GTL gives us \$32k/month for prison recreation equipment
- f. Chair: This is the state level? (yes) and this could be a model for the county system? (yes)
- g. Q: Lekas: you said 0.103c/minute? (yes. We are the cheapest in the country and the second highest call volume in the country)
- h. Q: Porter: county jail v state prison -- depends on the crime, correct? (yes) and the time is different? (yes, less than a year you're in county jail, more than a year you go

to the state prison system.) Who determines that, the judge? (yes) How do they determine the county jail? (which county they committed the crime in)

- i. Q: Dolan: So I'm still reeling from the costs. At the .013c/min a ten min call would cost 1.3c. Under existing systems they can pay \$50. How does that reconcile? (Prior to the GTL system in the state prison, there was a connect fee and a charge per minute and both of those were in the whole dollar range)
- j. Gilman: for clarification for Rep Dolan -- there are still long-distance charges for regular lines, my mother has that

Respectfully submitted,


Rep. Timothy Josephson
Clerk

HB 1199 - relative to telephone costs for county prisoners

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Blue sheet: 2 for 1 no opinion

Adjourned 11:07am

Bill as
Introduced

HB 1199 - AS INTRODUCED

2020 SESSION

20-2288
04/08

HOUSE BILL **1199**
AN ACT relative to telephone costs for county prisoners.
SPONSORS: Rep. Keans, Straf. 23
COMMITTEE: Municipal and County Government

ANALYSIS

This bill requires that the fee charged by a county department of corrections for prisoners' use of the telephone service not exceed the county's cost to provide the service.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT relative to telephone costs for county prisoners.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; County Departments of Correction; Superintendent. Amend RSA 30-B:4 by
2 inserting after paragraph VI the following new paragraph:

3 VII. The superintendent may provide telephone service to prisoners in his or her custody.
4 The superintendent may charge prisoners a fee for the use of the telephone service but the total fees
5 collected from all prisoners using the telephone service shall not exceed the county's cost to provide
6 the service.

7 2 Effective Date. This act shall take effect 60 days after its passage.