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# Oregon State Sheriffs' Association

## *Conservators of the Peace*

Chair Prozanski and members of the Senate Judiciary Committee. For the record, my name is Jason Myers, I am the Marion County Sheriff and I am here today representing the Oregon State Sheriff's Association on Senate Bill 498.

Your Oregon Sheriffs share a common belief, that those in our care and custody as inmates should not be subjected to unreasonable fees and charges. Over a decade ago, the Federal Communications Commission (FCC) began a nationwide review of phone rates, commissions, and fees being assessed on inmate telephone services by correctional facilities. This review involved years of study, and took into consideration thousands of comments from inmates, correctional facilities, and inmate phone providers. In 2015, the FCC enacted rules to limit the per minute rates on inmate calls and limited the type and amount of fees that could be charged. It was clear in the FCC study that smaller facilities needed a higher per minute fee than large facilities in order to cover the high cost of installing an inmate phone system. Unfortunately, those FCC rules were challenged and the US Circuit Court of Appeals for the DC Circuit struck them down in 2017. The good news is that nearly all Oregon jails have phone contracts that remain at or below the rates determined by the FCC in 2015 to be fair and reasonable. Senate Bill 498 seeks to eliminate all fees or other forms of payment that a local correctional facility may receive from an inmate phone contract. While the Sheriff's Association agrees that excessive fees unfairly punish those who are disadvantaged, we also believe that passing this bill as written will have unintended negative consequences for smaller correctional facilities as well as adversely impact inmate services jails provide through inmate welfare accounts where most inmate telephone revenue is deposited. Every jail in the state that we contacted uses the revenue from their telephone contracts for inmate welfare. That money provides inmates with televisions, cable access, microwaves, exercise equipment, books and magazines, board games, indigent supplies, and many other items. There is no question that if this revenue stream is stopped, inmates will ultimately pay the price because most facilities – particularly smaller facilities – will not be able to purchase these items for inmates.

With the permission of the Chair and sponsors of SB 498, we would like to bring back a recommendation for adjustments to the bill that will avoid unintended consequences and accomplish our shared objective of avoiding unnecessary impacts to inmates and their families. The Oregon State Sheriff's Association is in the process of reviewing all of the rates and fees charged by the various contracts each Oregon Jail has with its inmate telephone services vendor. Once this holistic review is completed, we would like to work with the sponsors of the bill and return to this committee with recommended amendments.