

Members of the committee:

My name is Brenda Newmark and I support HB20-1267. My husband was held in the Arapahoe county jail for two years. I would like to share my thoughts regarding the cost of phone calls from Colorado's jails.

Each week while my husband was incarcerated, we discussed how long we could afford to talk the next week. When your loved one is in jail, you are already facing the hardest emotional and financial struggle of your life. Jail risks tearing apart your family and bringing financial ruin. And then, on top of that, you're forced to pay so much just to stay in contact. The cost of phone calls meant my family and I often had to decide between being able to speak with our incarcerated loved one, paying bills, putting fuel in a vehicle or putting food on our table.

It cost \$300 a month to talk daily for 20 minutes. On top of the actual per minute cost of the call are the fees. Putting \$50 in a phone account incurs an additional \$4.95 cost. Accepting a collect call means incurring a fee. Getting a refund incurs a fee. The fees amount to almost 20% of the total costs. In prison facilities, the cost of calls has been reduced by about half, but county jails are still subject to fees and high rates.

There is no oversight of the phone service used in Colorado's jails. Outside of jails, there are several companies that provide phone services. That competition between companies pushes them to charge normal rates and prices, because if you are being charged too much, you can change your provider. In jails, there is only one company and it's a monopoly. By having total control of a literally captive market, they can charge crushing rates and fees and there is nothing we can do. We can't change provider.

We could only afford to talk around 20 minutes a day. Have you ever tried to conduct the business of life in twenty minutes, and have that conversation be meaningful? Have you ever been told that you can speak to your family for only a few minutes even on a holiday? How many times have you had to share a phone with 40 to 50 other people, all of whom need to reach their emotional support system, or attorney?

Phone companies advertise that they make it easy for you to stay connected to your loved one, but the reality is that they make money off the backs of families hit hard by unpleasant circumstances.

It felt like a luxury to talk to him, because so many families can't afford calls. But it shouldn't be a luxury to talk to your loved one. It should be a right. My family is in the direst of financial and emotional straits, and to be required to pay unregulated fees for the privilege of hearing the voice of someone I love only adds insult to injury.

Please vote to support HB20-1267. It would be such an important step to show Colorado families that you stand with them and to show companies that they can't keep operating in the dark.

Thank you,

Brenda



Good afternoon members of the committee,

My name is Connie and I support HB20-1267. I have a loved one incarcerated and I'm here to talk about my experience and struggles with the current phone system. I have worked for the system and have also been affected by the system, so I have been able to see the big picture.

I know legislators like to see numbers to reiterate issues before making decisions on solutions. So, I did a little research into what I actually spend a month to talk to my incarcerated loved one. I spent almost 600 dollars in a months time just for me to talk to my loved one. \$130 of this went to an 11% tax fee per call, 3rd party fees, and transaction fees. To put this into perspective, I pay \$300 a month for my Verizon cell phone service which includes unlimited everything and phones for 3 lines.

This is a clear case of the rich profiting from the poor. Expensive phone calls take advantage of families desires to maintain contact and contribute to a cycle of increased recidivism, mass incarceration, crime, and inhumane jail and prison conditions. In a system that is supposed to promote rehabilitation, family connections, and reform, charging expensive rates and fees to stay in contact firmly contradicts those goals.

I do what I can to stay in touch with my loved one as we are each others support system. We don't have kids together but I can only imagine the struggles would be much worse. It's the end of the month and I have \$30 in my account until payday. If I have to choose between talking to my loved one or eating, I will always choose my loved one, but why is this a choice I must make? Many families have it worse than I do. I can't imagine what they are giving up. Our system isn't just punishing those incarcerated but the families too.

If you truly want criminal justice reform, to reduce recidivism and crime, and promote rehabilitation, please vote to support HB20-1267. I plead with you to do the right thing in passing this bill and start making an impact where it will make a difference in all areas of the system.

Thank you for your time.



# Women's Lobby of Colorado

February 25, 2020

Dear Members of the Committee,

Thank you for your work on behalf of Colorado.

Since 1993, the Women's Lobby of Colorado (the WLCO) has sought to provide better opportunities for women and families in our state by ensuring that public policies reflect gender equity and justice. We are a non-partisan organization and operate on a membership model, representing over 260 individuals and 25 organizations from across Colorado. By maintaining a daily lobbying presence at the State Capitol, we keep the needs of women and families front and center in our state's public policy debates.

**As long-time advocates for policies that help families, we are supporting HB20-1267, Concerning Transparency of Telecommunications Service Providers in Correctional Facilities.** The telephone is a lifeline for families, who are overwhelmingly low income and largely come from communities of color. Visiting family members in jail is often very difficult and the telephone is their only link to a loved one in jail.

We are especially moved by the children in these scenarios. ***Around 60,000 children in Colorado have or have had an incarcerated parent.*** Phone call costs and fees that are not affordable nor transparent mean that these children are disconnected from their parents, which can be incredibly traumatic. Simply put, no child should miss out on the love and support of an incarcerated parent because it's too expensive to talk.

And that expense should not be downplayed. We have heard stories of family members who are paying hundreds of dollars a month to talk to their incarcerated loved ones. Some family members are having to choose between household bills and the expense of these phone calls. Forcing people to make this decision is cruel and unnecessary.

Let's support children, families, communities, and – ultimately – reduced recidivism rates.

The WLCO supports HB20-1267, because we support family-friendly legislation, and we urge the committee to join us in supporting this bill.

For Colorado,

Anna Crawford, Board Chair  
The Women's Lobby of Colorado

# PRISON POLICY INITIATIVE

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## Written Testimony of Alexi Jones, Policy Analyst, Prison Policy Initiative

### Committee on Judiciary

Hearing date  
February 24, 2020

### Support HB 20-1267

Thank you, Chair Mike Weissman, Vice Chair Leslie Herod, and distinguished members of the Judiciary Committee, for providing the opportunity for me to submit written testimony. My name is Alexi Jones and I am a Policy Analyst at the Massachusetts-based non-profit, non-partisan Prison Policy Initiative. For the last seven years, the Prison Policy Initiative has been one of the leading organizations fighting for fairer costs for families of incarcerated people.

I recently co-authored our third report on phones in prisons and jails, *The State of Phone Justice: Local jails, state prisons, and private phone providers*.<sup>1</sup> For the report, we collected the phone rates for over 2,000 jails in the United States, including 46 facilities in Colorado. We found that jails in Colorado charge as much as \$14.85 for a 15-minute phone call, and on average a 15-minute call costs \$6.50.

Our experiences collecting data on jail phone rates highlight the importance of passing HB 20-1267. We had to manually look up the rates in each facility in the country served by one of the several prison phone companies that post the facilities they serve, and how much they are charging in each facility online. This took weeks.

However, our methodology left us with nearly 1,000 missing facilities, as many companies refuse to post what facilities they

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<sup>1</sup> This report is available at:  
[https://www.prisonpolicy.org/phones/state\\_of\\_phone\\_justice.html](https://www.prisonpolicy.org/phones/state_of_phone_justice.html)

serve and what rates they charge online. Because of this, in Colorado, there are 23 counties where we have no idea what companies provide phone services, and what rates they are charging incarcerated people. Moreover, even the companies that do post their rates and facilities online often fail to keep the rates and facilities listed on their websites up-to-date, creating even more confusion and uncertainty.

There is currently no transparency or oversight of jail phone rates in Colorado. But the data that is available tells us that jail phone rates in Colorado are too high, and, as a result, Colorado families are struggling.<sup>2</sup>

If passed, HB 20-1267 would provide legislators and regulators crucial information about what companies are charging incarcerated people and their families for phone calls, and provide the information necessary to determine what steps the state should take to make calls more affordable.

Thank you for your time and your work.

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<sup>2</sup> As the ACLU of Colorado found, Connie Mayhugh, for example, spends \$100 per week to contact her husband while he is incarcerated at Limon Correctional Facility.

Members of the committee,

My name is Gerry Benson and I am writing to ask you to support HB20-1267 for cost transparency in jail phone calls.

Please consider this: What do you pay for phone calls and are you satisfied with the service? How would you feel if you paid over 25 cents per minute and received only poor audio quality? If you have high rates and fees and poor service, you can switch providers. Now, imagine being stuck with one provider and if you don't pay the high rates and fees and accept the bad quality, you will never be able to talk to you loved one. This is exactly what many families deal with during phone calls from loved ones in jails in Colorado.

Having a loved one in jail is hard enough. Choosing between a phone call or food should not be something any family should have to decide between. We have met many other families like ours who are already suffering from having their loved one in jail and are then forced to suffer more from the high costs of calling them.

Many states have decreased the cost of calls, some cities have made them free, some charge only one penny per minute. In this day and age of technology and ease of communication, charging these outrageous fees to talk to a loved one in jail adds even more stress and hardship for families. It appears to show that the jail system is based on big money and profit that is made off the backs of those who cannot honestly afford it. The Colorado government should support local families over large corporations.

In 2018, our son was held for 6 months in the El Paso County jail. We paid high rates, transaction fees and fees to add money to the account. So, the innocent families outside of the jail end up paying fees which amount to around 25% of the costs of calls. We spent almost \$800 to talk to our son once a day for 15 minutes for those six months. As parents, we just can't tell our son to not call when we know that he needs us. We find a way to scrape together the money, but not all families can do that. People who need support from their loved ones don't get that support because they can't afford it.

Jails say they support family contact but then they set up barriers that make it so hard. The high cost of phone calls and even higher cost to visit in-person really penalizes innocent families. It's cruel and wrong.

We sure wish we were closer to be able to tell our story in person. I have a couple of pictures that show our son when he was 20 years old and had been in the army for two years.

Colorado families are counting on you. Please support HB20-1267.

Thank you for your time.

Respectfully,

Gerry & Jennifer Benson

