

JAN 22 2016

A BILL FOR AN ACT

RELATING TO TELEPHONE SERVICES FOR COMMITTED PERSONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the department of
2 public safety contracts with a private telecommunication service
3 provider to provide telephone services to committed persons.
4 The private service provider's arrangement with the department
5 includes commission payments to the department based on revenues
6 generated by telephone usage by committed persons. During a
7 five-year period starting in February 2010, the department
8 received almost \$500,000 in commission payments.

9 The legislature additionally finds that communication
10 between committed persons and their families is an important
11 factor in reducing recidivism. At present, the cost of a
12 fifteen-minute call from a committed person can be as much as
13 \$13.30. This cost is borne by the families of committed
14 persons, who often live in conditions of financial hardship.
15 Over time, the high cost of phone calls can make contact between
16 committed persons and their families unaffordable.



1 The legislature also finds that if the commission payments
2 were eliminated, the cost of phone calls between committed
3 persons and their families could be reduced. Recent rulemaking
4 by the Federal Communications Commission discourages commission
5 payments from service providers to state agencies who operate
6 correctional facilities and caps the rate for local and in-state
7 calls from state and federal prisons to 11 cents per minute.

8 The purpose of this Act is to restrict the department of
9 public safety from receiving commission payments from telephone
10 calls made by committed persons.

11 SECTION 2. Chapter 353, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§353- Committed person telephone calls; site
15 commissions restricted. (a) Notwithstanding any other law to
16 the contrary, the department shall not receive site commissions.

17 (b) The department shall develop internal policies and
18 procedures consistent with this section.

19 (c) For the purposes of this section:

20 "Calling services" means a service that allows committed
21 persons to make calls to individuals outside the correctional



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1 facility where the committed person is being held, regardless of
2 the technology used to deliver the service.

3 "Site commissions" means any form of monetary payment,
4 in-kind payment, gift, exchange of services or goods, fee,
5 technology allowance, or product that a provider of calling
6 services or affiliate of a provider of calling services may pay,
7 give, donate, or otherwise provide to:

- 8 (1) An entity that operates a correctional facility;
- 9 (2) An entity with which the provider of calling services
10 enters into an agreement to provide calling services;
- 11 (3) A governmental agency that oversees a correctional
12 facility;
- 13 (4) The State or county in which a correctional facility
14 is located; or
- 15 (5) An agent of any correctional facility."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 2199

Report Title:

Inmate Phone Calls; Department of Public Safety; Correctional Facilities

Description:

Prohibits the department of public safety from receiving any commission payments from telephone service providers based on inmate phone calls.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

