

Statement of

The Honorable Russ Feingold

United States Senator
Wisconsin
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Senate Judiciary Committee
S. 1749, Cell Phone Contraband Act of 2010
Thursday, January 28, 2009

Statement of U.S. Senator Russell D. Feingold

I support Senator Feinstein's bill and think we should be doing everything possible to ensure that inmates are not able to engage in criminal activity behind prison walls. I hope that this bill will discourage prison guards and family members from smuggling cell phones to prisoners. But there is an issue raised by this bill that we ought to consider before the bill goes to the floor.

As I understand it, many state and local prisons charge exorbitant rates for inmate telephone service. While other telecommunications rates have been declining over the last few decades, inmate phone rates have been climbing. Some prisons only offer collect calling services, and they charge up to four dollar connection fee and as much as one dollar a minute. These excessive rates are unacceptable, especially because it is usually the family members of the inmate who bear the brunt of these high fees. In addition, some prisons apparently receive what sounds a lot like a kickback from the providers of telephone service -- perhaps as much as 50% of the charges for the calls.

I realize that this can amount to a lot of money and prisons are reluctant to give up a source of funding on which they have come to rely, but I am concerned that the proliferation of cell phones in prisons may, in part, be due to this practice. I think this is something we need to look into, in order to both provide reasonable phone rates to prisoners' families, and also to reduce the incentive for smuggling cell phones. I hope that Senator Feinstein will be willing to work with me on this as the bill goes through the legislative process.