

Spitzer: Inmate calls will cost families less

Court of Appeals will hear argument today about excessive charges

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ALBANY — Excessive telephone charges paid by the families of state inmates will be reduced by April to the cost of regular calls, Gov. Eliot Spitzer said Monday.

But an argument scheduled today concerning how those charges came to be so high — and how Verizon/MCI got the monopoly contract for them — will go on as planned at 2 p.m. before the Court of Appeals.

The case was brought by the Manhattan-based Center for Constitutional Rights on behalf of plaintiff Ivey Walton and others who say they can't afford phone bills that exceed several hundred dollars each month.

Walton, 71, and disabled, has a son and nephew incarcerated in the Dannemora Correctional Facility in Clinton County. That's more than 350 miles from her New York City home. Visiting often isn't a possibility and, on a fixed income, a bill for 66 minutes of calls, at \$54.30, is a hardship.

In court papers, lawyers for Verizon/MCI said the state Pub...
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lic Service Commission directed them in 2003 to charge a tariff that includes the "jurisdictional" rate plus the "DOCS commission." That included a flat rate of \$3 per call and 16 cents a minute thereafter.

That meant collect calls have been charged at a rate of 630 percent more than consumer rates, of which 57.5 percent is "kicked back" to DOCS for operating expenses such as health care that should come out of general tax dollars, CCR officials said.

"We are extremely pleased that the governor had the courage and the clear concern for families to make this momentous

decision," said Annette Dickerson, the group's director of education and coordinator of the New York Campaign for Telephone Justice."

Lawyers for the state, in court papers seeking to dismiss the complaint, declared that people can choose to accept or decline the call, affording them "sufficient opportunity to protect themselves from DOCS' alleged wrongdoing."

But calling collect is the only method, other than mail, of contacting family from inside state prison.

Spitzer said his decision will be carried out by Brian Fischer, DOCS new acting commissioner. It will allow families to maintain contact with their loved

ones, "without the undue financial burden of a state commission on the rate," he said.

Reductions are expected to cut the cost of calls by at least half.

Assemblyman Jeffrion Aubry, D-Queens, and Sen. Michael Nozzolio, a Seneca Falls Republican, have both introduced bills seeking phone charge equality.

"It is my belief that the benefits of keeping a family together far outweigh the revenue gained from the current practice," said Nozzolio, who is chairman of the Senate Crime and Corrections Committee.

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