



April 23, 2020

National Governors Association
444 North Capitol Street, Suite 267
Washington, D.C. 20001

Dear Governor Larry Hogan and all other Governors,

The COVID-19 outbreak has overwhelmed many public systems, and the correctional system is no different. Prisons and jails are breeding grounds for infection as people are crowded into tight quarters and forced to share cells, and showers, making social distancing impossible and allowing disease to spread rapidly. To make matters worse, many incarcerated people are now also facing isolation from their families thanks to the high rates charged by prison telecom corporations for phone calls, video calls, and emails.

These conditions put not just incarcerated people at grave risk of COVID-19 infection, but also the correctional officers and staff entrusted with their care who go home to their families every day. Correctional health is public health, and the only solution to curb the rapid spread of COVID-19 is to depopulate prisons and jails by releasing people, especially those who are elderly, immuno-compromised, have less than a year left on their sentences, or held pretrial on charges that do not involve allegations of serious and intentional physical harm.

For those left behind, communication is among their most important needs, now more than ever, especially as prison and jail visits are suspended. Beyond the grave risk of infection, incarcerated people are now also facing isolation from their families, which is exacerbated by the predatory rates prison telecom corporations charge for phone calls, video calls, and emails. The COVID-19 outbreak is highlighting the tragic reality that incarcerated people and their families have been living with for decades: the inability to afford communication.

Even under normal conditions, families struggle to stay connected with incarcerated loved ones. Prison telecom corporations charge families up to \$25 for a 15-minute call,¹ forcing families to decide whether to pay for rent or a call with a loved one behind bars. In fact, nearly one third of families with incarcerated loved ones goes into debt trying to stay connected, and 87% of those carrying the burden of these costs are women, largely women of color.²

However, things are anything but normal today, and these families, like millions of others, are struggling to stay afloat during this crisis. They are dealing with delayed pay, job loss, unexpected elder and childcare, and, in the worst cases, their own illness. They should not also be worried about whether they can afford to be in contact with incarcerated loved ones at this critical time. Moreover, continuing to charge for communication from prisons and jails will lead to serious consequences for public health. Families who are unable to pay for calls will suffer from stress and despair, which have been shown to weaken immune systems and make people more likely to succumb to infection.

We must address this emergency by providing incarcerated people and their families free access to communication immediately. Doing so will not only alleviate the unjust financial burden placed on these families and prevent worsening health conditions, but also benefit our community in the long-run by allowing incarcerated people to strengthen relationships with their support networks.

More specifically, we ask that you use your executive powers to prohibit correctional administrators and their telecom vendors from charging families or their incarcerated loved ones for phone calls, video calls, and emails during the COVID-19 pandemic. We understand that some prison telecom vendors are offering families one or two phone calls each week in response to the public health crisis, but this is far from enough and insulting to tight-knit families.

Families cannot be expected to ration their calls at a time like this. In fact, in the past few weeks more than 550 telecom corporations have signed the Keep Americans Connected Pledge established by the Federal Communications Commission to ensure no U.S. resident has their communication service terminated due to their inability to pay caused by the COVID-19 pandemic.³ Notably missing from the signatories are the prison telecom corporations.

¹ *State of Phone Justice*, Prison Policy Initiative (2019), available at https://www.prisonpolicy.org/phones/state_of_phone_justice.html.

² *Who Pays? The True Cost of Incarceration on Families*, Ella Baker Center, Forward Together, Research Action Design (2015), available at <https://ellabakercenter.org/who-pays-the-true-cost-of-incarceration-on-families>.

³ Keep Americans Connected, Federal Communications Commission (2020), available at <https://www.fcc.gov/keep-americans-connected>.

Bringing in more than a billion dollars in revenue together each year, prison telecom vendors can afford to provide families and their incarcerated loved ones with free communication for months at the very least. We implore you to demand they do so. If necessary, we ask that you use emergency funding to gap stop losses in commissions to government agencies during the crisis. And finally, once we have made it passed the COVID-19 pandemic, we ask that you take executive action and support legislation to provide free communication for the long-term.

In light of the COVID-19 outbreak, the high cost of prison and jail communication that separates families can no longer be ignored. You must act now to protect families with incarcerated loved ones. The cost of a call should never bar someone from ensuring their loved one is healthy, or worse yet, from comforting them if they are not.

Sincerely,

Andrea James
Executive Director,
National Council of Incarcerated and
Formerly Incarcerated Women and Girls

Dorsey Nunn
Executive Director,
Legal Services for Prisoners with Children

Kevin Ring
President,
Families Against Mandatory Minimums

Gina Clayton-Johnson
Executive Director,
Essie Justice Group

Ebony Underwood
Chief Executive Officer,
WE GOT US NOW

Bianca Tylek
Executive Director,
Worth Rises

Rashad Robinson
President,
Color of Change

The undersigned join us in this call for action.

NATIONAL

A Little Piece Of Light
Abolition Apostles Jail and Prison Ministry
American Federation of Teachers
Black Church PAC
Civil Rights Corps
College and Community Fellowship

Community Change/Action
Community Justice Exchange
Conservatives Concerned About the Death Penalty
Drug Policy Alliance
Ella Baker Center for Human Rights
Equal Justice Under Law
Equal Justice USA
Fair and Just Prosecution
Fines and Fees Justice Center
Free Press
FWD.us
Galaxy Gives
Grassroots Leadership
Human Rights Defense Center
Imagine Justice
Immigrant Defense Project
Innocence Project
International CURE
Justice Strategies
Justice Support Group
LatinoJustice PRLDEF
Live Free
MediaJustice
Mijente
Movement for Family Power
National Consumer Law Center (on behalf of its low-income clients)
National Employment Law Project
National Lawyers Guild
National Resource Center on Children and Families of the Incarcerated
One Community
One Fair Wage
PLUS ONE Society
POPS the Club
Pretrial Justice Institute
Prison Policy Initiative
Represent Justice
Revolve Impact
SawariMedia
Speak Ya Truth
Students for Sensible Drug Policy
Team Roc (Division of Roc Nation)
The Exoneration Project
The Gathering for Justice

The Justice Collaborative
The Real Cost of Prisons Project
The Soze Agency
Transitions Clinic Network
United Church of Christ, OC
Until Freedom
We Are All Criminals
W.H. Burns Institute – Community Justice Network for Youth
Witness to Innocence

ALABAMA

Alabama Justice Initiative
Southern Poverty Law Center Action Fund
The Ordinary People Society

ALASKA

Alaska Innocence Project

ARIZONA

Poder in Action
ReInventing ReEntry
The S.T.A.R.T. Project – Striving To Achieve Reform Together

ARKANSAS

DecARcerate
Midwest Innocence Project

CALIFORNIA

A New PATH (Parents for Addiction Treatment & Healing)
A New Way of Life Reentry Project
Advancing Justice – Asian Law Caucus
California Innocence Project
Californians United for a Responsible Budget
Carceral Tech Resistance Network
Communities United for Restorative Youth Justice
Community Legal Services in East Palo Alto
Community Works
Dignity & Power NOW
Friends Committee on Legislation of California
Homeboy Industries
Initiate Justice
Justice League CA
La Defensa

LA Voice
Media Alliance
Northern California Innocence Project
RE:STORE Justice
Root & Rebound
San Francisco Public Defenders
Starting Over
Young Women's Freedom Center
Youth Justice Coalition

COLORADO

Colorado Circles for Change
Colorado Criminal Justice Reform Coalition
Interfaith Alliance of Colorado

CONNECTICUT

Emmett D. Riley, Deputy Majority Leader & State Representative, District 46
Josh Elliott, State Representative, District 88
Joshua Hall, State Representative, District 7
Kevin Ryan, State Representative, District 139
Kim Rose, State Representative, District 118
Michael Winkler, State Representative, District 56

American Civil Liberties of Union of Connecticut
Collaborative Center for Justice
Communities and Families Raising for Justice
Connecticut Children with Incarcerated Parents Initiative (IMRP)
Connecticut Prison Book Connection
New England Innocence Project
New Haven Women's Resettlement Working Group
Once Incarcerated
Our Piece of the Pie (OPP)
Peace Affirmation and Justice Committee of First Congregational Church-Guilford
Progressive Prison Ministries
Sex Workers and Allies Network
Southern New England Conference United Church of Christ
Stop Solitary CT
Women Against Mass Incarceration
Yale Undergraduate Prison Project Advocacy

DELAWARE

Delaware Center for Justice
Southern Delaware Alliance for Racial Justice

FLORIDA

KidsMates
Florida Cares Charity
Florida Justice Center
Florida Rights Restoration Coalition
Southern Poverty Law Center Action Fund

GEORGIA

Dramatic Impulse Theatre
Georgia Association of Criminal Defense Attorneys
Southern Poverty Law Center

HAWAII

Community Alliance on Prisons
Hawai'i Friends of Restorative Justice

IDAHO

Idaho Innocence Project

ILLINOIS

Believers Bail Out
Building Families Together
Chicago Area Fair Housing Alliance
Chicago Community Bond Fund
Children and Family Justice Center
Clean Power Lake County
Coalition to Reduce Recidivism
Crossroads Fund
Heartland Alliance
Illinois Innocence Project
Illinois NOW
John Howard Association
Lawndale Christian Legal Center
Legal Council for Health Justice
Logan Square Neighborhood Association
Moms Demand Action
Mother's Against Wrongful Convictions
Nehemiah Trinity Rising
ONE Northside
Restore Justice
Shiloh Baptist Church of Waukegan
The #LetUsBreathe Collective
The People's Lobby

*Unitarian Universalist Prison Ministry of Illinois
West Side Heroin/Opioid Task Force
Workers Center for Racial Justice*

INDIANA

Constructing Our Future

IOWA

*Iowa Coalition Against Sexual Assault
Midwest Innocence Project
National Alliance on Mental Illness-Iowa*

KANSAS

Midwest Innocence Project

KENTUCKY

Kentucky Coalition to Abolish the Death Penalty

LOUISIANA

*Daughters Beyond Incarceration
Hope House
Innocence Project New Orleans
Orleans Parish Prison Reform Coalition
Southern Poverty Law Center
Voice of the Experienced (VOTE)*

MARYLAND

*Charm City Care Connection
Reproductive Justice Inside
University of Baltimore Innocence Project Clinic*

MAINE

New England Innocence Project

MASSACHUSETTS

*Emancipation Initiative
Families for Justice as Healing
Greater Boston Legal Services
Massachusetts Against Solitary Confinement (MASC)
New England Innocence Project
Prisoners' Legal Services of Massachusetts
Southern New England Conference United Church of Christ*

Unitarian Universalist Mass Action

MICHIGAN

Advocacy, Re-entry, Resources and Outreach (ARRO)

Detroit Justice Center

Developing Despite Distance

Michigan Citizens for Prison Reform

Michigan Innocence Clinic

Michigan Liberation

Nation Outside

Notes From The Village

Safe & Just Michigan

MINNESOTA

Innocence Project of Minnesota

ReEntry Matters

MISSISSIPPI

Innocence Project of Mississippi

Southern Poverty Law Center

Southern Recovery Advocacy

MISSOURI

Midwest Innocence Project

NEBRASKA

Midwest Innocence Project

Nebraskans for Alternatives to the Death Penalty

NEVADA

Nevada Coalition Against the Death Penalty

Rocky Mountain Innocence Center

NEW HAMPSHIRE

Citizens for Criminal Justice Reform

New England Innocence Project

NEW JERSEY

Occupy Bergen County

Universalist Congregation at Montclair – Undoing Racism Committee

Unitarian Universalist FaithAction NJ

NEW MEXICO

New Mexico Innocence and Justice Project

NEW YORK

Gustavo Rivera, State Senator, District 33
Luis Sepúlveda, State Senator, District 32
David Weprin, Assemblymember, District 24
Harvey Epstein, Assemblymember, District 74
Inez E. Dickens, Assemblymember, District 70
Jo Anne Simon, Assemblymember, District 52
Nily Rozic, Assemblymember, District 25
Jumaane D. Williams, New York City Public Advocate
Keith Powers, New York City Councilmember, District 4
Jason Starr, Former Assistant Counsel to Governor Cuomo

A Challenge To Change
Alliance of Families for Justice
Brooklyn Community Bail Fund
Brooklyn Defender Services
Center for Community Alternatives
Center for Justice at Columbia University
Children's Defense Fund-NY
Citizen Action of New York
Close Rosie's
Community Service Society of New York
Congregation Beth Elohim Dismantling Racism Team
Correctional Association of New York
Exalt Youth
Exodus Transitional Community
Families For Freedom
Fiscal Policy Institute
Graham Windham
Hands Of Hope Outreach Ministries
Indivisible Nation BK
It's A Process
JCCA
Justice League NY
New Hour for Women & Children Long Island
New York Campaign for Alternative to Isolated Confinement (#HALTsolitary)
New York County Defender Services
New York Immigration Coalition
Next100
Osborne Center for Justice Across Generations

Parole Preparation Project
Peter Cicchino Youth Project
Queens Defenders (Formerly Queens Law Associates)
Release Aging People in Prison
Rising Ground
The Bronx Defenders
The New York Initiative for Children of Incarcerated Parents
The New York Law School Post Conviction Innocence Clinic
The Osborne Association
The PRADO of Transitioning Forward
United Voices of Cortland
Urban Justice Center
Visionary V
VOCAL-NY
Witness to Mass Incarceration
Women & Justice Project
Women's Community Justice Association

NORTH CAROLINA

Beauty After the Bars
Center for Criminal Justice and Professional Responsibility
Conservatives for Criminal Justice Reform
Emancipate NC
Forward Justice
North Carolina Center on Actual Innocence

NORTH DAKOTA

Innocence Project of Minnesota

OHIO

Central Ohio Restored Citizens' Collaborative
Filling the Gap
Ohio Rational Sexual Offense Laws

OREGON

Carceral Tech Resistance Network

PENNSYLVANIA

Dauphin County Bail Fund
Frontline Dads Inc.
Media Mobilizing Project

RHODE ISLAND

COYOTE RI

Formerly Incarcerated Union

Southern New England Conference United Church of Christ

SOUTH CAROLINA

Obsidian Group

Path2Redemption

Root & Rebound

Set Free Ministries

SOUTH DAKOTA

Innocence Project of Minnesota

TENNESSEE

Just City Memphis

TEXAS

University of Texas School of Law – Actual Innocence Clinic

Earl Carl Institute for Legal & Social Policy

Faith in Texas

Texas Criminal Justice Coalition

Texas Inmate Families Association

UTAH

Rocky Mountain Innocence Center

VERMONT

Migrant Justice

VIRGINIA

University Democrats at University of Virginia

WASHINGTON

Carceral Tech Resistance Network

Community Passageways

Washington Innocence Project

What's Next Washington

WEST VIRGINIA

American Friends Service Committee-WV

WISCONSIN

EX-incarcerated People Organizing (EXPO)

Wisconsin Innocence Project

WYOMING

Rocky Mountain Innocence Center