

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Sheriff - Coroner	(2) MEETING DATE 6/21/2016	(3) CONTACT/PHONE Ian Parkinson/781-4540	
(4) SUBJECT Request to approve an Amendment No. 2 to the current Inmate Telephone Service Agreement with provider Global Tel Link Corporation (GTL). Amendment No.2, if approved will change the rates and charges structure to come into compliance with the recent Federal Communications Commission (FCC) rulings regarding inmate telephone services. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board approve Amendment No. 2 to the existing Agreement with GTL to bring the rate structure related to inmate telephone services into compliance with FCC ruling.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT Loss of revenue estimated at \$162,500 to Inmate Welfare Fund	(9) BUDGETED? No
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A    Date: <u>9/23/2014</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Analyst			
(18) SUPERVISOR DISTRICT(S) All Districts			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Sheriff - Coroner / Ian Parkinson/781-4540

DATE: 6/21/2016

SUBJECT: Request to approve an Amendment No. 2 to the current Inmate Telephone Service Agreement with provider Global Tel Link Corporation (GTL). Amendment No.2, if approved will change the rates and charges structure to come into compliance with the recent Federal Communications Commission (FCC) rulings regarding inmate telephone services. All Districts.

## **RECOMMENDATION**

It is recommended that the Board approve Amendment No. 2 to the existing Agreement with GTL to bring the rate structure related to inmate telephone services into compliance with FCC ruling.

## **DISCUSSION**

The FCC issued its Second Report and Order and Third Further Notice of Proposed Rulemaking in WC Docket No. 12-375 on November 5, 2015 (FCC Order), which mandated rates and charges for inmate telephone services, certain transaction fees, as well as other requirements. The FCC Order effective date for jails is June 20, 2016.

The Sheriff's Office has been in contract for inmate telephone services with Global Tel Link Corporation (GTL) since 2011. The original agreement was for a (4) four-year time period effective through April 26, 2015 with an automatic renewal term for (3) three additional (1) one year terms which would extend the agreement through April 26, 2018. The Sheriff's Office entered into Amendment #1 with GTL in September 2014 for Video Visitation to be added for inmate services. Per Amendment #1, GTL stayed within the terms of the current agreement, and provided a requested number of secure visitation stations, supported by the visitation management software to help facilitate both on-site and remote visitation between inmates and their family, friends and attorneys. FCC did not come forth with any rulings in regards to Video Visitation so Amendment #1 is still in effect.

The FCC rulings did impact the rates and charges for inmate telephone services, certain transaction fees, and made recommendations regarding commissions. All commissions payable to the Sheriff's Office are placed in the Inmate Welfare Fund which is used to provide services essential to the benefit, welfare, and educational needs of the inmates. Several rates and charges payed to GTL were eliminated or reduced per the FCC ruling. Per the original agreement with GTL, a commission of 56% of gross revenue billed or prepaid for phone services covered by the agreement was to be paid to the Sheriff's Office and placed into the Inmate Welfare Fund (IWF).

Amendment No. 2 will limit the amount GTL can collect for inmate telephone services for both Interstate and Intrastate calls as well as transaction fees. The biggest impact to the Sheriff's Office will be the reduction of commission that is collected and placed into the Inmate Welfare Fund. The commission is reduced from the original 56% to a flat rate of five cents (\$0.05) per minute to fall into compliance with the FCC recommendations. The loss of revenue to the Inmate Welfare Fund will be significant. In the last five fiscal years, the average revenue received for commissions has been \$227,500. With the new ruling, the Sheriff Office is estimating a decrease in revenue of \$162,500. The Sheriff's Office does not fund any County positions from the Inmate Welfare Fund with the revenue generated from the GTL phone services. However, the Sheriff's Office does fund several educational programs, educational contracts, exit medications, legal research, and safe transportation that will be severely impacted or eliminated. The Sheriff's Office is making every

effort to prioritize expenditures that are mandated by California Code Title 15, Crime Prevention and Corrections for inmates. Any expenditure that does not fall under the code will be reviewed at the time of the request.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

The Sheriff's Office has worked with County Counsel for review and approval of the Amendment as to form and legal effect.

### **FINANCIAL CONSIDERATIONS**

As mentioned the reduction of revenue to the Inmate Welfare Fund will be significant. The reduction in revenue is estimated to be approximately \$162,500 which will significantly impact the Sheriff's Office's ability to provide programming and educational opportunities for the inmates. The Sheriff's Office has been meeting with staff to prioritize current and future expenditures as mandated by Title 15. As stated earlier, any non-mandated purchases will be reviewed before any purchases are made.

### **RESULTS**

The approval of Amendment No. 2 will bring our current agreement for Inmate Telephone Services into compliance with the recent Federal Communications Commission rulings and mandates. Bringing our current contract with GTL into compliance with the FCC ruling will insure the Sheriff's Office continues to contribute to the County's community-wide goals of a Safe Community: "The County will strive to create a community where all people—adults and children alike—have a sense of security and well-being, crime is controlled, fire and rescue response is timely, and roads are safe."

### **ATTACHMENTS**

Amendment No. 2 to contract with GTL to bring the rate structure related to inmate telephone services into compliance with FCC ruling.