



ICS Contract Amendment

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Free Calling Initiative Workgroup

- MCSO convened a cross-departmental workgroup to implement Free Calling, which included representatives from:
 - MCSO, CRC, DAS-Procurement, DAS-IMSD, and SBP
- FCC 24-75 took effect November 2024. The changes were so significant it resulted in a “material change” and the need for a new contract amendment.





Free Calling & Video Visitation Initiative

- Free calling initiative included in the 2024 adopted budget
- At Milwaukee County, our program currently provides:
 - 90 minutes of free phone calls per week
 - 15 minutes of video visitation per week
- Providing the free program eliminated all phone revenue and most video visitation revenue.
 - Continuing the free program after the FCC rate reductions eliminates **all** revenue **for the County** (phone, video, and tablets).
 - Phone and video charges are collected after free minutes expire.
 - These charges allow the vendor to recoup its actual costs, plus a small profit.



How Does the Free Program Work?

- Each PIOC (Person in our Care) receives 90 minutes of free calling and 15 minutes of free video visitation each week.
- Free minutes are used first.
- When free minutes are used up, the PIOC may purchase additional minutes or wait until the following week for additional minutes.



Why Per Week, Not Per Month?

- **Facility Logistics and Equity**

- 12 phones for every 60 PIOC, with 12 hours per day of available phone access.
 - To ensure all PIOC have the chance to make calls, free calls are capped each week.
- Due to the number of pre-trial PIOC and the high turnover rate (releases and re-bookings), software could not easily track free minutes provided.
 - Risk – could cause loss of free minutes for those booked and released, or over-use of free minutes by those booked more than one time in a month.
 - Solution – issue minutes weekly, with new minutes beginning on the same time and day of the week each week (e.g., Sunday at 7:00 PM).

- **New model required modifications to infrastructure and technology.**

- Trial started in May 2024 with 9 free 10-minute calls.
- To support minute-to-minute, ICSolutions needed a software change.
- The new software release containing the change was not ready until September of 2024.



How do Other Jurisdictions Provide These Services?

Examples of Free Programs Throughout the US				
Program Location	Facility Type	Calling	Video Visitation	Tablets
California	State Prisons	Fully Free	Partial – By Facility	Free Educational Content
New York	State Prisons, Jails	Fully Free	Partial – By Facility	Free Educational Content
Vermont	State Prisons	Fully Free	Fully Free	Free Educational Content
District of Columbia	Jail System	Fully Free	Fully Free	Free Educational Content
Texas	State Prisons	Subsidized	Partial – By Facility, Group, or Event	Free Educational Content
Illinois	By Group (Solitary Confinement, Indigency)	Free By Group	Partial – By Facility	Free Educational Content
Oregon	State Prisons	Holidays / Events Only	Fully Free	Free Educational Content
Nevada	By Group (Solitary Confinement, Indigency)	Free by Group	Fully Free	Free Educational Content
Colorado	Some State Prisons	Subsidized / By Group	Partial – Events / Special Circumstances Only	Free Educational Content
Milwaukee County	CRC & Jail	360 min / month Free	90 min / month Free	Free Educational Content



Why Do We Use IPCS Providers?

- **“IPCS”** stands for Incarcerated People’s Communications Services.
- **Security & Compliance Requirements.**
 - Any communications service provider must be CJIS (Criminal Justice Information System) and CALEA (Communications Assistance for Law Enforcement Act) compliant.
- **Industry Specialization**
 - General telecom providers do not have the expertise or infrastructure to serve our market and cannot integrate with other facility systems.
- **Business Model (Regulatory, Legal, and Cost)**
 - Infrastructure and operational changes needed for IPCS are outside general providers’ core business model.
 - Complex legal and regulatory landscape is a barrier to entry and seen as cost-prohibitive.
 - Cost models are significantly different between the IPCS and general communications markets.



IPCS Provider Market

There are seven* (7) providers of Incarcerated People’s Communications Services (“IPCS”) in the US. Securus and ViaPath represent 70-80% of the market. ICSolutions represents approx. 10% of the market.

Provider Name	Market Share (Est.)	Year Founded	Telephone	Video	Tablets
<u>Ameelio</u>	< 1%	2020	X	X	X
<u>HomeWAV</u>	1 – 2%	2011	X	X	X
<u>ICSolutions</u> (formerly CenturyLink)	10%	2002	X	X	X
<u>JPay</u>	5 – 10%	2002		X	X
<u>NCIC Inmate Communications</u>	2 – 3%	1995	X	X	X
<u>Securus Technologies</u>	40 – 50%	1986	X	X	X
<u>TurnKey Corrections (WI Only)</u>	< 1%	2003	X	X	X
<u>ViaPath Technologies</u> (formerly GTL)	30 – 35%	1989	X	X	X

*JPay is a subsidiary of Aventiv, the parent company of Securus.



FCC 24-75 Key Provisions

- **Rate Reductions:** The order substantially lowers the cost of phone and video calls for incarcerated persons, reducing rates by more than half.
- **Elimination of Ancillary Fees:** The order prohibits additional charges such as ancillary fees and special fees for site commissions, which were previously added to the base cost of calls.
- **Inclusion of Video Calls:** For the first time, the FCC sets rates for video calls, ensuring they are also subject to regulation.
- **Accessibility Enhancements:** The order strengthens accessibility requirements for incarcerated individuals with disabilities, ensuring communication services are inclusive.
- **Consumer Protections:** Providers are now required to disclose information about rates, charges, billing, and refund policies on their public websites, increasing transparency for consumer.

For more information, see [FCC Caps Exorbitant Phone & Video Call Rates for Incarcerated Persons & Their Families | Federal Communications Commission.](#)



How Does FCC 24-75 Impact the County?

- **Rate Reductions**

- Cost of calls reduced from \$0.16/minute to \$0.06/minute.
- Cost of video visitation reduced from \$0.40/minute to \$0.11/minute

- **Eliminated Funding Fees**

- There are no additional charges to PIOC or their families to add funds to an account.

- **Eliminated Commissions**

- The County cannot receive any funding or in-kind payment for calling or video visitation services.

- **Eliminated Tablet Revenue**

- This funding is not covered by FCC 24-75.
- Tablet revenue will be used to fund the FTE deputy responsible for overseeing IPCS at the CRC and Jail.



The Path Forward

- **The Workgroup Recommends:**

- Waiting to see how the FCC may operationalize and enforce FCC-24-75 before taking additional action.
- Approving today's request to extend the contract to March 28, 2028.
- Continuing the existing efforts around the future RFP process for a contract beginning in 2028.

- **Why not RFP immediately?**

- The RFP process can take a year or more for highly technical projects.
- The County may or may not have internal experts with the capacity to assist in developing the RFP.
- If no internal experts are available, we may need to seek a technical and regulatory consultant – this process may take up to 6-8 months.
- By the time this effort is concluded, we are likely to be within the final 12-18 months of the contract extension if approved today.
- By agreeing to a three-year extension, we receive a better overall deal from ICS (lower cost to the County while preserving the current free program and FTE support).



Questions?





**MILWAUKEE
COUNTY**