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We reply to Securus: The prison phones market is broken enough

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Aug 3 at 1:15 PM

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PRISON POLICY INITIATIVE UPDATES

for August 3, 2018

Showing how mass incarceration harms communities and our national welfare

Securus asks FCC to look the other way while it expands; advocates and families call its bluff

In our rebuttal to Securus, we disprove the company's claims of healthy competition in the prison phone market.
by Aleks Kajstura

Two weeks ago, the Prison Policy Initiative, along with the Wright Petitioners and other advocates, **called on the Federal Communications Commission** to stop the merger of prison phone companies Securus and ICSolutions. Following **Securus' reply**, we filed **a rebuttal on Tuesday** demonstrating why the company should not be allowed to acquire **its last effective competitor** for prison and jail phone contracts.

Securus tried to argue that there's still plenty of competition left in the market. The company quibbles over the methods we used to calculate its future market share (should it acquire ICSolutions). **But the math here is not really that complicated:** When a giant industry player acquires a competitor, there is immediately one less player, which reduces competition.

And **competition in the prison phone market** is more important than ever. Prisons and jails are finally starting to pay serious attention to the rates shouldered by incarcerated people and their families, taking these concerns into account when they choose a phone provider.

Securus, meanwhile, **"continues to engage in charging unlawful and egregious rates,"** as well as enabling illegal cell phone tracking. Securus is asking the FCC to look the other way as it acquires one more of its competitors. It must be prevented from expanding its frontier for misconduct.

*For our detailed analysis of why Securus/ICSolutions are wrong about diversity of competition, and barriers to entry and expansion in the prison and jail phone market, see **Exhibit D of our filing.***

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More on the business of communications in prison: Victoria Law on the monetization of email

In an article for **WIRED**, Victoria Law explains the human toll of restricting physical mail and charging incarcerated people to send an email. "Stamp by stamp, companies like JPay - and the prisons that accept a commission with each message - are profiting from the isolation of one of the most vulnerable groups in the country," writes Law.

[Read the full article in WIRED.](#)

For more on electronic messaging in prison, see our report **You've Got Mail.**

The Idaho prison tablets "hack" is a lesson in how to cover exploitative prison businesses

With this week's story of incarcerated Idahoans transferring JPay credits to their own accounts, news coverage of prison tablets has never been more popular. We offer tips to newsrooms for covering this issue fairly.

[Read the full post.](#)

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Prison Policy Initiative

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From: cure@curenational.org

Bcc: [REDACTED]

Date: Saturday, August 4, 2018 06:18:38 AM EDT

From: Press Office

Sent: Thursday, August 02, 2018 10:18:10 AM (UTC-05:00) Eastern Time (US & Canada)

Subject: GOVERNOR CUOMO TO ADVANCE LEGISLATION TO REMOVE DEATH PENALTY FROM STATE LAW IN SOLIDARITY WITH POPE FRANCIS



For Immediate Release: 8/2/2018

GOVERNOR /

GOVERNOR CUOMO TO ADVANCE LEGISLATION TO REMOVE DEATH PENALTY FROM STATE LAW IN SOLIDARITY WITH POPE FRANCIS

Governor Cuomo: "Today, in solidarity with Pope Francis and in honor of my father, I will be advancing legislation to remove the death penalty -- and its ugly stain in our history -- from State law once and for all."

"By declaring the death penalty inadmissible in all cases and working to end the practice globally, Pope Francis is ushering in a more righteous world for us all. The death penalty is morally indefensible and has no place in the 21st century.

"Pope Francis's decision is a validation of my father's principled stand against the death penalty in the face of overwhelming support for capital punishment. My father staked his political career on his opposition to the death penalty and never backed down, saying it 'demeans those who strive to preserve human life and dignity.'

"As Governor, Mario Cuomo vetoed legislation reinstating the death penalty 12 times in 12 years. He did this because he believed the death penalty was wrong and he had the courage to stand firm in his beliefs -- so much so that he was willing to lose his office rather than capitulate. Pop was right then, and he is right now.

"The death penalty was reinstated in New York under the Pataki administration but halted by the courts in 2004. In his final years, my father continued to advocate for eliminating the law from the books, calling it a '[stain on our conscience](#).' Today, in solidarity with Pope Francis and in honor of my father, I will be advancing legislation to remove the death penalty -- and its ugly stain in our history -- from State law once and for all."

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