



# Contracted Telecommunication and Electronic Media Services for Inmates in State Correctional Facilities

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## 2021 Report to the Governor and the Legislature

*As required by Substitute Senate Bill 6476 (2020)*

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*2021 Report to the Legislature*

## Legislative Directive

*“By July 1st of each year, the contractor that provides inmates with access to telecommunication services and electronic media services under subsection (1) of this section shall report to the department the following information:*

- (a) A summary of services offered at each correctional facility;*
- (b) Rates charged for, or associated with, providing each type of service including, but not limited to, monthly financial account maintenance fees, transaction fees associated with money transfers, per call and connection surcharges, bill statement fees, and refund fees;*
- (c) A total accounting of commissions provided to the department or correctional facility;*
- (d) A summary and accounting of services used by inmates categorized as indigent;*
- (e) One-time and ongoing costs incurred for installing and maintaining hardware;*
- (f) Average customer service response time rates per facility and the average time taken to resolve an issue or provide a refund for defective services; and*
- (g) An accounting of all revenues or losses incurred by the contractor by quarter.*

*In compliance with RCW [43.01.036](#), the department shall report to the governor and legislature on contracts for telecommunication services and electronic media services under this section and the contractor's annual compliance with this section.*

*This section applies to any contract in effect on the effective date of this section, and to any renegotiation, renewal, or extension of such contract.”*

Substitute Senate Bill [6476](#) (2020)

## Executive Summary

### Background

The Washington State Department of Corrections (DOC) is a public safety organization responsible for the confinement and supervision of convicted law violators within the State of Washington. It is the intent of the legislature, as identified in portions of [RCW 72.09.010](#), that the correctional system: should positively impact offenders by stressing personal responsibility and accountability and by discouraging recidivism; and reflect values of the community including avoiding idleness, provide opportunities for self-improvement, and link the receipt or denial of privileges to responsible behavior and accomplishments. Corrections recognizes the importance of acquiring and providing appropriate technology to the incarcerated to achieve these statutory mandates and the department's mission of improving public safety by positively changing lives.

The DOC's Incarcerated Individual Technology Services (IITS) includes a wide variety of services, such as telecommunication technology to enable phone calls and electronic media services like e-messaging, video visitation, movie rentals, music downloads and digital games. These services enable individuals to maintain ties with family, friends, and the community which positively impacts those incarcerated.

In contracting for these services, the DOC seeks to provide the highest level of services to incarcerated individuals, their families, and friends at the lowest cost.

Contracted commission rates from the sale of certain telecommunication and electronic media services to incarcerated individuals goes to the Incarcerated Individual Betterment Fund (IIBF). According to [DOC 200.200](#), assets of the betterment fund are used solely for incarcerated individual betterment activities that enhance the security and orderly operation of a facility by reducing idleness and encouraging positive development of family and community ties.

### Report Overview

In this report to the Governor and the Legislature, the department is required to report on the contracts for telecommunication and electronic media services, and the contractor's annual compliance with reporting requirements.

## Report on Contracts

The Department of Corrections currently contracts with Value Added Communications (VAC) (a subsidiary of Global Tel Link (GTL)) for incarcerated individual telephone services within state correctional facilities and with JPay, Inc. for electronic media services which include e-messaging, video visitation, video grams, digital music, games, movies, audiobooks, etc.

### Current Contracts

Copies of the current telecommunication and electronic media service contracts and amendments can be found on the [department's website](#).

### Contract Procurement: In-Process and Nearing Completion

The DOC has been negotiating in good faith with potential vendors to select a contractor and award a contract to provide telecommunications and media services. This has been an ongoing effort spanning over two (2) years. Multiple vendors have provided hundreds of pages of documents detailing their offerings and ability to meet our requirements and participated in onsite demonstrations. Our efforts are currently focused the final stages of contract development, review, and signature. The DOC expects to finalize the contract language, obtain legal review, sign, and announce an apparent successful bidder in January 2022. The objectives of this procurement project were to:

- ✓ *Conduct a Client Services Procurement allowing maximum flexibility and agility in identifying the best overall solution while managing procurement risk.*
- ✓ *Award a consolidated contract for technology services offered to the incarcerated population.*
- ✓ *Integrate external stakeholder involvement. External stakeholders included the Corrections Ombuds, Friends/Family Representative, and a procurement expert from the Department of Enterprise Services.*
- ✓ *Improve the pricing, services, and overall quality of technology products offered.*

### State of Current Services

In 2020, there were reported sporadic issues with the current technology in use primarily centered around slower/failed downloads and video visitation quality. A major factor in reported issues was due to decreased available bandwidth and increased volume nationwide as a result of the COVID-19 pandemic. Some of these errors can be attributed to:

- *Major increase in the number of citizens staying at home, teleworking, home schooling, etc.,*
- *Additional strain on the vendor's technology system due to visitation being cancelled,*
- *Large increase in the number of simultaneous users and active downloads,*
- *Aging infrastructure requiring updating to increase quality and resiliency,*
- *Available bandwidth local telecommunications companies are willing to provide the vendor, and*
- *Outdated technology in need of upgrades. Note: potential vendors were required to submit proposals including investments in equipment and infrastructure upgrades if selected for contract award.*

Both VAC/GTL (phones) and JPay (electronic media) took steps to resolve issues and improve systems to handle the increased volume and number of users. These steps include but were not limited to:

- *Added new local servers to distribute load and augment capacity,*
- *Added additional engineers with expertise in real time communication protocols,*
- *Performed server tuning to improve performance,*
- *Making code changes to further stabilize the platform in order to handle the peak load and to optimize bandwidth utilization,*
- *Updating the Video Visitation platform to address video and audio stability.*

Additionally, in response to the COVID-19 pandemic, both VAC/GTL and JPay offered incarcerated individuals complimentary services primarily in response of visitation being cancelled. Complementary services offered included:

- *Since August 2020, VAC/GTL has been providing one (1) free call with DOC providing one (1) free call for a total of two (2) free calls for each incarcerated individual per week.*
- *Throughout 2021, JPay continued to provide two (2) free video visits per week on an upgraded video visit platform which greatly improved visit quality and reliability.*

Although any technology can and will have equipment and performance issues over time, coupled with the COVID-19 pandemic straining these systems, by and large individuals were able to use these services to stay in contact with their family and friends. In 2021, individuals and their friends and family members:

- *Talked for nearly 90 million minutes,*
- *Sent over 16 million e-mails,*
- *Conducted over 15 thousand video visits, and/or*
- *Exchanged over 1 million pictures.*

## **Contractor's Annual Compliance**

### **Value Added Communications/Global Tel Link: In Compliance**

VAC/GTL is in compliance with current contract terms.

### **JPAY: In Compliance**

JPay is in compliance with current contract terms.

## **Attachments**

Value Added Communications/Global Tel Link Vendor Report  
JPay Vendor Report

## VAC (GTL) Submission

### Revised Code of Washington, Title 72, Chapter 72.09 Submission

#### Washington Department of Corrections (WA DOC) Telecommunications Services Report

The following information is submitted to the WA DOC in accordance with RCW 72.09.765, Subsection 3, Inmate access to telecommunication services—Contracting—Reporting

A summary of services offered at each correctional facility:

VAC currently provides telephone communications between incarcerated individuals detained by the Washington Department of Corrections and called individuals. VAC also provides coin operated telephones at Washington Department of Corrections Work Release Centers.

Rates charged for, or associated with, providing each type of service including, but not limited to, monthly financial account maintenance fees, transaction fees associated with money transfers, per call and connection surcharges, bill statement fees, and refund fees;

This information is part of the existing contract between VAC and Washington Department of Corrections whereby VAC provides phone call services. Current rates and fees are as follows:

#### Inmate Telephone Service Call Rates

- Intrastate and Interstate Calls \$ 0.11 per minute
- International Calls \$ 1.63 per minute

The rates charged are exclusive of taxes, and other amounts collected by VAC on behalf of, or paid to, third parties, including but not limited to payments in support of statutory authorities, such as Federal Universal Service Fee, and any costs incurred by VAC in connection with such programs.

VAC may charge certain ancillary fees, which at no time shall exceed the maximum rates authorized by the State UTC and the Order 15-136 adopted by the Federal Communications Commission on October 22, 2015. VAC and Washington DOC per the contract in place as of this submission agree that the maximum allowed fees shall be:

Fees for automated payment of credit card and bill processing fees	\$ 3.00 per use
Fee for payment using live operator	\$ 5.95 per use
Fee for paper bill/statement	\$ 2.00 per use
Fee for use of third-party money transmitter (e.g. MoneyGram, Western Union, credit call processing, transfers from third party commissary accounts)	The exact fee from the third-party provider passed through directly to the customer with no markup.
Advance Pay One Call	\$ 1.19 per call, plus the applicable per minute rate charge.



A total accounting of commissions provided to the department or correctional facility;

VAC provides Washington Department of Corrections each month with a full and current accounting of commissions:

<u>Period</u>	<u>Total Commission</u>
June 2020	\$ 372,508
July 2020	\$ 366,039
August 2020	\$ 377,140
September 2020	\$ 370,468
October 2020	\$ 365,386
November 2020	\$ 369,168
December 2020	\$ 362,179
January 2021	\$ 362,370
February 2021	\$ 392,893
March 2021	\$ 372,793
April 2021	\$ 421,243
May 2021	\$ 388,461

A summary and accounting of services used by inmates categorized as indigent;

Currently VAC provides service for use by incarcerated of Washington Department of Corrections. We have not and currently do not receive information that identifies specific incarcerated as 'indigent' and therefore cannot provide an account of the services used.

One-time and ongoing costs incurred for installing and maintaining hardware;

For the period of July 2020 through June 2021 total one-time and ongoing costs of the installation and maintenance of hardware has been \$ 179,274.39.

Average customer service response time rates per facility and the average time taken to resolve an issue or provide a refund for defective services; and

VAC does not track call center metrics by each individual call from WA DOC, or WA DOC as a facility. However, the customer service response time (average speed of answer) for all VAC on the week ending 07/09/2021 was 2 minutes and 47 seconds, and the average handling time (time resolving issues) the week ending 07/09/2021 was 6 minutes and 21 seconds.

An accounting of all revenues or losses incurred by the contractor by quarter.

The following is an account of revenue and losses incurred by VAC by quarter for the period of July 2020 through June 2020.

<u>Quarter</u>	<u>Revenues</u>	<u>Losses</u>
June - August 2020	\$ 3,121,985.24	\$ 0.00
September – November 2020	\$ 3,142,007.31	\$ 0.00
December 2020 – February 2021	\$ 3,030,366.37	\$ 0.00
March – May 2021	\$ 3,505,440.72	\$ 0.00

Product / Service	Rate	Amount	Applicable Individual
<b>Communication</b>			
Stamp Packages	\$2.00	6 stamps (one time)	Inmate / Customer
	\$5.00	20 stamps	Inmate / Customer
	\$7.50	35 stamps	Inmate / Customer
	\$10.00	60 stamps	Inmate / Customer
eMail	1 stamp	per email	Inmate / Customer
Photo Attachment	1 stamp	per attachment	Customer
eCard	1 stamp	per attachment	Inmate / Customer
Snap N' Send	1 stamp	per photo	Customer
Inbound VideoGram	5 stamps	per 30 second video clip	Customer
Video Visitation	\$7.95	per 30 minute visit	Customer
<b>Media</b>			
Songs	\$0.99 - \$2.00 + tax	per song	Inmate
Albums	\$9.99 - \$22.00 + tax	per album	Inmate
Movies	\$0.99 - \$7.99 + tax	per movie rental	Inmate
eBooks	Free	per book	Inmate
Games	\$0.99 - \$12.99	per game	Inmate
JP5mini (4.3 inch)	69.99 + tax	per tablet	Inmate / Customer
Replacement JP5mini Power Adapter	15.99 + tax	per adapter	Inmate
Replacement JP5mini Screen Protector	\$5.99 + tax	per protector	Inmate
Replacement JP5mini USB Cable	\$3.99 + tax	per cable	Inmate
JP5s (7 inch)	129.99 + tax	per tablet	Inmate / Customer
Replacement JP5s (7 inch) Power Adapter	\$15.99 + tax	per adapter	Inmate
Replacement JP5s (7 inch) Screen Protector	\$5.99 + tax	per protector	Inmate
Replacement Earbuds	14.99 + tax	per set of two earbuds	Inmate
Media Credits	\$3.50	\$0.01 - \$300.00	Customer
<b>Payment Services</b>			
Money Transfer (Education, Funeral, Medical, Postage and Spendable)			
Online	\$3.95	\$0.01 - \$20.00	Customer
	\$7.95	\$20.01 - \$100.00	Customer
	\$9.95	\$100.01 - \$200.00	Customer
	\$11.95	200.01 - \$300.00	Customer
Phone	\$4.95	\$0.01 - \$20.00	Customer
	\$8.95	\$20.01 - \$100.00	Customer
	\$10.95	\$100.01 - \$200.00	Customer
	\$12.95	200.01 - \$300.00	Customer
MoneyGram	\$8.95	\$0.01 - \$5000.00	Customer
Cost of Supervision			
Online	\$3.95	\$0.01 - \$20.00	Customer
	\$7.95	\$20.01 - \$100.00	Customer
	\$9.95	\$100.01 - \$200.00	Customer
	\$11.95	200.01 - \$300.00	Customer
	\$15.95	\$300.01 - \$500.00	Customer
Phone	\$4.95	\$0.01 - \$20.00	Customer
	\$8.95	\$20.01 - \$100.00	Customer
	\$10.95	\$100.01 - \$200.00	Customer
	\$12.95	200.01 - \$300.00	Customer
	\$16.95	\$300.01 - \$500.00	Customer
MoneyGram	\$8.95	\$0.01 - \$5000.00	Customer
Interstate Compact Payments			
Online	\$7.95	\$100	Customer
Phone	\$8.95	\$100	Customer
MoneyGram	\$8.95	\$100	Customer

Commissions Paid June 2020 - June 2021

Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total
\$ 22,396.61	\$ 43,066.29	\$ 40,017.77	\$ 37,449.81	\$ 43,190.15	\$ 40,784.78	\$ 43,349.44	\$ 50,631.55	\$ 45,316.04	\$ 59,047.32	\$ 59,813.75	\$ 57,628.83	\$ 54,326.26	\$ 597,018.60

One-Time Labor Costs for Installing and Maintaining Hardware June 2020 - June 2021

JUN 2020	JUL 2020	AUG 2020	SEP 2020	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	TOTAL
\$6,141.44	\$1,869.10	\$110,263.17	\$38,163.71	\$11,990.47	\$19,635.89	\$21,936.63	\$22,087.31	\$20,524.62	\$36,529.59	\$24,135.82	\$50,866.36	\$363,111.99	\$721,114.66

Ongoing Labor Costs for Installing and Maintaining Hardware June 2020 - June 2021

JUN 2020	JUL 2020	AUG 2020	SEP 2020	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	TOTAL
\$3,306.40	\$3,033.70	\$10,558.38	\$7,548.21	\$10,680.16	\$5,245.06	\$7,525.15	\$6,139.35	\$3,285.04	\$7,525.45	\$7,179.39	\$8,197.97	\$2,900.04	\$83,124.30

## Metrics for June 2020 through July 2021

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### Customer Service (Family / Friends Support)\*

Average Response Time	5:01 minutes
Average Handle Time	4:34 minutes

*\*based on national average. Securus/JPay does not track data by state*

### Customer Service (Incarcerated Individual Support)\*

Average Days To Close a Ticket	5 days
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*\*based on tickets submitted by all facilities.*

Revenue June 2020 - June 2021

June - August 2020	September - November 2020	December 2020 - February 2021	March - May 2021	Jun-2021	Total
\$2,348,923.08	\$2,231,252.90	\$2,599,943.69	\$2,870,543.58	\$896,237.69	\$10,946,900.94