



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

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## 2022 Report to the Governor and the Legislature

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

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## Contents

Legislative Directive .....	2
Executive Summary.....	3
Background .....	3
Report Overview .....	3
Report on Contracts.....	4
State of Current Services.....	4
Value Added Communications/Global Tel Link: In Compliance.....	5
JPAY: In Compliance .....	5
Attachments.....	5
Value Added Communications/Global Tel Link Vendor Report.....	5
JPay Vendor Report.....	5
IITS Contract Comparison .....	5
IITS Briefing Document .....	5

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*2022 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

For much of this reporting period, the Department of Corrections contracted 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.

As of May 2022, the Department successfully completed negotiations and awarded a contract to Securus Technologies to provide Incarcerated Technology Services (ITS) for incarcerated individuals in Prisons and Reentry Centers. The contract requires a Proof-of-Concept period which is currently underway at Mission Creek Corrections Center for Women (all services installed and operational as of August 2022) and the Washington Corrections Center for Women (all services installed and operational anticipated in September 2022).

Following a successful Proof-of-Concept, including addressing any issues identified during implementation and operation at the two women's facilities, implementation will begin in the Men's Prisons in October 2022 and is anticipated to be completed by early 2023.

As the required timeline for submission of this report ended prior to implementation of the new contracted vendor's services, this report includes information on the outgoing vendors' services.

### Current Contracts

Copies of the outgoing telecommunication contract, outgoing electronic media service contract, and the new ITS contract can be found on the [department's website](#).

### State of Current Services

Beginning 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: the new contracted ITS vendor will update all infrastructure, equipment, and operating systems during implementation and switch over.*

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,*

- *Made changes to further stabilize the platform in order to handle the peak load and to optimize bandwidth utilization,*
- *Updated the Video Visitation platform to address video and audio stability.*

Additionally, in response to the COVID-19 pandemic, a combination of the Department, VAC/GTL, and JPay offered incarcerated individuals complimentary services. Complementary services offered included:

- *Since August 2020, individuals have been provided two (2) free calls per week.*
- *Since 2021, individuals have been provided 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.

## **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

IITS Contract Comparison

IITS Briefing Document

**Value-Added Communications (“VAC”) (Global Tel\*Link Corporation d/b/a ViaPath Technologies)  
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**

- Instate and Interstate Calls \$ 0.09 per minute
- International Calls \$ 0.09 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 Federal Communications Commission. 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. Fee not to exceed \$6.95 per transaction.
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 2021	\$ 376,808
July 2021	\$ 350,590
August 2021	\$ 333,365
September 2021	\$ 332,310
October 2021	\$ 298,233
November 2021	\$ 160,104
December 2021	\$ 167,046
January 2022	\$ 144,979
February 2022	\$ 158,374
March 2022	\$ 159,927
April 2022	\$ 151,205
May 2022	\$ 153,131

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 2021 through June 2022 total one-time and ongoing costs of the installation and maintenance of hardware has been \$ 171,293.

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 the month of June 2022 was 1 minute and 6 seconds, and the average handling time (time resolving issues) for the same period was 4 minutes and 44 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 June 2021 through May 2022.

<u>Quarter</u>	<u>Revenues</u>	<u>Losses</u>
June - August 2021	\$ 2,430,051	\$ 0.00
September – November 2021	\$ 2,183,779	\$ 0.00
December 2020 – February 2022	\$ 2,226,263	\$ 0.00
March – May 2022	\$ 1,913,297	\$ 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 July 2021 - June 2022

Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Total
\$ 62,879.41	\$ 46,315.50	\$ 39,691.74	\$ 40,617.04	\$ 39,903.38	\$ 43,744.47	\$ 37,894.72	\$ 38,105.92	\$ 38,953.68	\$ 36,725.71	\$ 34,297.96	\$ 31,317.06	\$ 490,446.59



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

July 21	AUG 2021	SEP 2021	OCT 2021	NOV 21	DEC 2021	JAN 2022	FEB 2022	MAR 2022	APR 2022	MAY 2022	JUN 2022	TOTAL
\$17,324.87	\$17,324.87	\$17,324.87	\$22,627.31	\$22,627.31	\$22,627.31	\$22,627.31	\$22,627.31	\$25,179.31	\$27,775.31	\$33,495.31	\$33,495.31	\$285,056.40

Metrics for July 2021 through June 2022

Customer Service (Family/Friends Support)*	(in MM:SS)
Average Response Time	02:05
Average Handle Time	05:00

*\*bases on national average. Securus/Jpay does not track data by state*

Customer Service (Incarcerated Individual Support)	
Average Days to Close a Ticket	6 Days

*\*based on tickets submitted by all facilities.*

Revenue July 2021 - June 2022

July - August 2021	September - November 2021	December 2020 - February 2022	March - May 2022	Jun-2022	Total
\$1,640,248.45	\$2,171,966.32	\$216,303,539.00	\$1,827,824.49	\$534,454.70	\$222,478,032.96

**Washington State Department of Corrections**

**Incarcerated Individual Technology Services Contract (IITS) - Final Pricing Comparison Summary<sup>1</sup>**

Phone Services	GTL	Securus
Domestic Calls	\$0.09 per minute plus taxes <sup>2</sup>	\$0.05 per minute plus taxes + two free 20-minute phone calls per incarcerated individual per week
International Calls	\$0.13 per minute plus taxes/tariffs	\$0.05 per minute plus taxes/tariffs
Third-party Money Transmitter - i.e., MoneyGram, Western Union, credit card processing	Exact fee from third-party transmitter passed through directly to customer with no markup	Exact fee from third-party transmitter passed through directly to customer with no markup
Website/Mobile App Connectnetwork.com	\$200.00 maximum per deposit, \$3.00 fee per transaction	\$300.00 maximum per deposit. \$2.00 fee per transaction
Automated Phone (Credit Card)	\$200.00 maximum per deposit, \$3.00 fee per transaction	
Retail Store (Cash)	\$200.00 maximum per deposit, \$5.95 fee per transaction	
Live Operator (Credit Card)	\$200.00 maximum per deposit, \$5.95 fee per transaction	
Check or Money Order	NA	No Cost
One Call (Credit Card)	\$1.19 fee per call, plus cost of the call	\$2.00 fee per call, plus cost of the call

Media Services	JPay	Securus
Songs	\$0.99 - \$2.00 + tax	\$0.69 - \$1.99 + tax
Albums	\$9.99 - \$22.00 + tax	\$0.99 - \$14.99 + tax
Movies	\$0.99 - \$7.99 + tax	Free - \$9.99 + tax
Television Episodes	NA	\$1.70 - \$2.28
eBooks	Free	Free
Premium eBooks	NA	Free - \$14.99
Audio Books	NA	Free - \$19.00
Games	\$0.99 - \$12.99	Free - \$8.98
Newsstand	NA	\$5.99
Law Library Access	NA	No Cost
Subscriptions Services When Available.	NA	Not yet available
JP5s JPay Player (7 inch)	129.99 + tax	JP6 Tablet - No Cost
Media Credits	\$3.50	\$3.50

Video Visits	JPay	Securus
Video Visitation	\$7.95 per 30 minute visit	\$4.95 per 30 minute visit + 4 free visits per month

E-Messaging Services	JPay	Securus
Electronic Message (eMessage)	1 stamp per message	1 stamp per message
Photo	1 stamp per photo	1 stamp per photo
eCard	1 stamp per eCard	1 stamp per eCard
VideoGram	5 stamps per VideoGram	4 stamps per VideoGram

Stamps	JPay	Securus*
6	\$2.00	\$2.00
20	\$5.00	\$5.00
35	\$7.50	\$7.50
60	\$10.00	\$10.00

\*Securus will provide 55 free stamps each month to incarcerated individuals.

Product/Service	JPay	Securus
Online \$0.01 - \$20.00	3.95	3.25
Online \$20.01 - \$100.00	7.95	7.25
Online \$100.01 - \$200.00	9.95	8.95
Online \$200.01 - \$300.00	11.95	10.95
Phone \$0.01 - \$20.00	4.95	3.25
Phone \$20.01 - \$100.00	8.95	7.95
Phone \$100.01 - \$200.00	10.95	8.95
Phone \$200.01 - \$300.00	12.95	10.95
MoneyGram \$0.01 - \$5,000.00	8.95	6.95
Check or Money Order \$0.01 to \$300.00	NA	No Cost

1. Pricing comparison calculated from existing contracts to newly signed contract with Securus Technologies.

2. Includes a recent price decrease negotiated with GTL to reduce rate per minute due to FCC Ruling.

Maintaining and strengthening family ties positively impacts post-incarceration outcomes, decreases recidivism, helps families reunify and supports children by the inclusion of a positive role model in the household. Telephone calls, video visits, and emails can be a lifeline for incarcerated individuals and their friends and family members. Frequent communication and strong friend/family support strengthens community ties and increases incarcerated individuals' chances of successful reentry. The goal of the Incarcerated Individual Technology Services Project was to consolate technology services to provide the best overall solution to provide a communications platform for family and friends to communicate with their loved ones.

The Incarcerated Individual Technology Services client services procurement resulted in awarding a contract to Securus Technology Solutions. To address the concerns about performance and customer service, the department negotiated service level agreement terms to establish performance standards to provide assurance that services will be available and that the vendor will be responsive to customers.

“Communications should be easy, affordable and equitable for incarcerated individuals and their loved ones and this partnership provides that..”

*Cheryl Strange, Secretary*

### **EXPANDED PRODUCTS – REDUCED COST**

The Incarcerated Individual Technology Services (IITS) procurement reduced costs to the incarcerated individuals and their families and expanded the products/services offered.

Expanded services include:

- No cost media tablets with new phone calling feature
- No cost money order option to fund an incarcerated individuals' account.
- No cost communication with two 20-minute phone calls per week, four 30 minute video visits and 55 stamps per month.
- More free content
- Television episodes, premium eBooks and, Newsstand added to the tablet offerings.
- Tablet access to Law Library Lexis Nexsus

The new IITS Contracts significantly reduced costs in most areas as demonstrated by the attached IITS Contract Comparison Document.

### **IMPROVED SERVICE - SERVICE LEVEL AGREEMENTS**

Current agreements with both GTL and JPay, the current phone and media service providers respectively, do not contain service level terms, which has caused difficulties when trying to remedy service issues.

Attachment B (attached) outlines the service level terms of our recently executed agreement with Securus for IITS.

One of the main goals for DOC was to establish meaningful service expectations and standards. Further, we wanted to make sure that the service level terms provided something to the end users if the terms were not met. DOC believes those two goals have been satisfied by creating realistic service level standards with service credits to the end users when Securus fails to meet expectations.

The contract contains services level agreements for:

- Documented service standards with credits for the end users when performance standards are not met,
- Requirements for customer service feedback,
- Monthly customer service reporting,



- Quarterly meetings with Securus, a friend and family representative, and the Office of Corrections Ombuds, to discuss customer service related issues and,
- Annual “User Satisfaction Survey” to evaluate Securus’ performance. Failure to achieve user satisfaction of over 85% will result in Securus being required to provide DOC with a performance enhancement plan detailing the actions taken at 30, 60, and 90 days, and a follow-up survey to determine if performance has been improved.

Altogether the department has introduced a number of customer service oriented commitments to ensure that the concerns of the end users are heard and addressed. DOC is proud of these commitments as they mark a significant and much needed departure from our prior agreements and we believe that these terms are at the cutting edge of what states can and should expect from these service vendors.

The contract with Securus was signed April 12, 2022. However, GTL has appealed a court decision in DOC’s favor regarding the utilization of the Client Services exemption for procurement.

### **PROOF OF CONCEPT – POSITIVE OBSERVATIONS**

The IITS Project strategy for implementation was to conduct a Proof of Concept at Mission Creek Corrections Center (MCCCW) and Washington Corrections Center for Women (WCCW). The Proof of Concept is intended to inform the statewide implementation plan of challenges/issues prior to full statewide implementation.

- A phased implementation began at MCCCW in early August 2022 and full services were operational as of August 19, 2022. While these results are early, many positive observations have been made to include:
- Better WiFi coverage than expected over a larger portion of the facility for tablet connectivity.
- Content transfer from old JP5’s to new JP6’s went smooth and took less time than expected due to higher system speed.
- Incarcerated individuals took advantage of the phone calling feature on the tablet that enables them to make a phone call from the privacy of their cell.
- Utilized Tier-reps in a train-the-trainer model for training on the new JP6 tablets.
- Improved video visit connections and quality.
- Securus was on-site to answer questions and assist incarcerated individuals which was appreciated by the population.

### **CHALLENGES - LESSONS LEARNED**

As expected in implementing a new technology solution, the Proof of Concept at MCCCW highlighted a few issues the vendor and DOC needed to address including:

- Problems connecting to the PREA hotline (a work around was immediately implemented by the vendor and the issue was fully resolved a few days later).
- Lack of communication to family, friends, and incarcerated individuals about the need to preestablish new accounts with Securus resulting in individuals having to initially make collect calls. Once new accounts were established and funds available, the issue was resolved.
- Families reporting difficulties getting refunds from GTL/ViaPath.

The lessons learned at MCCCW are incorporated into the implementation plan for WCCW (and other facilities).

By mid September 2022, WCCW will be fully operational on the new system which will complete the Proof of Concept. Assuming the Proof of Concept is successful (as determined by DOC), implementation begins in male facilities beginning with AHCC (Spokane) the first of October 2022, and ends with WCC (Shelton) in February 2023.