

# Equal Justice Initiative

## Criminal Justice Issues and Prisoners' Rights

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02.11.19

Prison phone provider Securus Technologies has filed a lawsuit against the Florida Department of Corrections in which it claims the agency used the procurement process for a new phone contract to obtain a wish list of goodies instead of making calling rates affordable incarcerated people and their loved ones, the *Florida Times-Union* [reports](#).

The paper reports that Securus, the longtime phone provider for Floridas prisons, lost out on the new contract to competitor Global Tel Link, which offered more value-added perks, including inmate tracking services, contraband detection motion-sensing cameras, visitation management, staff radios, up to 1250 Dell computers, up to 750 iPhones, and a virtual gun range for staff training.

Securus [alleged](#) that the department obtained these perks on the backs of some of Floridas most vulnerable citizens: the states inmates and their families. The suit claims that the new phone contract led to a \$3.5 million annual cost increase for incarcerated people and their loved ones.

Securus and Global Tel Link now control most of the correctional phone market, according to a [new report](#) from the Prison Policy Initiative. These [private phone companies](#) have long charged exorbitant rates to families of incarcerated people for talking to their loved ones in prison, and they have fought hard against FCC regulations that would limit rates and eliminate extra fees for prison phone calls.

Rates are set by contracts between these companies and state and local governments, who often receive commissions or kickbacks for each jail or prison. Securus lawsuit claims that the Florida DOCs invitation to negotiate for the new phone contract explicitly prohibited the vendor to remit a portion of the revenue from the contract back to the agency as a commission.

Without having to pay commissions, the suit says, vendors can provide lower inmate telephone call rates to inmates families and friends. Keeping call rates lower promotes inmates contact with family and friends, increasing eventual re-unification and re-entry and reducing recidivism.

But instead of negotiating for lower rates, the department instead asked vendors to compete over providing value-added goods and services that were wholly unrelated to the procurement process.

The lawsuit argues that the Department violated the Florida Constitution because it exercised budgeting and appropriation powers that are exclusively granted to the legislature when it used the procurement process to obtain goods and services that were not allocated by the legislature.

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