Women and Children Call for No Cost Prison Calls and Passage of S.2846

Incarceration Sharply Declines but Prison Budgets Grow and Grow

Advocates and affected people today urged the Massachusetts legislature to pass S. 2846, a bill eliminating the costs for calls between incarcerated people and their loved ones. In a September 3 letter to legislators, a large and diverse coalition advocated for the Legislature to act now. The bill would ensure that families are not driven further into debt and poverty as they pay for calls to stay present in each other’s daily lives, especially as the COVID pandemic takes a devastating economic and human toll.

“We know all too well that when an individual is incarcerated, their entire family and community serves that time as well. As COVID-19 ravages our prisons and jails, many of those behind the wall are relying even more than usual on phone and video calls to stay connected with their families,” said Congresswoman Ayanna Pressley. “Charging families exorbitant fees just to have contact with their loved ones is cruel and unusual, and undermines their very humanity and dignity. We must continue our calls for decarceration now, and Massachusetts must lead by outlawing these predatory fees and affirming the right of every individual to stay in contact with those they love, regardless of their income.”

Advocates sharply dispute the false tradeoff posed by sheriffs between programs for incarcerated people and phone calls with their families. State and county correctional expenditures grew by 6% between FY 2013 and FY 2020, a period during which the population of incarcerated people in the Commonwealth fell by 27%. Spending on basic rehabilitative programs meant to benefit incarcerated people comprises just 4% of the entire correctional budget.

"The Sheriffs and public safety officials have long been able to appropriately allocate dollars to evidence-based programming and practices, including phone calls, a centerpiece of rehabilitation and reentry efforts. Many have chosen, instead, to disproportionately fund more security staff despite declining numbers of people in prison,” said Elizabeth Matos, Executive Director of Prisoners’ Legal Services. “To rely on families, and primarily women, to fund any
programming whatsoever has always been unconscionable and a direct result of corporate prison profiteering. It’s particularly damaging now when women and children in the Commonwealth, especially those of color, are struggling more now than ever."

Families pay $24 million a year to connect with their loved ones, while sheriffs receive kickbacks in the amount of $7.4 million annually from the predatory telecom corporations they contract with. The cost of phone calls functions as a regressive state tax on a small subset of Massachusetts taxpayers. The Sheriffs got over $600 million in the 2020 budget, and the DOC over $712 million.

“I want the legislature to pass this bill because families like mine struggle daily. We love our people and we need to hear their voices,” said Shanita Jefferson, whose mother has been incarcerated at MCI-Framingham for 29 years. “Typically my family spends about 50 dollars a month for phone calls for my mother. The times when we have not been able to afford phone calls have been devastating. Our relationship is extremely important to me especially in this time of uncertainty when we can’t visit and phone calls are all we have.”

“Our reliance on incarceration and our severe under-investment in reentry services perpetuates cycles of poverty and involvement with the criminal justice system, especially for Black and Brown people,” said Boston City Councilor Andrea J. Campbell. “We should be taking bold action to reduce barriers to successful reentry, including eliminating fees for phone calls in our prisons and jails, which place an unreasonable and cruel burden on families trying to maintain relationships with their incarcerated loved ones.”

“Constituents understand that no-cost phone calls are good public policy,” said Mallory Hanora of Families for Justice as Healing. “We know legislators have received many calls and emails from across the Commonwealth in favor of this legislation because all of us understand the very basic need to talk to our loved ones. This is an urgent issue of gender and racial justice, and families can’t afford to wait." Families for Justice as Healing did a Listening Tour where they interviewed 150 women from the most incarcerated corridor in the Commonwealth and 44% of respondents spent more than $50 on phone calls and 1 in 4 women spent more than $100 per month.

The Massachusetts population is approximately 27% people of color, while the population incarcerated by the Department of Correction is 56% Black and Latinx.

“I call my son, daughter, and my mom as much as I can. It's imperative that I am active in their lives. I bond with them, we share, we cry, we laugh, we teach each other, I try my best to parent from afar and let them know just how much I love and need them,” said Lizette Nevarez, a woman who is incarcerated at MCI Framingham. “My mom has underlying medical issues and I always need to check up on her to know that she is okay and taking care of herself. You only have one mom and I love mine. It would mean the world to me if the legislature would approve free phone calls so my mother would no longer be short in paying her bills by sending me money for calls that she can’t afford.”
The advent of COVID-19, and restrictions on in-person visiting, has brought a new urgency to making prison phone calls more accessible. Research demonstrates that family connection is key to reducing recidivism, and thus building strong communities.

After overwhelming support at a public hearing before the Committee on Public Safety and Homeland Security in November 2019, the Committee reported the bill out favorably in May 2020 and referred it to the Committee on Senate Ways and Means. The Committee on Senate Ways and Means also reported the bill out favorably and now it must be brought forward to the floor for a vote.

There are signatories of the letter including legal organizations, family and grassroots groups, judges, and religious organizations. A complete list of signatories can be found here.

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