

Guide to New Low Rates and Consumer Protections for Incarcerated People's Communications Services



April 1, 2025



United Church of Christ
Media Justice Ministry
Faithful Advocacy for Communication Rights

Introduction

The United Church of Christ Media Justice Ministry is proud to share this important consumer guide for incarcerated people, their loved ones, clergy and other advocates. As of April 1, 2025, most of the country should be benefitting from new, federal protections and this guide will help consumers ensure they are receiving those protections.

UCC Media Justice is proud to have played a leading role in helping to pass federal legislation, the Martha Wright-Reed Just and Reasonable Communications Act. This federal legislation regulating phone companies has the power to bring down prices nationwide in one step. At the same time, state and local efforts toward no-cost calling should continue to eliminate communications costs altogether. UCC Media Justice expresses its deep gratitude to the students of Georgetown Law Center's Communications & Technology Law Clinic for their assistance in creating this guide.

The Federal Communications Commission's July 2024 Order implementing the Martha Wright Act brings down costs and increases consumer protections and disclosures for voice calling and video communications for people who are incarcerated and their loved ones. The new regulations substantially lower per-minute rate caps for audio communication services and establish rate caps for video communication services.

These measures apply to communications services for all individuals who are incarcerated, regardless of the length of their detention. The requirements apply to all immigration detention facilities as well as to traditional jails and prisons.

These rules are in effect now, as described below. The courts and the FCC have denied requests to delay these rules any further while lawsuits about the rules are considered. It is possible the FCC may take further action in the future, to find out, visit the FCC at www.fcc.gov and follow UCC Media Justice on our website, www.uccmediajustice.org and social media.

This guide provides a high-level overview of new regulations established in the July 2024 order. For complete details on the regulations discussed below, please see 47 C.F.R. §§ [64.6000-6130](#) (2025).

Table of Contents

What the Rules Require

Overview	1
Consumer Disclosures	2
Ancillary Charges Prohibited	2
Site Commission Charges Prohibited	3

Compliance Deadlines

When Facilities Have to Comply	4
Rate Cap Compliance Date Chart	5

Glossary	6
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Overview: Incarcerated Peoples’ Communications Service Rules

These charts provide a high-level overview of the new regulations. All the rules became effective January 1, 2025, and most facilities in the U.S. must comply with the new rate caps by April 1, 2025, with limited extensions for *rate caps only* extending into 2026.

Domestic Rate Caps		
Facility Type	Voice Calls	Video Calls
Prisons of All Sizes	\$0.06	\$0.16
Large Jails (1,000+)	\$0.06	\$0.11
Med. Jails (350-999)	\$0.07	\$0.12
Small Jails (100-349)	\$0.09	\$0.14
Very Small Jails (0-99)	\$0.12	\$0.25

International Rates	Service providers may only charge the applicable rate cap plus an additional per-country fee that reflects their actual costs. For example, Securus charges a \$0.087 per minute fee to call El Salvador, so the total for a medium-sized jail would be \$0.087 + \$0.07, or \$0.157 (15.7 cents) per minute.
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New Consumer Protections Overview	
Mandatory consumer disclosures	Providers must: 1) post general policies and rates, account management and other terms on publicly-available pages on their websites; 2) send personalized monthly billing statements to all customers. <i>Further details below.</i>
Banned ancillary add-on fees	Providers may no longer charge any additional fees beyond the per-minute rate. <i>Further details below.</i>
Banned site commission payments	Communication companies may no longer make payments to facilities. <i>Further details below.</i>
Accessible services required	Accessible services offered are dependent upon the size of facility and whether or not broadband is available. See: https://www.fcc.gov/research-reports/guides/frequently-asked-questions-faq-communications-services-incarcerated-people

Consumer Disclosures

As of January 1, 2025, every communications service provider must provide two types of disclosures.

1. Service providers **must provide their policies on their public websites**, on any app or platform that consumers use, and on paper upon request. No account or login can be required to view the policies. These disclosures must include:
 - All rates and charges, including international call per-country rates;
 - Account management info including how to manage, fund, and close an account or obtain a refund on any unused account balances;
 - Inactive account balance policies and procedures; and
 - Dropped call policies and procedures.
2. Service providers **must provide each consumer with a personalized billing statement every month**, and a paper copy upon request. Monthly personalized statements must include:
 - Amount of any deposits;
 - The duration, per-minute rate, and total charges for all audio and video communications made on a per-minute basis; and
 - Balance remaining in the account after the deduction of all charges.
3. Providers also **must disclose any ancillary charges and/or site commission fees** until they stop charging these fees.

Ancillary Charges Prohibited

As of January 1, 2025, federal regulations prohibit service providers from charging consumers *any* ancillary charges or fees. **Providers can charge consumers the applicable per-minute rate—and no more.**

Companies **cannot** charge the following:

- Automated payment fees;
- Call fees for collect or other calls billed through third parties;
- Live agent fees for phone payment and account set up;
- Paper bill/statement fees;
- Prepaid account funding minimums and maximums; and
- Third-party financial transaction fees, such as MoneyGram, Western Union, credit card processing fees, and transfers from third-party commissary accounts.

Site Commission Charges Prohibited

Federal regulations now prohibit most service providers from making payments, called site commissions, to carceral facilities—but in some cases the compliance deadline varies.

Site commissions require providers to share their revenues with correctional facilities. According to the FCC, site commissions can include “any form of monetary payment, in-kind payment requirement, gift, exchange of services or goods, fee, technology allowance, product or the like.” Site commissions are problematic because the cost of these payments are usually passed on to consumers through additional charges or higher rates and they do not go toward the cost of providing communications. Eliminating them helps to bring prices down.

For the purposes of calculating the date that providers must comply with the new rate caps, the FCC treats site commissions which are negotiated in a contract between a facility and a provider differently from site commissions that are mandated by state or local law.

Under the FCC's new rules, negotiated site commissions are prohibited as of January 1, 2025. Legally mandated site commissions are prohibited as of July 1, 2025.

As explained in the rate cap compliance chart below, *negotiated* site commissions are treated like other contract terms that cause rates in excess of the cap. The FCC permits an extension for those terms for one year under certain conditions.

Similarly, the FCC granted an extension, to April 1, 2026, to site commissions mandated by state or local law that are in contracts that existed before June 27, 2024 and expire on or after July 1, 2025.

Companies must disclose any site commission fees they charge. If customers are paying fees above the rate caps, we recommend checking a monthly bill or company web site to see whether the company discloses adding site commissions to the rate.

When Facilities Have to Comply with Rate Caps

There is no single uniform compliance deadline for the new rate caps—all the other consumer protection rules are in place now. The following page includes a chart to explain the deadlines.

Compliance deadlines *for rate caps* depend on several factors.

- The **type of facility** (prison or jail) and the **average daily population** (ADP) of the facility. Prisons and jails over 1,000 ADP must comply earlier (by January) than jails with 999 ADP or less (by April).
- Whether the contract is new—specifically whether the contract **existed before June 27, 2024**.
 - **New contracts must comply fully.**
 - **Contracts that automatically renew before January 1, 2025, must comply fully.**
 - Contracts that existed before June 27, 2024 and expire after January 1, 2025, for prisons and jails over 1,000 ADP, and April 1, 2025 for all other facilities, have an additional year to comply (to January or April 2026, respectively) if they contain rates that are higher than the caps because of rates, passthrough charges or negotiated site commissions.
- Whether the facility includes **site commission payments that are required by state or local law**. The FCC gave extra time, **until July 1, 2025, for state or local legislators to change their laws**. Contracts that existed before June 27, 2024 and expire on or after July 1, 2025, have until April 1, 2026 to comply.
- Whether the prior contract includes provisions that automatically comply with changes in law or regulation—these are often called “change of law” provisions. **If a contract has an applicable change of law provision, the provider must comply now**. These provisions are very common. Advocates should review contracts for change of law provisions if their provider is charging rates over the caps.

Please see the chart on the next page detailing the compliance schedule.

Rate Cap Compliance Date Chart

	Rate Compliance Deadline: All Prisons and Large Jails (ADP ≥ 1,000)	Rate Compliance Deadline: Smaller Jails (ADP ≤ 999)
General Rule Contracts that expire or renew before January 1, 2025 or include change of law provisions.	January 1, 2025	April 1, 2025
<i>Exception</i> for prisons and jails 1000 ADP and larger where contract: <ul style="list-style-type: none"> • Existed before June 27, 2024; • Expires on or after January 1, 2025; and • Contain rates, a negotiated site commission or passthrough charges in conflict with the rate caps. 	The <i>earlier</i> of the contract expiration date or January 1, 2026	
<i>Exception</i> for jails 999 ADP and smaller where contract: <ul style="list-style-type: none"> • Existed before June 27, 2024; • Expires on or after April 1, 2025; and • Contain rates, a negotiated site commission or passthrough charges in conflict with the rate caps. 		The <i>earlier</i> of the contract expiration date or April 1, 2026
<i>Exception</i> , if a contract: <ul style="list-style-type: none"> • Includes a <i>legally mandated (not negotiated)</i> site commission. 	July 1, 2025	July 1, 2025
<i>Exception</i> where contract: <ul style="list-style-type: none"> • Includes a <i>legally mandated (not negotiated)</i> site commission; • Existed before June 27, 2024; and • Expires <i>on or after</i> July 1, 2025. 	The <i>earlier</i> of the contract expiration date or April 1, 2026	The <i>earlier</i> of the contract expiration date or April 1, 2026

Glossary

Average Daily Population (ADP)

A facility's average daily population represents the average number of incarcerated individuals present on any given day throughout the year. The FCC calculates this figure by adding the total number of incarcerated individuals present in the facility for each day of the previous calendar year divided by the number of days in that year. This calculation is done every year and is completed on or before April 30. Some facilities may post their population numbers or lists of persons in custody on their websites. State government websites may also provide jail or prison population reports.

Change of Law Provision

A change in law provision is a term in a contract that states what happens if a governing body passes laws or regulations that affect the terms of the contract, such as the rate caps used for communications services. The change in law provision can automatically require compliance with new laws, or require renegotiation when laws change.

A change in law provision could say, for example, "the terms and conditions of this Agreement will be subject to any and all changes in applicable law."

Jail

Facilities are "jails" under the regulations if they meet two conditions:

1. Are any of the following:
 - Of a local, state, or federal law enforcement agency;
 - Contractually operated by a private company;
 - Privately owned and operated;
 - A juvenile detention center; or
 - A secure mental health facility.
2. Are used primarily to hold individuals who are any of the following:
 - Awaiting trial,
 - Incarcerated for one year or less, or
 - Awaiting transfer to another facility.

This includes all immigration detention facilities, including every facility operated by, or pursuant to a contract with:

- Immigration and Customs Enforcement (ICE);
- Customs and Border Protection (CBP);
- The U.S. Marshals Service (USMS); or
- Any other federal, state, city, county, or regional authority.

Prison

Facilities are “prisons” under the regulations if they meet three conditions:

1. Operated by a territorial, state, or federal agency;
2. Used primarily to hold individuals convicted of felonies; and
3. Hold individuals for more than one year.

This includes:

- Facilities owned or operated by public and private contractors, and
- “Jails” where the majority of incarcerated people are post-conviction and incarcerated for more than one year.

Site Commission

A “site commission” is any form of monetary payment, in-kind payment, gift, exchange of services or goods, fee, technology allowance, or product from a provider to a carceral facility. For the purposes of calculating the date that providers must comply with the new rate caps, the FCC treats site commissions which are negotiated between a facility and a provider differently from site commissions that are mandated by state or local law.