

Jenner & Block's Efforts Lead to Groundbreaking FCC Order Reforming Abusive Practices and Eliminating Unreasonable Rates for Incarcerated People

News

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After a decades-long effort, a Jenner & Block team helped secure an order from the Federal Communications Commission (FCC), lowering rates and prohibiting fees for Incarcerated People's Communications Services (IPCS) in carceral facilities.

The order, adopted on July 18, is the FCC's first step in implementing the Martha Wright-Reed Just and Reasonable Communications Act of 2022, which authorizes the FCC to regulate prices and fees for any audio or video call made by an incarcerated person. This includes reducing the maximum rate that can be charged to incarcerated people for voice calls by more than half and establishing the first interim rate caps for video calls.

"We applaud the FCC for taking this important and monumental action. This order serves as a transformative win for incarcerated people and their loved ones who for far too long have had to grapple with outrageous IPCS rates," said Rebekah P. Goodheart co-chair of the firm's Communications, Internet, and Technology Practice who led the team representing the Wright Petitioners. "Thanks to the relentless advocacy of various groups and civil rights organizations, much-needed relief will be provided."

The team represented the Wright Petitioners, named after the late Martha Wright, as one of the advocacy groups and civil rights organizations urging the FCC to reform audio and video rates and fees. Rebekah has worked on this issue for over ten years and Special Counsel Gregory R. Capobianco has worked on it for nearly seven years.

Jenner & Block retained The Brattle Group on a pro bono basis to provide independent analyses of phone calling rates, which were referenced extensively by the FCC's order.

"After more than a decade refuting the carrier's inflated cost analyses, incarcerated people and their loved ones will finally pay rates to talk to each other that are related to the costs of providing service," said Brattle Principal Coleman Bazelon.

The Jenner team also included Of Counsel Eric Einhorn, Associates Dagny Lu and Christian Hatten, Practice Assistant Beth Gulden, and Senior Paralegal Cheryl Olson.

The Benton Institute for Broadband & Society acknowledged the team's work on this case in a release, referring to them as "relentless public interest advocates" that "paved the way for today's action."

"Lives will be better because of their contributions," they added.

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