

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
BEFORE THE IOWA UTILITIES BOARD

IN RE:	
SECURUS TECHNOLOGIES, INC.	DOCKET NO. TF-2019-0033

**COMMENTS**

The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, responds as follows to the comments and revised tariff sheets filed April 1, 2021, by Securus Technologies, Inc. (Securus).

**Revised tariff sheet 15. Prepaid calling cards.**

1. OCA adheres to the view that unused funds on calling cards should be refunded at the time of release, that the ability to use such cards after release is worthless unless the inmate is again confined, that it is not unreasonable to expect whoever is selling the cards to keep such records as are necessary to support the refunds, and that the Board would be well within its authority to require Securus and the correctional facility to include provisions for such refunds in the arrangements between them. *See* OCA Comments, Feb. 16, 2021, at 3-4. Such refunds would largely eliminate the need for the correctional facility to remit abandoned funds to the state.<sup>1</sup>

**Revised tariff sheet 18. “AdvanceConnect” Accounts.**

2. OCA adheres to the view that the refund of unused funds at the time of release, as with “Prepaid Debit Accounts” and “Securus Debit Accounts” per revised tariff sheets 16 and 17, is superior to “suspending” an account after 90 days and “closing” the account after 180

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<sup>1</sup> The analogy to a disposable camera is inapt both because the camera is sold in a competitive, not a monopolistic, market, and because the camera, unlike the calling card, is an independent product. *See* Securus at 5-6 n. 9.

days, while affording the account holder an “open-ended” opportunity to request a refund after the account is “closed,” as with “AdvancedConnect” Accounts per revised tariff sheet 18. *See* Securus Comments at 4. The latter practice promotes the forfeiture of funds that account holders have forgotten. OCA does not agree that the “impermanent deactivation” of the account permanently stops any triggering of Securus’s obligation to remit abandoned funds to the state. *See* Securus Comments at 4. At some point, if left unclaimed, the funds would have to be regarded as abandoned.

**“AdvanceConnect” Single Calls.**

3. In the order dated March 2, 2021, the Board found Securus’ single call script cumbersome but reasonable. Although “at this time” declining OCA’s suggestion that the \$3.00 automatic payment fee be lowered for single calls, the Board questioned Securus’s reference to a “one-time transaction fee of [Y]” and directed an explanation. Order at 8-9.

4. Securus responded:

The AdvanceConnect Single Call call flow script that Securus provided to The Prison Policy Initiative . . . reflected the general call script used by Securus at correctional facilities throughout the United States. With regard to the statement “This call will cost [X] cents per minute plus any applicable federal, state, and local taxes, plus a one-time transaction fee of [Y]”, “Y” is the automated funding fee applicable to the specific correctional facility. There are correctional agencies (particularly large county jails and state departments of correction) that negotiate or require lower caps on ancillary service charges and (including a lower automated funding fee). As a result, Securus’ general call flow script uses a variable (i.e., “Y”) rather than a specific amount for the automated funding fee, which for Iowa correctional facilities is the tariffed \$3.00.

Securus Comments at 7.

5. The fact that some correctional agencies have negotiated or required a lower automated funding fee for single calls provides additional support for OCA's suggestion that Iowans should have the benefit of a lower automated funding fee for single calls.

WHEREFORE, OCA suggests that the foregoing issues merit further attention.

Respectfully submitted,

Jennifer C. Easler  
Consumer Advocate

/s/ Craig F. Graziano

Craig F. Graziano  
Attorney

1375 East Court Avenue  
Des Moines, IA 50319-0063  
Telephone: (515) 725-7200  
E-mail: [IowaOCA@oca.iowa.gov](mailto:IowaOCA@oca.iowa.gov)

OFFICE OF CONSUMER ADVOCATE