

Senate Bill No. 1978

Passed the Senate August 31, 2000

Secretary of the Senate

Passed the Assembly August 29, 2000

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2000, at _____ o'clock ____M.

Private Secretary of the Governor



CHAPTER _____

An act to add Section 10108.8 of the Public Contract Code, relating to correctional institutions.

LEGISLATIVE COUNSEL'S DIGEST

SB 1978, Hayden. Department of Corrections: telephone service contracts.

Existing law imposes specified procedural and substantive content requirements on contracts entered into by state agencies, including the Department of Corrections.

This bill would state findings and declarations of the Legislature with regard to the availability and cost of telephone services to inmates within the custody of the Department of Corrections and wards of the California Youth Authority, and their families and loved ones, and would provide that any contract to provide telephone services to wards of the Department of the Youth Authority or to inmates in state prisons shall be negotiated and awarded in a manner to provide for the lowest reasonable costs to wards and inmates, and their families and loved ones, and to pay for any expenses of the Department of Corrections and the Department of the Youth Authority, as well as for the reasonable costs of the Department of General Services for establishing and administering any necessary telephone contract, and profits to these departments or the state shall not be a basis for awarding a contract.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares the following:

(a) The California prison system is comprised of 33 institutions that are often located in remote locations, making it difficult for family and friends to visit inmates.

(b) Studies, advocates, and incarceration experts have concluded that inmates who remain in contact with



family and loved ones are less likely to pose a threat to prison staff or to reoffend once released.

(c) Collect phone calls are often the only means by which the more than 160,000 inmates confined in the California prison system can directly communicate with family, friends, and loved ones.

(d) The State of California contracts with vendors through a prescribed bidding process to provide telephone service to prisons while maximizing its economic return through telephone concessions agreements.

(e) Billing rates for collect telephone calls from prisons include a 33- to 43-percent commission beyond the provider's costs, which in 1998 generated \$16 million for the General Fund of the state.

(f) The excessive rates resulting from the state commission for collect telephone calls made from prisons makes it difficult, if not impossible, for inmates to remain in regular contact with family members and loved ones.

(g) Therefore, it is the intent of the Legislature to assure that affordable telephone services are available for inmates within the custody of the Department of Corrections and wards of the California Youth Authority, and their families and loved ones.

(h) In assuring affordable telephone service as specified, it also is the intent of the Legislature to assure that any awarded contract allows for full recovery of the vendor's costs in performing the terms and conditions of the contract and a reasonable margin of profit.

SEC. 2. Section 10108.8 is added to the Public Contract Code, to read:

10108.8. Any contract to provide telephone services to wards of the Department of the Youth Authority or to inmates in state prisons shall be negotiated and awarded in a manner to provide for the lowest reasonable costs to wards and inmates, and their families and loved ones, and to pay for any expenses of the Department of Corrections and the Department of the Youth Authority, as well as for the reasonable costs of the Department of General Services for establishing and administering any necessary



telephone contract, and profits to these departments or the state shall not be a basis for awarding a contract.



Approved _____, 2000

Governor

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