



LEGAL AID ONTARIO
AIDE JURIDIQUE ONTARIO

JohnHoward
SOCIETY OF ONTARIO

September 13, 2017

Honourable Marie-France Lalonde
Minister of Community Safety and Correctional Services
18th Floor, George Drew Building
25 Grosvenor Street
Toronto, Ontario
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Dear Minister Lalonde,

Re: Cost of Inmate Telephone Communications

Legal Aid Ontario (LAO) and John Howard Society of Ontario (JHSO) are concerned about the high cost of telephone communication by prisoners in Ontario's correctional institutions operated by the Ministry of Community Safety and Correctional Services (MCSCS). We have followed recent news coverage of this issue and note that this is not the first instance where our organizations have raised concerns over the cost of phone calls in Ontario's correctional facilities.

Ministry policy requires telephone calls made by inmates in Ontario institutions, with few exceptions, to be collect calls¹, meaning that a collect call represents virtually the only telephone access that prisoners have. Our understanding of rates is that, although the rate at each institution varies, the average cost for a twenty-minute long-distance phone call is \$20.50 and international calls, if allowed, are even more expensive. The cost of these calls are often passed along to families, lawyers, and service providers. Our position is that high and unfair rates are impacting some of the province's most vulnerable and marginalized individuals.

Given that telephone contact is the primary contact that prisoners are able to have with persons outside of their institutional environment, LAO and JHSO believe that the issue

¹ Ontario Ministry of Community Safety and Correctional Services Policies and Guidelines, *Inmate Telephone Communication*, online:
<<http://www.mcscs.jus.gov.on.ca/english/Corrections/Policiesandguidelines/CorrectionsInmateTelephoneCommunication.html>> [*Inmate Telephone Communication*].

of telephone access is very important. Prisoners often have ongoing or newly arising legal issues which require them to have contact with their lawyers. Concerns about the high cost of telephone communications with prisoners have been raised to LAO by legal aid service providers and other stakeholders who interact with prisoners. The cost, which can exceed LAO's disbursement guidelines for telephone expenses, has been identified as a barrier to communication and the provision of legal services to LAO clients.

Research demonstrates that social ties – visitation and other contact between prisoners and family, loved ones, their lawyers, service providers - do have an impact on recidivism.² In addition to psycho-social benefits, contact between prisoners and families helps the prisoner maintain crucial support systems that will help the individual upon release back into the community. Notably, the *Inmate Telephone Communication* policy that is posted on the MCSCS website recognizes that “communication between inmates, family members and members of the community is important for their rehabilitation and successful reintegration into society”³.

Imposing an unreasonably high cost on an inmate's only line of communication to his or her lawyer, family, or the outside world effectively prevents prisoners from engaging in this important contact, placing them disproportionately at risk of mental health issues, failed rehabilitation, and disenfranchisement. Especially troubling is that Ontario's remand population (67% of provincial inmates, according to Statistics Canada⁴) are subject to the same phone costs, meaning that those who are presumed innocent are still effectively isolated from legal and emotional supports.

LAO and JHSO recognize the steps already taken by the Ministry in consideration of potential remedies to this situation at Ottawa Carleton Detention Centre (OCDC), including a free weekly phone call to OCDC inmates who were transferred across the province to Central East Correctional Centre, and a calling card study much like the one

² Bales, W and Mears, D. (2008). “Inmate social ties and the transition to society.” *Journal of Research in Crime and Delinquency* 45(3). In one study, women who reported having phone contact with family during incarceration were significantly less likely to be incarcerated within 5 years of release. See Barrick M, Lattimore P, and Visser C (2014). “Re-entering women: the impact of social ties on long-term recidivism.” *The Prison Journal* 94(3). Prison phone calls from family have also been shown to reduce rule violations while incarcerated see Jiang, S and Winfree, LT (2006). “Social support, gender, and inmate adjustment to prison life: Insights from a national sample.” *The Prison Journal*, 86.

³, *Inmate Telephone Communication*, online:

<<http://www.mcscs.jus.gov.on.ca/english/Corrections/Policiesandguidelines/CorrectionsInmateTelephoneCommunication.html>>.

⁴ Statistics Canada, Adult correctional statistics in Canada, 2015/2016, online: < <http://www.statcan.gc.ca/pub/85-002-x/2017001/article/14700-eng.htm> >.

piloted by Canada Border Services Agency (CBSA).⁵ LAO and JHSO encourage the Ministry to adopt fair and evidence-informed initiatives, such as free weekly calls, at all facilities across Ontario, as the cost of phone calls is a systemic issue that impacts all inmates across the province. We further note that Ministry is in discussions with the telecom services provider for correctional institutions.⁶ We encourage the Ministry to share the results of these discussions, and to continue to pursue conversations with telecom services providers until a fairer rate is agreed upon.

LAO and JHSO would ask that the Ministry consider further widespread and sustainable changes to improve the situation for prisoners and their families who want and need to maintain affordable telephone contact. Whether it's families or incarcerated individuals contacting John Howard Society offices to ask what can be done, or offices having to pay very high phone bills, there are real human and organizational impacts of the high cost of phone calls.

Thank you for your consideration of the concerns raised in this letter. We would be happy to meet with you to further discuss these concerns and our recommendations. Should you have any questions please do not hesitate to contact us.

Sincerely,



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⁵ Ministry of Community Safety and Correctional Services, "Ottawa-Carleton Detention Centre Task Force Recommendations - Progress Report #2" Online:

<<https://www.mcscs.jus.gov.on.ca/english/Corrections/OttawaCarletonDetentionCentreTaskForce/OCDCTaskForceProgressReport2.html>>

⁶ *Ibid.*