

Dauphin County made millions on jail phone calls and spent it on staff perks, contractors

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For nearly a year, Judi LaVia Jones's son was incarcerated in Dauphin County Prison.

Each month, she said she put \$400 to \$500 in his account. It wasn't an expense Jones wanted, but it was the only way to stay in touch with him.

That's because the jail phone and email systems are operated by for-profit companies that charge fees for their use and pay hefty commissions to the county.

Each phone call from the jail costs more than \$3. There are additional fees for video calls, emails, voicemails and multimedia messages. The county began giving incarcerated people access to tablet computers — similar to iPads — in 2019, arguing it would help them stay connected to family and provide more access to books and movies.

Since then, Dauphin County has collected \$3.4 million in commissions from phone calls and tablet use. The money was put in a jail fund that is supposed to go towards the operation of the jail and to benefit the people incarcerated there.

A review of spending records by PennLive, however, found much of the money collected by the county from these calls has gone to benefit jail staff, and to pay outside contractors and vendors.

"This is why my heart breaks," Jones said. "Our family could afford to pay for our son to call me, to call his son...but so many other inmates' families cannot afford that. That's because of the fees they charge and the amount of money it cost. It's unbelievable."

The county spent nearly \$300,000 between 2019 and 2021 to purchase gun range memberships to 717 Armory for prison staff, the sheriff's department, the district attorney's criminal investigation division, and probation and parole.

In total, the county twice purchased more than 480 annual memberships. The jail had fewer than 300 full-time employees.

The memberships cost \$299 per person and are far more expensive than other gun ranges in the area, some of which cost as little as \$35 a year.

The county did not provide range memberships to staff prior to 2019 or after 2021 and refused to answer questions about how 717 Armory was selected.

Since 2019, the county has also spent more than \$160,000 to purchase new uniforms for corrections officers, including more than \$35,000 for long-sleeved uniforms. Another \$35,000 was spent on upgrades and improvements to the Sheriff's Department holding cells and benches at the county courthouse.

County officials refused to answer questions as to why the jail was paying for upgrades and maintenance of another county department.

The county spent more than \$9,000 on employee-appreciation meals, \$13,000 on office furniture, and nearly \$3,000 on fitness trackers so corrections officers could participate in the county's Wellness Program.

County spokesman Brett Hambright defended the perks for staff, contending that the current job market makes it difficult to retain employees.

Another \$74,000 was spent on new vehicles — \$32,000 for a John Deere Gator for use on the jail grounds and \$42,000 for a truck with a snowplow.

Incarcerated people and their loved ones also paid for investigations into the deaths of two people at the jail and an investigation into allegations of inappropriate behavior by former Director of Corrections Brian Clark.

In October 2021, the county spent \$3,000 out of the jail fund to purchase a new refrigerator for the staff break room but did not replace or repair the faulty refrigerator in the kitchen for those held in the jail.

Between January 2019 and December 2021, one month before Jamal Crummel died in the jail after twice developing hypothermia while he was housed on the M block, the county collected nearly \$2.7 million in commissions. None of that went to renovate the aging HVAC system.

While the county has long acknowledged it needs to make significant investments to properly heat and cool the jail, it was not until two months ago that the county allocated any money from the jail fund — \$502,000 - to make repairs. That's enough to provide heat directly to 28 cells on the L and M blocks rather than rely on heating elements in the hallway to provide warmth to the closed cells.

That one allotment for HVAC repair was more than the amount taken from the jail fund for repairs around the jail in the two previous years combined.

Nearly \$300,000 is expected to be spent out of the jail fund to hire former Pennsylvania Secretary of Corrections John Wetzel as a consultant to help fix problems at the jail and update policies and procedures.

When the county announced its contract with Wetzel in October 2021, officials said spending would be capped at \$175,000 and would run through April 2023. Instead, commissioners quietly expanded his role last year, granting him an additional \$112,000 beyond what he was initially paid.

Hambright listed Wetzel's contract as one of the items paid for from the jail fund that would benefit those who are incarcerated.

"Special Advisor Wetzel has introduced and overseen a number of initiatives at the heart of the overall efforts to reform and improve conditions for inmates, staff, and visitors at the prison," Hambright said. But he did not provide details about those initiatives.

Other spending from the jail fund that Hambright said benefited incarcerated people is the purchase of body cameras for corrections officers, which is expected cost nearly \$800,000 over five years, and building a fenced-in area for \$300,000 so those in the jail can have time outside.

Hambright also said incarcerated people receive two free video calls each month.

All of this spending was done “without additional expense to the taxpayer” since it was paid from the jail fund, he said.

This is a line often used when the county talks about spending money from the jail fund.

“I am a taxpayer,” Jones said. “I live in Dauphin County. I’m just appalled to think that they say they’re doing this to save the taxpaying citizens money.”

The same line could be said about every dollar spent from the jail fund that does not go to essential services: That is a dollar that has to come from somewhere else.

“The money could have done so much good, instead it’s going to guards, outside agencies and for things like firing ranges,” Alexandra Morgan-Kurtz, managing attorney for the Pennsylvania Institutional Law Project, said. “It’s just benefits that they’re providing to staff instead of ensuring that the basic needs of the people they’re responsible for are met.”

Most counties in the state rely on third-party vendors, such as ViaPath - formerly Global Tel*Link - Dauphin County’s vendor, to provide phone and internet service inside jails. However, they do not all spend the money collected from those contracts the way Dauphin County does.

“If it doesn’t benefit [incarcerated people], I’m not going to spend it,” Cumberland County Warden Travis Shenk said about commissions his jail collects. “No disrespect to my people across the river but I’m not going to go get gun club passes for staff. I’m not going to do that.”

Shenk said the county, which also contracts with ViaPath, has always maintained that money collected from phone call commissions needs to be spent in a way that benefits people in the jail.

During the height of the COVID-19 pandemic, when in-person visits were cut off, Shenk said the county used phone commission money to provide no-cost video visits for incarcerated people.

Each year, the county provides a holiday package to the people in the jail with gifts like socks, treats and some basic necessities. Those are paid for with money from phone-call commissions.

Shenk said the county purchased a body scanner with the money, something Dauphin County also did. That helps prevent contraband from entering the jail and allows the work release program to operate more smoothly.

“This business is to take care of [incarcerated people] not make money to take care of other things,” he said. “If the money is for the inmates, it needs to be for them.”

There are no legal restrictions on how the money can be used by counties. However, Dauphin County describes the jail fund as restricted for the “county prison and inmate benefit,” according to county financial documents.

Dauphin County receives a nearly 82 percent commission on all phone calls and a 20 percent commission on all money spent on tablet computers for the purchase of email, video visits and multimedia items.

The contract with ViaPath is so lucrative that the county is guaranteed to receive a minimum payment of more than \$53,000 each month.

Cumberland County receives a 20 percent commission from revenue from tablet use but only three cents per minute from phone calls. The county is not guaranteed a minimum commission each month, Shenk said.

A 15-minute call from Cumberland County costs less than \$2.50, about 25 percent less than Dauphin County.

Hambright initially told PennLive that Dauphin County charges rates below what is “mandated by the FCC.” The FCC does not mandate rates but instead places a cap on the maximum amount companies can charge for out-of-state phone calls. That cap is 21 cents per minute, which is what Dauphin County charges.

The FCC currently does not cap in-state phone calls, video calls or on what is charged to send and receive digital communications, such as email. However, Congress recently passed the Martha Wright Phone Justice Act giving the FCC the authority to regulate in-state phone and video calls.

When pressed on this by PennLive, Hambright said the county’s rates are “within the FCC mandate parameters.”

Only nine counties in Pennsylvania charge more for in-state phone calls from jail than Dauphin County. A call from the Dauphin County jail costs more than three times as much as a call from a state prison.

It costs a person in Dauphin County Prison 25 cents to send a written message on tablet computers. Messages that include a photo have an additional 50-cent charge and videos add another \$1 to the message cost.

That difference in price between Cumberland and Dauphin counties can be significant, given that incarcerated people often make less than 25 cents per hour. A single phone call can cost more than a day’s work.

“You’re looking at roughly 12 to 13 hours of work to be able to make a 15-minute phone call,” Su Ming Yeh, executive director of the Pennsylvania Institutional Law Project, said. “That’s like the equivalent of \$100 to make a 15-minute phone call outside of jail. So, that’s very difficult for people and as a result, families are the ones who are supporting their loved ones inside.”

For much of the last two years, phone calls and video visits were largely the only way people in jail could stay connected with the outside world and, in some cases, to people outside their cells. Most facilities cut off visits in 2020 to help prevent the spread of COVID-19 and restricted incarcerated people to their cells for more than 23 hours a day.

This was a financial boon for Dauphin County.

The commissions they got averaged a little more than \$55,000 per month in the six months before the pandemic. In the six months after, the average commission jumped to nearly \$70,000 and has only fallen below \$80,000 twice since the beginning of 2021.

The county has brought in more than \$100,000 per month at least seven times during that time frame.

Morgan-Kurtz said that she feared jails across the country will now become more reliant on money extracted from people who are locked up or their relatives.

“This money should be going to providing services for people and meeting necessary needs of incarcerated people,” she said. “It’s the county’s responsibility to pay for that and fund the jails and take care of the people who are incarcerated. They should bear the burden of that cost more so than the family members of incarcerated people.”

Incarcerated people and their loved ones — like Jones — have little choice but to pay or lose contact for months or years.

“It’s a money-making business,” Jones said. “When I look at the amount of money we spent. It was our only lifeline because [during COVID] there was no visitation.”