



Franklin County Board of
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Franklin County Sheriff Zach Scott
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December 5, 2011

Re: Jail fee proposal

Dear Council Members and Sheriff Scott,

According to an article in the *Columbus Dispatch* dated November 30, 2011, Sheriff Scott has proposed, and the Board of Commissioners has approved, a policy requiring inmates at the Franklin County Jail to pay a reception fee. We urge you to reconsider this proposal, as there are numerous problems with this plan.

Oftentimes, county officials adopt these plans to generate revenues, yet they tend to yield little long-term savings. Officials in Clermont and Medina counties have ended similar programs after they found the programs problematic to administer, more red tape than is fiscally sound, and concluded that the idea sounds better on paper than in implementation.

Most importantly, this policy will have a greater adverse impact on financially disadvantaged inmates. While \$40 may seem like a nominal amount to some, many Franklin County residents are unable to afford it. Reportedly, money will be automatically removed from inmates' commissary accounts without any inquiry into an inmate's ability to pay or financial status. This policy will pose a financial hardship for the most destitute inmates in the Franklin County Jail and their families.

Proponents may argue that commissary accounts are optional, and that the items inmates can purchase are luxuries. However, jails have begun to charge for more than just extra items, including items that may have a significant impact on inmates' well-being and rehabilitation. For instance, the Franklin County Jail charges for materials like writing instruments, paper, postage, and envelopes, which are essential for the prisoners to maintain contact with their families. The Franklin County Jail also charges inmates for use of the telephone, which certain inmates will not have the funds for after they are charged reception fees.

The ability to regularly communicate with family members helps inmates maintain positive attitudes, and helps keep them focused on successfully

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transitioning out of jail and back into society. According to the Urban Institute's 2008 report on re-entry after jail, "The family serves a vital role for people returning from jail, providing housing, emotional and financial support, and employment networks. Positive family connections may be a key factor in preventing recidivism and relapse. Accordingly, allowing family visits and encouraging ongoing contact can have a substantial impact in the transition process."¹

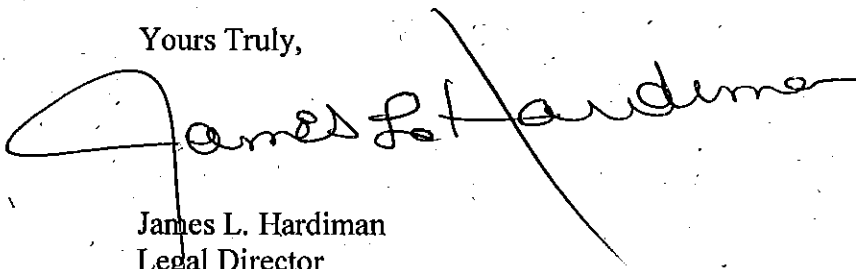
Those who are incarcerated are unable to work and provide financial assistance to family members. Oftentimes, low-income families that live paycheck to paycheck are thrown into additional financial uncertainty when a loved one is jailed because they have lost a reliable stream of income. Family members typically supply funds for an inmate's commissary fund, and the additional financial burden imposed by the reception fee will be too much for the most vulnerable families.

Leaders around the state have begun to focus on alleviating our over incarceration problem and work toward successfully reintegrating prisoners back into society. Pay-to-stay fees are contrary to these goals and miss the mark of addressing the real problem—far too many people are housed in county jails. We urge you to focus on initiatives that will reduce the number of people incarcerated in Franklin County Jail to achieve better financial and social results, rather than focusing on programs to unnecessarily punish the poorest residents.

The enclosed report, *In for a Penny: The Rise of America's New Debtor's Prisons*, online at www.acluohio.org/issues/CriminalJustice/InForAPenny.pdf, provides several examples from communities across Ohio of how fee schemes like this are ineffective and, in the end, too costly to maintain. There is a section specifically on pay-to-stay programs on page 27 that highlights the costly results of a similar program in Hamilton County.

Should you have any questions or wish to discuss this further, I can be reached at (216) 472-2220 or contact@acluohio.org.

Yours Truly,



James L. Hardiman
Legal Director

¹ Urban Institute, "Life After Lockup," http://www.urban.org/UploadedPDF/411660_life_after_lockup.pdf; page 39.