



Free markets. Real solutions.

R STREET POLICY STUDY NO. 203  
September 2020

## HOW TECHNOLOGY CAN STRENGTHEN FAMILY CONNECTIONS DURING INCARCERATION

By Diane Cheng, Arthur Rizer and Nila Bala

### INTRODUCTION

Marcus Bullock was 15 years old when he was sentenced to prison.<sup>1</sup> He struggled with his time behind bars—missing his family, feeling disconnected from the outside world and losing hope. After he became depressed, his mother Sylvia promised to keep in touch daily. Her detailed letters and photos curbed Bullock’s loneliness and helped him envision life after prison. In Bullock’s words: “Little did I know, it would be my mom’s letters that saved my life.”<sup>2</sup> Sylvia’s frequent communications gave him the strength to survive his incarceration, start a successful contracting business and

1. Marcus Bullock, “An app that helps incarcerated people stay connected to their families,” *TED Salon: The Macallan*, June 27, 2019. [https://www.ted.com/talks/marcus\\_bullock\\_an\\_app\\_that\\_helps\\_incarcerated\\_people\\_stay\\_connected\\_to\\_their\\_families](https://www.ted.com/talks/marcus_bullock_an_app_that_helps_incarcerated_people_stay_connected_to_their_families).

2. *Ibid.*

### CONTENTS

Introduction	1
The Importance of Family Connections During Incarceration	2
Traditional Options for Family Connections	3
In-person Visitation	3
Postal Mail	4
Phone Calls	5
Newer Technological Options	5
Electronic Messages	6
Video Visitation	7
Tablets	8
Mobile Applications and Other Web-based Services	9
Policy Recommendations	11
Prevent Technology from Supplanting In-person Visitation	11
Remove Barriers to Traditional Communication Options	11
Make Technological Options for Family Connection More Accessible	12
Improve the Quality of Technological Options for Family Connection	12
Conclusion	13
About the Authors	13

launch Flikshop, a company that uses technology to help inmates stay connected with their families and loved ones.<sup>3</sup>

Bullock’s story demonstrates the importance of family connections for people who are incarcerated. In 2018, more than two million individuals were incarcerated in jails and prisons across the United States.<sup>4</sup> However, the impact of incarceration is felt by millions more through the children, spouses, siblings, parents and other relatives connected to incarcerated individuals. Recent research suggests that nearly half of adults in the United States have had an immediate family member incarcerated for at least one night in jail or prison.<sup>5</sup> Almost half of the inmates in federal prisons have minor children.<sup>6</sup> Additionally, about one in 25 children (nearly 2.6 million) have a parent in jail or prison.<sup>7</sup> Incarceration separates parents from their children, strains interpersonal relationships, harms mental and physical health and exacts

3. Jillian Canning, “From Maximum Security Prison to CEO, Marcus Bullock is Leveraging Data to Fight Recidivism,” *Forbes*, Dec. 13, 2019. <https://www.forbes.com/sites/jilliancanning/2019/12/13/from-maximum-security-prison-to-ceo-marcus-bullock-is-leveraging-data-to-fight-recidivism/#6857774d4db5>.

4. Bureau of Justice Statistics, “Prisoners in 2018,” U.S. Dept. of Justice, April 2020, p. 1. <https://www.bjs.gov/content/pub/pdf/p18.pdf>; Bureau of Justice Statistics, “Jail Inmates in 2018,” U.S. Dept. of Justice, March 2020, p. 1. <https://www.bjs.gov/content/pub/pdf/ji18.pdf>.

5. Brian Elderbroom et al., “Every Second: The Impact of the Incarceration Crisis on America’s Families,” FWD.us, December 2008, p. 24. <https://everysecond.fwd.us/downloads/EverySecond.fwd.us.pdf>.

6. Bureau of Justice Statistics, “Data Collected Under the First Step Act, 2019,” U.S. Dept. of Justice, March 2020, p. 4. <https://www.bjs.gov/content/pub/pdf/dcf19.pdf>.

7. Bryan L. Sykes and Becky Pettit, “Mass Incarceration, Family Complexity, and the Reproduction of Childhood Disadvantage,” *The ANNALS of the American Academy of Political and Social Science* 654:1 (June 9, 2014), p. 128. <https://doi.org/10.1177/0002716214526345>.

deep financial costs to families.<sup>8</sup> Further, incarceration has a disproportionate effect on communities of color and low-income families. For example, Black adults are three times as likely as white adults to have a close family member incarcerated for more than one year.<sup>9</sup>

As Bullock's story shows, positive family connections during incarceration are critical for an inmate's wellbeing, their likelihood of successful re-entry after time served and the overall strength of their family. Technology can help families stay connected, but the cost, accessibility and quality of current options often pose barriers to meaningful interaction. The COVID-19 pandemic presents further challenges for family connection within correctional facilities, but also an opportunity to improve existing infrastructure via technology. If done right, improvements to both technological and non-technological options for family connection would ultimately benefit incarcerated individuals, their families and their communities at large.

## THE IMPORTANCE OF FAMILY CONNECTIONS DURING INCARCERATION

Decades of research have demonstrated the importance of connection for the wellbeing of inmates and their families.<sup>10</sup> Positive and continued connections with family are also critical to successful re-entry, which ultimately promotes public safety.

Families can provide crucial emotional and psychological support for individuals during incarceration and following release. Research has found that supportive social relationships promote both physiological and psychological health.<sup>11</sup> As such, in-person visitation and other forms of communication can help reduce the social isolation caused

by incarceration. As one woman—identified by her initials “AOL”—shared, the letters, photos and videos she sends to her incarcerated husband are “literally giving him life [by] helping him not feel forgotten.”<sup>12</sup>

Continued family interaction can also help mitigate the negative effects of incarceration on children and other family members. Parental incarceration can negatively affect the mental and physical health of children, both directly and indirectly through mechanisms such as poverty and household instability.<sup>13</sup> Though there are cases where contact with an incarcerated parent is a negative experience for children, increased visitation and connection during incarceration can help strengthen parent-child attachments and increase the likelihood of parental involvement after release.<sup>14</sup> In particular, family-oriented programming can be effective in promoting positive family connections.<sup>15</sup>

For incarcerated parents with children in the foster care system, positive contact can aid family reunification. According to the most recently available data from the Bureau of Justice Statistics, 11 percent of incarcerated mothers and 2 percent of incarcerated fathers had children in the foster care system.<sup>16</sup> An analysis of data from the National Survey of Children's Health found that 40 percent of children in foster care have experienced parental incarceration.<sup>17</sup> Under the Adoption and Safe Families Act (ASFA), incarcerated parents with children in foster care risk having their parental rights termi-

8. See, e.g., Saneta deVuono-powell et al., “Who Pays? The True Cost of Incarceration on Families,” Ella Baker Center for Human Rights, Forward Together and Research Action Design, September 2015, pp. 12-18. <https://ellabakercenter.org/sites/default/files/downloads/who-pays.pdf>; “A Shared Sentence: The Devastating Toll of Parental Incarceration on Kids, Families and Communities,” The Annie E. Casey Foundation, April 18, 2016, p. 3. <http://www.aecf.org/m/resourcedoc/aecf-asharedsentence-2016.pdf>; Elderbroom et al., pp. 34-36. <https://everysecond.fwd.us/downloads/EverySecond.fwd.us.pdf>; Ofira Schwartz-Soicher et al., “The Effect of Paternal Incarceration on Material Hardship,” *Social Service Review* 85:3 (September 2011), p. 13. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4020140>.

9. Elderbroom et al., p. 29. <https://everysecond.fwd.us/downloads/EverySecond.fwd.us.pdf>.

10. See, e.g., Emily Mooney and Nila Bala, “The Importance of Supporting Family Connections to Ensure Successful Re-entry,” *R Street Institute Policy Short No. 63*, October 2018, pp. 2-3. <https://www.rstreet.org/wp-content/uploads/2018/10/Final-Short-No.-63-1.pdf>; Lindsey Cramer et al., “Parent-Child Visiting Practices in Prisons and Jails: A Synthesis of Research and Practice,” Urban Institute, April 2017, p. 6. [https://www.urban.org/sites/default/files/publication/89601/parent-child\\_visiting\\_practices\\_in\\_prisons\\_and\\_jails.pdf](https://www.urban.org/sites/default/files/publication/89601/parent-child_visiting_practices_in_prisons_and_jails.pdf).

11. See, e.g., Debra Umberson and Jennifer Karas Montez, “Social Relationships and Health: A Flashpoint for Health Policy,” *Journal of Health and Social Behavior* 51:1\_Suppl. (March 1, 2010), pp. S54-S66. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3150158>; Peggy A. Thoits, “Mechanisms Linking Social Ties and Support to Physical and Mental Health,” *Journal of Health and Social Behavior* 52:2 (June 14, 2011), pp. 145-61. <http://journals.sagepub.com/doi/abs/10.1177/0022146510395592?journalCode=hsbb>.

12. Author interview with woman identified as AOL (telephone), May 29, 2020.

13. See, e.g., deVuono-powell et al., pp. 33-34. <https://ellabakercenter.org/sites/default/files/downloads/who-pays.pdf>; Laurel Davis and Rebecca J. Shlafer, “Mental health of adolescents with currently and formerly incarcerated parents,” *Journal of Adolescence* 54:120-124 (January 2017), pp. 120-34. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5549675>; Melinda Tasca et al., “Prisoners' Assessments of Mental Health Problems Among Their Children,” *International Journal of Offender Therapy and Comparative Criminology* 58:2 (Feb. 1, 2014), pp. 154-73. <http://journals.sagepub.com/doi/abs/10.1177/0306624X12469602?journalCode=ioje>; Rosalyn D. Lee et al., “The Impact of Parental Incarceration on the Physical and Mental Health of Young Adults,” *Pediatrics* 131:4 (April 2013), pp. e1188-95. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3608482>.

14. See, e.g., La Vigne et al., “Examining the Effect of Incarceration and In-Person Family Contact on Prisoners' Family Relationships,” *Journal of Contemporary Criminal Justice* 21:4 (Nov. 1, 2005), p. 328. <http://journals.sagepub.com/doi/10.1177/1043986205281727>; Cramer et al., pp. 7-8. [https://www.urban.org/sites/default/files/publication/89601/parent-child\\_visiting\\_practices\\_in\\_prisons\\_and\\_jails.pdf](https://www.urban.org/sites/default/files/publication/89601/parent-child_visiting_practices_in_prisons_and_jails.pdf).

15. See, e.g., Thomas Mowen and Christy Visher, “Changing the Ties That Bind: How Incarceration Impacts Family Relationships,” *Criminology and Public Policy* 15:2 (May 2016), p. 521. <https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9133.12207>; Jacquelyn L. Sandifer, “Evaluating the Efficacy of a Parenting Program for Incarcerated Mothers,” *The Prison Journal* 88:3 (Sept. 1, 2008), pp. 440-42. <http://journals.sagepub.com/doi/10.1177/0032885508322533>; Laura N. Kamptner et al., “Evaluating the Efficacy of an Attachment-Informed Psychotherapeutic Program for Incarcerated Parents,” *Journal of Prison Education and Reentry* 4:2 (December 2017), pp. 68-70. <https://eric.ed.gov/?id=EJ1156858>.

16. Lauren E. Glaze and Laura M. Maruschak, “Parents in Prison and Their Minor Children,” Bureau of Justice Statistics, March 30, 2010, p. 5. <https://www.bjs.gov/content/pub/pdf/pptmc.pdf>.

17. Kristin Turney and Christopher Wildeman, “Adverse childhood experiences among children placed in and adopted from foster care: Evidence from a nationally representative survey,” *Child Abuse & Neglect* 64:117-129 (2017), pp. 121-22. <https://pubmed.ncbi.nlm.nih.gov/28086178/>.

nated based on the length of their sentence and the extent of their relationship with their children.<sup>18</sup> As such, allowing for frequent and positive contact during incarceration is critical to support efforts to regain child custody after release. Even in cases where reunification is not possible, contact between incarcerated parents and their children can be psychologically beneficial for both parties.<sup>19</sup>

Furthermore, families provide crucial, practical support to facilitate successful re-entry. For example, many incarcerated individuals rely on relatives to find or provide housing after their release.<sup>20</sup> Family connections can also help inmates secure employment after release, and thus reduce their need to rely on public assistance.<sup>21</sup>

Research suggests that incarcerated individuals with stronger family relationships are less likely to be re-incarcerated than those with weaker family ties.<sup>22</sup> Additional studies have also found a link between in-person visitation and lower rates of reconviction.<sup>23</sup> Though the research is not conclusive, studies generally suggest that in-person visitation may reduce misconduct within correctional facilities.<sup>24</sup> AOL reflected: “When incarcerated loved ones have that connection to outside family and friends, it inspires them to do bet-

ter, to come home.”<sup>25</sup> Thus, positive family connections have the potential to promote safety for inmates and correctional officers, as well as the public at large.

## TRADITIONAL OPTIONS FOR FAMILY CONNECTIONS

For decades, the main options for inmates to stay connected to their families have been in-person visitation, postal mail and phone calls. While there are benefits to each, their limitations demonstrate the need for more advanced technological approaches.

### In-person Visitation

Despite research showing the benefits of in-person visitation, a substantial share of incarcerated individuals did not receive visits from family members, even before the COVID-19 pandemic. In a recent, nationally representative survey, only one in four respondents were ever able to visit their close family members incarcerated in jail or prison.<sup>26</sup> Studies of prison visits in specific states have also found that many inmates do not receive visits from family members or others.<sup>27</sup> For example, a 2016 survey found that only 37 percent of incarcerated fathers and 27 percent of incarcerated mothers in Washington State prisons had an in-person visit with their children in the previous year.<sup>28</sup>

Many individuals are incarcerated in facilities far from their families, which is one major barrier to visitation. For example, the Prison Policy Initiative found that 63 percent of inmates in state prisons are in facilities located over 100 miles away from their families.<sup>29</sup> Research shows that inmates incarcerated further from home are less likely to be visited.<sup>30</sup>

Visitation policies can also limit families’ access to their loved ones and make their visiting experiences less productive. These policies include limited visiting hours, caps on

---

18. Administration for Children and Families, “Adoption and Safe Families Act (ASFA),” U.S. Dept. of Health and Human Services, 2020. <https://training.cfsrportal.acf.hhs.gov/section-2-understanding-child-welfare-system/2999>.

19. See, e.g., Fiona Soltes, “Girl Scouts Behind Bars: Providing a Better Path,” Girl Scouts of the USA, 2012, pp. 10-11. <https://www.ncjrs.gov/pdffiles1/ojdp/249001.pdf>; La Vigne et al., “Broken Bonds: Understanding and Addressing the Needs of Children with Incarcerated Parents,” Urban Institute, February 2008, pp. 10-11. <https://www.urban.org/sites/default/files/publication/31486/411616-Broken-Bonds-Understanding-and-Addressing-the-Needs-of-Children-with-Incarcerated-Parents.PDF>.

20. See, e.g., deVuono-powell et al., p. 9. <https://ellabakercenter.org/sites/default/files/downloads/who-pays.pdf>; Bruce Western et al., “Stress and Hardship after Prison,” *American Journal of Sociology* 120:5 (March 2015), pp. 1522-25. <https://www.journals.uchicago.edu/doi/full/10.1086/681301>.

21. See, e.g., deVuono-powell et al., p. 22. <https://ellabakercenter.org/sites/default/files/downloads/who-pays.pdf>; Western et al., pp. 1528-30. <https://www.journals.uchicago.edu/doi/full/10.1086/681301>; Mark T. Berg and Beth M. Huebner, “Reentry and the Ties that Bind: An Examination of Social Ties, Employment, and Recidivism,” *Justice Quarterly* 28:2 (April 2011), pp. 382-410. <https://www.tandfonline.com/doi/abs/10.1080/07418825.2010.498383>.

22. See, e.g., Kelle Barrick et al., “Reentering Women: The Impact of Social Ties on Long-Term Recidivism,” *The Prison Journal* 94:3 (Sept. 1, 2014), pp. 279-304. <https://journals.sagepub.com/doi/abs/10.1177/0032885514537596>; Berg and Huebner, pp. 382-410. <https://www.tandfonline.com/doi/abs/10.1080/07418825.2010.498383>.

23. See, e.g., Meghan M. Mitchell et al., “The effect of prison visitation on reentry success: A meta-analysis,” *Journal of Criminal Justice* 47 (December 2016), pp. 74-83. <https://doi.org/10.1016/j.jcrimjus.2016.07.006>; Grant Duwe and Valerie Clark, “Blessed Be the Social Tie That Binds: The Effects of Prison Visitation on Offender Recidivism,” *Criminal Justice Policy Review* 24:3 (2013), pp. 282-84. <https://journals.sagepub.com/doi/abs/10.1177/0887403411429724>; William D. Bales and Daniel P. Mears, “Inmate Social Ties and the Transition to Society: Does Visitation Reduce Recidivism?”, *Journal of Research in Crime and Delinquency* 45:3 (August 2008), pp. 304-06. <http://cteseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.865.9780&rep=rep1&type=pdf>.

24. See, e.g., Mari B. Pierce et al., “Assessing the impact of visitation and inmate misconduct within a county jail,” *Security Journal* 31:1-20 (2018), p. 9. <https://doi.org/10.1057/s41284-016-0086-6>; Joshua Cochran, “The ties that bind or the ties that break: Examining the relationship between visitation and prisoner misconduct,” *Journal of Criminal Justice* 40:5 (September-October 2012), p. 437. <https://www.sciencedirect.com/science/article/pii/S0047235212000785>.

25. AOL interview.

26. Elderbroom et al., pp. 38-39. <https://everysecond.fwd.us/downloads/EverySecond.fwd.us.pdf>.

27. See, e.g., Léon Digard et al., “A New Role for Technology? Implementing Video Visitation in Prison,” Vera Institute of Justice, February 2016, p. 10. [https://www.vera.org/downloads/publications/video-visitation-in-prison\\_02.pdf](https://www.vera.org/downloads/publications/video-visitation-in-prison_02.pdf); Duwe and Clark, p. 282. <https://journals.sagepub.com/doi/abs/10.1177/0887403411429724>; Daniel P. Mears et al., “Prison Visitation and Recidivism,” *Justice Quarterly* 29:6 (2012), p. 900. <http://dx.doi.org/10.1080/07418825.2011.583932>.

28. Digard et al., p. 10. [https://www.vera.org/downloads/publications/video-visitation-in-prison\\_02.pdf](https://www.vera.org/downloads/publications/video-visitation-in-prison_02.pdf).

29. Bernadette Rabuy and Daniel Kopf, “Separation by Bars and Miles: Visitation in State Prisons,” Prison Policy Initiative, Oct. 20, 2015. <https://www.prisonpolicy.org/reports/prisonvisits.html>.

30. Joshua Cochran et al., “Spatial Distance, Community Disadvantage, and Racial and Ethnic Variation in Prison Inmate Access to Social Ties,” *Journal of Research in Crime and Delinquency* 53:2 (March 1, 2016), pp. 233-34. <http://journals.sagepub.com/doi/abs/10.1177/0022427815592675>.

the number of visitors that can be approved for each inmate, invasive searches, strict dress codes and rules limiting physical contact.<sup>31</sup> While family-oriented programming can help promote positive connections, many correctional facilities do not offer programs with direct child involvement.<sup>32</sup> Additionally, inmates can be restricted in their access to visitors based on their security classification and behavior.<sup>33</sup>

Notably, in-person visitation has been severely curtailed during the COVID-19 pandemic. As of July 22, 2020, 18 states have suspended all visitation in their correctional systems, 26 have suspended normal in-person visitation but allow legal visits and eight have resumed family visitation with additional precautions.<sup>34</sup> Social, in-person visits are suspended at all federal prisons.<sup>35</sup> Some local jails have also suspended in-person visitation, while others allow limited visitation, with precautions. For example, Santa Clara County (CA), Los Angeles County (CA) and Harris County (TX) have suspended public visitation, while Cook County (IL) and Jefferson County (CO) allow in-person visitation, with required face masks and social distancing.<sup>36</sup>

## Postal Mail

Another way for families to stay connected with their incarcerated loved ones is to send letters, photos and other printed materials via the postal service. However, there are strict regulations around the form and length of mail that inmates can receive, which vary between correctional facilities. While some level of monitoring is reasonable, certain

rules unnecessarily limit communication without providing a sufficient benefit to public safety. For example, some jurisdictions only allow families to send postcards, which allow for much less depth of communication than multi-page letters.<sup>37</sup> Privacy concerns with postcard-only policies can prevent families from communicating sensitive or personal issues with their loved ones.<sup>38</sup> Meanwhile, other facilities ban postcards, colored paper, homemade or store-bought greeting cards or artwork using paint, glitter, glue or tape.<sup>39</sup> Some facilities only provide scans of incoming correspondence, not the original materials.<sup>40</sup> In those cases, inmates and families have reported delays in mail delivery, poor-quality scans and missing pages.<sup>41</sup>

Though it does not cost more to send mail to or from a correctional facility than other locations, cost can still be a burden for inmates and their families.<sup>42</sup> In a 50-state survey, the Prison Policy Initiative found that individuals incarcerated in state prisons earned, on average, only 14 to 63 cents per hour for non-industry jobs.<sup>43</sup> Additionally, some individuals are unable to work while incarcerated, while others work but are not compensated for their labor. Families of incarcerated individuals may also face financial constraints that limit their ability to communicate with loved ones through postal mail or other methods. Research has found that incarceration disproportionately affects lower income families, and that many families struggle to meet their basic needs after a family member is incarcerated.<sup>44</sup>

31. See, e.g., Chesa Boudin et al., "Prison Visitation Policies: A Fifty-State Survey," *Yale Law and Policy Review* 32:1 (2013), pp. 160-68. [https://law.yale.edu/sites/default/files/area/center/liman/document/prison\\_visitation\\_policies.pdf](https://law.yale.edu/sites/default/files/area/center/liman/document/prison_visitation_policies.pdf); Amy Dworsky et al., "Addressing the Needs of Incarcerated Mothers and Their Children in Illinois," Chapin Hall at the University of Chicago and the University of Chicago's School of Social Service Administration, February 2020, pp. 12-14. <https://www.chapinhall.org/wp-content/uploads/PDF/Incarcerated-Mothers-FINAL-2020.pdf>.

32. Heath C. Hoffman et al., "Prison Programs and Services for Incarcerated Parents and Their Underage Children: Results From a National Survey of Correctional Facilities," *The Prison Journal* 90:4 (Dec. 1, 2010), pp. 403-04. <https://journals.sagepub.com/doi/10.1177/0032885510382087>.

33. Boudin et al., pp. 161-63. [https://law.yale.edu/sites/default/files/area/center/liman/document/prison\\_visitation\\_policies.pdf](https://law.yale.edu/sites/default/files/area/center/liman/document/prison_visitation_policies.pdf).

34. Cary Aspinwall et al., "How Prisons in Each State are Restricting Visits Due to Coronavirus," *The Marshall Project*, July 22, 2020. <https://www.themarshallproject.org/2020/03/17/tracking-prisons-response-to-coronavirus>.

35. Federal Bureau of Prisons, "BOP Implementing Modified Operations," last accessed Sept. 9, 2020. [https://www.bop.gov/coronavirus/covid19\\_status.jsp](https://www.bop.gov/coronavirus/covid19_status.jsp).

36. See, e.g., "Novel Coronavirus (COVID-19)," County of Santa Clara, May 12, 2020. <https://www.sccgov.org/sites/covid19/Pages/jails.aspx>; "Online Inmate Visitation Scheduling and Registration System Regarding COVID-19," Los Angeles County Sheriff's Department, last accessed Sept. 9, 2020. <https://lasd.org/online-inmate-visitation-scheduling-and-registration-system-regarding-covid-19/>; "Harris County Jail Suspends Inmate Visitation to Prevent Coronavirus Outbreak," Harris County Sheriff's Office, last accessed Sept. 9, 2020. [https://www.harriscountysos.org/JailInfo/inmate\\_info\\_inmate\\_visitation.aspx](https://www.harriscountysos.org/JailInfo/inmate_info_inmate_visitation.aspx); "Notice to Family Members and Loved Ones of Detainees in Custody at the Cook County Department of Corrections," Cook County's Sheriff's Office, last accessed Sept. 9, 2020. <https://www.cookcountysheriff.org/cdoc-visitors>; "Visit an Inmate," Jefferson County Sheriff's Office, last accessed Sept. 9, 2020. <https://www.jeffco.us/874/Visit-an-Inmate>.

37. See, e.g., "Inmate Support Systems," DeKalb County Sheriff's Office, last accessed Sept. 9, 2020. <https://www.dekalbsheriff.org/bonding-inmate-services/inmate-support-services>; "Inmate Contact - Sending Mail," Spartanburg County Sheriff's Office, last accessed Sept. 9, 2020. <http://www.spartanburgsheriff.org/inmate-contact-sending-mail.php>; Leah Sakala, "Postcard-Only Mail Policies in Jail," Prison Policy Initiative, Feb. 7, 2013. <https://www.prisonpolicy.org/postcards/report.html>.

38. Sakala. <https://www.prisonpolicy.org/postcards/report.html>.

39. See, e.g., Keri Blakinger, "No Glitter, No Glue, No Meth? Can Texas Prisons Really Stop Contraband by Banning Greeting Cards?," *The Marshall Project*, March 2, 2020. <https://www.themarshallproject.org/2020/03/02/no-glitter-no-glue-no-meth>; "Inspect 2 Protect," Texas Department of Criminal Justice, last accessed Sept. 9, 2020. [https://tdcj.texas.gov/news/inspect\\_2\\_protect.html](https://tdcj.texas.gov/news/inspect_2_protect.html).

40. See, e.g., Samantha Melamed, "'I Feel Hopeless': Families Call New PA Prison Mail Policy Devastating," *The Philadelphia Inquirer*, Oct. 15, 2018. <https://www.inquirer.com/philly/news/pennsylvania-doc-prison-secretary-corrections-john-wetzel-smart-communications-k2-20181015.html>; Commissioner Robert E. Carter, Jr., "Executive Directive # 20-30," Indiana Department of Correction, June 16, 2020. <https://www.in.gov/indoc/files/ED%20%23%2020-30%20Offender%20Correspondence%206-16-2020.pdf>; "Sending Mail to an Offender," Virginia Department of Corrections, last accessed Sept. 9, 2020. <https://vadoc.virginia.gov/families-friends-of-offenders/sending-mail-to-an-offender>.

41. Melamed. <https://www.inquirer.com/philly/news/pennsylvania-doc-prison-secretary-corrections-john-wetzel-smart-communications-k2-20181015.html>.

42. Peter Wagner, "Will the Postal Service ignore its most vulnerable customers?," Prison Policy Initiative, Oct. 29, 2019. <https://www.prisonpolicy.org/blog/2019/10/29/postal>.

43. Wendy Sawyer, "How much do incarcerated people earn in each state?," Prison Policy Initiative, April 10, 2019. <https://www.prisonpolicy.org/blog/2017/04/10/wages>.

44. See, e.g., Elderbroom et al., p. 30. <https://everysecond.fwd.us/downloads/Every-Second.fwd.us.pdf>; deVuono-powell et al., pp. 12-18. <https://ellabakercenter.org/sites/default/files/downloads/who-pays.pdf>.

## Phone Calls

Incarcerated individuals can place outgoing phone calls to their loved ones, but often face strict restrictions. For example, inmates at state prisons in California can only make calls up to 15 minutes, and the limit in New York State can be as low as 10 minutes if other inmates are waiting.<sup>45</sup> Inmates can only call pre-authorized numbers and facilities limit the number of people who can be approved on each inmate's account.<sup>46</sup>

In addition, the cost of these phone calls can be exorbitant, and the rates vary widely between correctional facilities. A recent study found that, on average, phone calls from local jails cost over three times more than phone calls from state prisons.<sup>47</sup> Nationally, the average cost for a 15-minute call from a local jail is almost \$6, but they can cost as much as \$25.<sup>48</sup> Even when there are rate caps on phone calls, families can end up paying high fees to pay by credit card, listen to voicemails or pay phone providers via Western Union or MoneyGram.<sup>49</sup> Inmates may also face upfront fees to set up phone accounts and pay monthly maintenance fees on those accounts.<sup>50</sup>

Phone calls from inmates are recorded and monitored. While these policies may reflect legitimate public safety concerns, it is important to protect the privacy of inmates and their families by ensuring that call recordings are stored securely, as these recordings have been vulnerable to data breaches in the past. For example, in November 2015, more than 70 million inmate phone call records were leaked, including links to download audio recordings of the calls.<sup>51</sup>

Phone access has been affected by the COVID-19 pandemic in a number of ways. Due to restrictions on in-person visitation, some facilities are offering inmates free phone calls. For example, the Federal Bureau of Prisons has made phone calls

and video visitation free.<sup>52</sup> And in July 2020, the California Department of Corrections and Rehabilitation (CDCR) provided two free calling days and expanded phone access to certain groups of inmates.<sup>53</sup>

However, sharing public telephones can present a risk of virus transmission—especially if the phones are placed close together—and some facilities have suspended phone access to prevent cross-contamination.<sup>54</sup> One inmate at a Washington state prison reported: “[T]hey posted signs down by the phones instructing us to put a sock—yes, like you wear on your foot—over the phone receiver before using it in order to avoid spreading germs.”<sup>55</sup> Additionally, inmates suspected of having COVID-19 or who raise concerns about coronavirus symptoms are often quarantined, where their access to phone calls is restricted.<sup>56</sup> Broader lockdowns have also been imposed in state and federal facilities, where inmates can be limited in their ability to collect mail and use shared phone or video visitation kiosks.<sup>57</sup>

## NEWER TECHNOLOGICAL OPTIONS

A number of newer technological options have emerged as the result of limitations with in-person visitation, postal mail and phone calls. These approaches started to be implemented prior to the COVID-19 pandemic, though the public health crisis has increased families' reliance on forms of communication that do not require in-person contact. Electronic messaging, video visitation, handheld tablets and mobile applications can help families stay connected with their incarcerated loved ones. However, many of these methods have cost, access and quality limitations in their current form.

45. “How to Contact an Inmate,” California Department of Corrections and Rehabilitation, last accessed Aug. 20, 2020. <https://www.cdcr.ca.gov/visitors/howtocontact>; “Telephone Calls,” New York State Department of Corrections and Community Supervision, last accessed Aug. 20, 2020. <https://doacs.ny.gov/telephone-calls>.

46. See, e.g., “Telephone Calls with Prisoners—The Complete Guide,” The Michigan Department of Corrections, last accessed Aug. 20, 2020. [https://www.michigan.gov/corrections/0,4551,7-119-9741\\_12798-230507--,00.html](https://www.michigan.gov/corrections/0,4551,7-119-9741_12798-230507--,00.html); “Contacting an Inmate,” Florida Department of Corrections, last accessed Aug. 20, 2020. <http://www.dc.state.fl.us/ci/ContactInmate.html>; “Telephone Calls.” <https://doacs.ny.gov/telephone-calls>.

47. Peter Wagner and Alexi Jones, “State of phone justice: Local jails, state prisons and private phone providers,” Prison Policy Initiative, February 2019. [https://www.prisonpolicy.org/phones/state\\_of\\_phone\\_justice.html](https://www.prisonpolicy.org/phones/state_of_phone_justice.html).

48. Ibid.

49. Ibid.

50. Sarah Betancourt, “Families want to end prison phone call charges,” *CommonWealth*, Oct. 22, 2019. <https://commonwealthmagazine.org/criminal-justice/families-want-to-end-prison-phone-call-charges>.

51. Jordan Smith and Micah Lee, “Not So Securur: Massive Hack of 70 Million Prisoner Phone Calls Indicates Violations of Attorney-Client Privilege,” *The Intercept*, Nov. 11, 2015. <https://theintercept.com/2015/11/11/securur-hack-prison-phone-company-exposes-thousands-of-calls-lawyers-and-clients>.

52. John Hendel, “Federal prisons make inmate calling, video visits free during pandemic,” *Politico*, April 14, 2020. <https://www.politico.com/news/2020/04/14/federal-prisons-make-inmate-calling-free-186383>.

53. “COVID-19 Response Efforts,” California Department of Corrections and Rehabilitation, July 24, 2020. <https://www.cdcr.ca.gov/covid19/covid-19-response-efforts/#VCMCP>.

54. See, e.g., John Herrick, “As COVID-19 spreads in Colorado prison, the phone lines go silent,” *The Colorado Independent*, April 24, 2020. <https://www.coloradoindependent.com/2020/04/24/covid-19-colorados-prison-phone-calls>; Derek Gilna, “Prison Officials Limit Prisoner Communications During COVID-19 Crisis,” *Prison Phone Justice*, June 1, 2020. <https://www.prisonphonejustice.org/news/2020/jun/1/prison-officials-limit-prisoner-communications-during-covid-19-crisis>.

55. Christopher Blackwell, “What Coronavirus Quarantine Looks Like in Prison,” *The Marshall Project*, March 18, 2020. <https://www.themarshallproject.org/2020/03/18/what-coronavirus-quarantine-looks-like-in-prison>.

56. See, e.g., Dara Lind, “The Prison Was Built to Hold 1,500 Inmates. It Had Over 2,000 Coronavirus Cases,” *ProPublica*, June 18, 2020. <https://www.propublica.org/article/the-prison-was-built-to-hold-1500-inmates-it-had-over-2000-coronavirus-cases>; Gilna. <https://www.prisonphonejustice.org/news/2020/jun/1/prison-officials-limit-prisoner-communications-during-covid-19-crisis>.

57. See, e.g., Sarah Holder, “The Prisoner’s Dilemma,” *Bloomberg CityLab*, July 22, 2020. <https://www.bloomberg.com/news/features/2020-07-22/as-virus-surg-es-so-do-calls-to-release-prisoners>; Herrick. <https://www.coloradoindependent.com/2020/04/24/covid-19-colorados-prison-phone-calls>; Keri Blakinger, “What Happens When More Than 300,000 Prisoners are Locked Down?,” *The Marshall Project*, April 15, 2020. <https://www.themarshallproject.org/2020/04/15/what-happens-when-more-than-300-000-prisoners-are-locked-down>.

## Electronic Messages

While inmates do not have access to internet-based email providers like Gmail or Yahoo, families can send electronic messages using closed networks set up by private companies that contract with correctional facilities.<sup>58</sup> Systems for sending electronic messages vary by provider and facility. Some are two-way systems, where inmates and their contacts outside the correctional facility can send electronic messages to each other. There are also inbound-only systems, where electronic messages are printed out and delivered to inmates. In those cases, incarcerated users cannot respond electronically but can do so by postal mail. For two-way systems, inmates can receive and respond to messages at shared kiosks within the prison or they may have access to handheld tablets. Families and friends typically have to be approved before they can communicate with an inmate. Like all other communications with incarcerated individuals, electronic messages can be monitored and recorded. As with phone call records, electronic message records have been vulnerable to data breaches.<sup>59</sup>

Compared to postal mail, electronic messaging can be more convenient for families and provide more timely communication.<sup>60</sup> Similarly, electronic communication is easier for facilities to monitor and does not present the same contra-band concerns as postal mail. Additionally, video attachments can be a more tangible way to connect inmates to their families than text alone. For example, AOL described how powerful it was to send a video from Thanksgiving to her husband in prison. Presented with a recording of the holiday feast and greetings from his loved ones, he expressed he hadn't walked through a house in "forever."<sup>61</sup>

However, there are a number of restrictions to electronic messaging. First, unlike typical internet-based email correspondence, electronic messaging to inmates almost always costs money.<sup>62</sup> These costs are usually paid by users outside the prison, but are sometimes paid by inmates. The Prison Policy Initiative found that the cost at most facilities was around 50 cents per message, but could be as high as \$1.25 per message.<sup>63</sup> In addition, there can be extra fees for sending

photos or other attachments, making deposits into accounts and maintaining the accounts each month. Companies may require users to prepay for messages and those fees can be nonrefundable, even if inmates are released.<sup>64</sup>

Additionally, electronic messages often have character limits that can be as low as 1,500 characters.<sup>65</sup> These limits restrict families' ability to communicate meaningfully or require them to pay more for additional messages. In some cases, attachments are limited or prohibited.<sup>66</sup> Plain-text messages are less personal than the photos, artwork, newspaper clippings and other printed information that can be sent using postal mail.<sup>67</sup> Also, unlike postal mail, incarcerated individuals may not have the ability to keep and download messages that are sent electronically.<sup>68</sup>

Inmates who do not have access to handheld tablets can face obstacles to receiving and meaningfully responding to messages. Access to shared kiosks may be limited, and those kiosks are often placed in common areas where interruptions are a frequent occurrence.<sup>69</sup> Additionally, access to electronic messaging systems can be a barrier for inmates' family members because some family members may not have the necessary technology or know-how to navigate the process of setting up an account.<sup>70</sup>

During the COVID-19 pandemic, some providers have reduced the cost of sending electronic messages to inmates.<sup>71</sup> However, some facilities have suspended access to electronic messaging because the shared kiosks present a risk of virus transmission.<sup>72</sup>

---

58. Stephen Raher, "You've got mail: The promise of cyber communication in prisons and the need for regulation," Prison Policy Initiative, Jan. 21, 2016. <https://www.prisonpolicy.org/messaging/report.html>.

59. Paul Bischoff, "Prison phone service Telpate exposes messages, personal info of millions of inmates and their contacts," *Comparitech*, Sept. 4, 2020. <https://www.comparitech.com/blog/information-security/prison-phone-service-exposes-millions-inmate-records>.

60. *Ibid.*

61. AOL interview.

62. See, e.g., Victoria Law, "Captive Audience: How Companies Make Millions Charging Prisoners to Send an Email," *WIRED*, August 3, 2018. <https://www.wired.com/story/jpay-securus-prison-email-charging-millions>; Raher. <https://www.prisonpolicy.org/messaging/report.html>.

63. Raher. <https://www.prisonpolicy.org/messaging/report.html>.

---

64. *Ibid.*

65. *Ibid.*

66. See, e.g., "Stay in Touch," Federal Bureau of Prisons, last accessed Aug. 21, 2020. <https://www.bop.gov/inmates/communications.jsp>.

67. Stephen Raher, "The Wireless Prison: How Colorado's tablet computer program misses opportunities and monetizes the poor," Prison Policy Initiative, July 6, 2017. <https://www.prisonpolicy.org/blog/2017/07/06/tablets>.

68. Raher. <https://www.prisonpolicy.org/messaging/report.html>.

69. See, e.g., Olivia Carville, "Ex-Cons Create 'Instagram for Prisons,' and Wardens Are Fine With That," *Bloomberg*, Feb. 6, 2019. <https://www.bloomberg.com/news/features/2019-02-06/ex-cons-create-instagram-for-prisons-and-wardens-are-fine-with-that>; Law. <https://www.wired.com/story/jpay-securus-prison-email-charging-millions>; Raher. <https://www.prisonpolicy.org/messaging/report.html>.

70. See, e.g., Blackwell. <https://www.themarshallproject.org/2020/03/18/what-coronavirus-quarantine-looks-like-in-prison>; Raher. <https://www.prisonpolicy.org/messaging/report.html>.

71. See, e.g., "COVID-19 Response Efforts." <https://www.cdcr.ca.gov/covid19/covid-19-response-efforts/#VCMP>; Washington State Department of Corrections, "Department of Corrections negotiates free calls and reduced digital costs for incarcerated population," Press Release, March 20, 2020. <https://www.doc.wa.gov/news/2020/03202020p.htm>.

72. Gilna. <https://www.prisonphonejustice.org/news/2020/jun/1/prison-officials-limit-prisoner-communications-during-covid-19-crisis>.

## Video Visitation

While video visitation can be more convenient than in-person visitation and more interactive than other forms of communication, there are major drawbacks in terms of the accessibility and quality of services.

Video visitation systems vary by provider and correctional facility.<sup>73</sup> Usually, visitors have to schedule appointments and pay charges in advance. Visitors may be required to travel to terminals at the prison or they may be able to participate remotely, such as from community sites or from their homes. In some cases, video visits from the on-site terminals are free. Inmates typically participate in video visitation via shared video terminals. While some handheld tablets offer video visitation services, there are no data available on how many facilities allow that feature. Video visits may be monitored and recorded, like other forms of communication into correctional facilities.

There are a number of ways that video visitation can be more convenient for families than in-person visitation. It often reduces the logistical and financial barriers to in-person visitation and can help families overcome restrictive visiting hours and policies that make it difficult for the elderly, people with disabilities, working individuals and children to visit.<sup>74</sup> Additionally, video visitation can have shorter waits than in-person visitation, especially since visitors usually have to make appointments in advance.<sup>75</sup> It can also be more accessible than phone calls for visitors who are deaf or hearing impaired.<sup>76</sup> Furthermore, children may find it less disruptive to visit from a setting that is not inside a correctional facility.<sup>77</sup>

From the facility's perspective, video visitation reduces the need to search visitors and move individuals from their cells to central visitation rooms, which may reduce the amount of contraband coming in.<sup>78</sup> However, the latter assertion is made on somewhat shaky ground; after video visitation replaced in-person visitation at the Knox County Jail (TN), there was no decrease in contraband and the rate of assaults within the facility increased.<sup>79</sup> There was also an increase in violence and contraband in Travis County (TX) after in-person visits were banned.<sup>80</sup> Though it is difficult to pinpoint the exact cause of these trends, these findings raise concerns about using video visitation as a substitute for in-person visitation.

While video visitation can be a helpful supplement to in-person visitation, it has a number of substantial limitations. First, video visitation is inherently less intimate than in-person visitation. Psychology research identifies several ways that video communication falls short of in-person interactions, such as increasing the formality of the conversation, making it more difficult to establish trust and making it harder to express intimacy and social connection.<sup>81</sup>

These issues are exacerbated by common complaints about connection issues, low video quality, audio lag and other technical problems.<sup>82</sup> The low quality of video visitation makes it harder to evaluate a loved one's wellbeing, compared to being able to see them in person.<sup>83</sup> Inmates and families have also complained that their video visitations start late or end abruptly.<sup>84</sup> A study of children visiting incarcer-

73. See, e.g., Digard et al., p. 8. [https://www.vera.org/downloads/publications/video-visitation-in-prison\\_02.pdf](https://www.vera.org/downloads/publications/video-visitation-in-prison_02.pdf); Bernadette Rabuy and Peter Wagner, "Screening out family time: The for-profit video visitation industry in prisons and jails," Prison Policy Initiative, January 2015, p. 1. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf); Patrice A. Fulcher, "The Double-Edged Sword of Prison Video Visitation: Claiming to Keep Families Together while Furthering the Aims of the Prison Industrial Complex," *Florida A&M University Law Review* 9:1 (Fall 2013), pp. 92-99. <https://commons.law.famu.edu/cgi/viewcontent.cgi?article=1099&context=famulawreview>.

74. Danielle J. Murdoch and Laura L. King, "'Not feeling like a caged animal': prisoner perceptions of a remote video visitation system," *Journal of Crime and Justice* 43:2 (2020), p. 9. <https://www.tandfonline.com/doi/full/10.1080/0735648X.2019.1653216>; Cramer et al., p. 12. [https://www.urban.org/sites/default/files/publication/89601/parent-child\\_visiting\\_practices\\_in\\_prisons\\_and\\_jails.pdf](https://www.urban.org/sites/default/files/publication/89601/parent-child_visiting_practices_in_prisons_and_jails.pdf); Rabuy and Wagner, p. 2. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

75. Christine Tartaro and Marissa P. Levy, "Inmate Visitation: Visitor Preferences Regarding the Best Visitation Modality for Children," *Corrections* 2:1 (2017), p. 26. <https://doi.org/10.1080/23774657.2016.1239185>; Julie Poehlmann-Tynan, "Children's Contact with Incarcerated Parents," *Focus* 32:2 (2015), p. 14. <https://www.irp.wisc.edu/publications/focus/pdfs/foc322c.pdf>.

76. Cramer et al., p. 12. [https://www.urban.org/sites/default/files/publication/89601/parent-child\\_visiting\\_practices\\_in\\_prisons\\_and\\_jails.pdf](https://www.urban.org/sites/default/files/publication/89601/parent-child_visiting_practices_in_prisons_and_jails.pdf).

77. Murdoch and King, p. 11. <https://www.tandfonline.com/doi/full/10.1080/0735648X.2019.1653216>; Tartaro and Levy, pp. 25-26. <https://doi.org/10.1080/23774657.2016.1239185>; Rabuy and Wagner, p. 2. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

78. Natasha Haverty, "Video Calls Replace In-Person Visits in Some Jails," *NPR*, Dec. 5, 2016. <https://www.npr.org/2016/12/05/504458311/video-calls-replace-in-person-visits-in-some-jails>; Rabuy and Wagner, p. 2. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

79. Tex Pasley, "To What End?: Assessing the Impact of the Knox County Jail's Ban on In-Person Visits," *Face to Face Knox*, Jan. 29, 2018, p. 3. [https://www.prisonlegalnews.org/media/publications/To\\_What\\_End\\_Assessing\\_the\\_Impact\\_of\\_the\\_Knox\\_County\\_Jails\\_Ban\\_on\\_In-Person\\_Visits.pdf](https://www.prisonlegalnews.org/media/publications/To_What_End_Assessing_the_Impact_of_the_Knox_County_Jails_Ban_on_In-Person_Visits.pdf).

80. Jorge Antonio Renaud, "Video Visitation: How Private Companies Push for Visits by Video and Families Pay the Price," *Grassroots Leadership*, October 2014, p. 4. <http://grassrootsleadership.org/video-visitation-how-private-companies-push-visits-video-and-families-pay-price>.

81. Emily Widra, "Seeing eye to eye: Understanding the limits of video visitation," *Prison Policy Initiative*, April 11, 2016. <https://www.prisonpolicy.org/blog/2016/04/11/eye-contact>.

82. See, e.g., Grace Toohey, "With visits banned, Florida prisons touted video calls. They don't work, families say," *Orlando Sentinel*, May 15, 2020. <https://www.orlandosentinel.com/coronavirus/os-health-coronavirus-prison-video-calls-failing-families-20200515-52q752gcbffhicldajhg52wg-story.html>; Murdoch and King, pp. 9-10. <https://www.tandfonline.com/doi/full/10.1080/0735648X.2019.1653216>; Lewis and Lockwood, <https://www.themarshallproject.org/2019/12/19/can-you-hear-me-now>; Digard et al., p. 14. [https://www.vera.org/downloads/publications/video-visitation-in-prison\\_02.pdf](https://www.vera.org/downloads/publications/video-visitation-in-prison_02.pdf); Jack Smith IV, "The End of Prison Visitation," *Mic*, May 5, 2016. <https://www.npr.org/2016/12/05/504458311/video-calls-replace-in-person-visits-in-some-jails>; Rabuy and Wagner, pp. 9-10. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

83. Rabuy and Wagner, pp. 7-8. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

84. *Ibid.*, pp. 9-10.

ated parents found that video visitations were shorter than in-person visits and the video feed often ended abruptly, without warning.<sup>85</sup>

When inmates have to use shared video visitation terminals, their lack of privacy changes the dynamic of visits.<sup>86</sup> Furthermore, the set-up of video visitation terminals can impede connection as the camera is typically set up a few inches above the monitor, which prevents families from looking directly into the eyes of their incarcerated loved one.<sup>87</sup>

The cost of video visitation can also be a major barrier to families. For example, in Tennessee state prisons a 30-minute video call costs \$9.95.<sup>88</sup> And nearly half of the incarcerated individuals surveyed in Washington State prisons said that the cost of video visitation prevented them from using the service or from using it more often.<sup>89</sup> Additionally, most companies charge families per visit rather than per minute, and technical problems can prevent families from receiving the value they pay for.<sup>90</sup> When calls do not work, it can be difficult to get credit on their accounts.<sup>91</sup>

Furthermore, both families and inmates can have difficulty accessing video visitation. In addition to the technology not being offered at all prisons, video visitation can be limited to certain groups of inmates. For example, those in solitary confinement, protective custody and special behavioral and mental health units may be ineligible for the service.<sup>92</sup> In cases where inmates do not have access to handheld tablets, they may be stymied by a limited number of shared video kiosks.

Families can also face obstacles to participating in video visitation. Systems that only offer on-site video visitation require families to travel to the facility, which can be far away. Even with systems that allow remote video visitation, family members may not have the necessary technology, technological know-how or internet access to set up an account and navigate the system.<sup>93</sup> For example, of the inmates at Washington state prisons who wanted to make more use of video visitation, 21 percent were prevented from doing so because their loved one lacked access to the internet.<sup>94</sup> These limitations are disproportionately felt by Black, Latinx and low-income families, as data show substantial income and racial disparities in households' access to a computer and broadband internet.<sup>95</sup>

## Tablets

Some facilities offer or allow inmates to purchase specifically modified tablet computers that can be used for limited purposes, including communication, entertainment and education. The facilities contract with private companies to provide the tablets and related services, and the functions available to inmates vary by facility and company.<sup>96</sup> These tablets do not provide unrestricted internet access, though some have limited wireless capability.

Tablets make it easier for inmates to communicate with their families. Instead of needing to use shared kiosks, inmates can send and receive electronic messages from their own cells. This facilitates more meaningful communication, as inmates can spend more time on messages, with fewer distractions. In addition, inmates who are able to make phone calls and video calls from tablets can communicate with more privacy. At facilities that only provide black and white scans of postal mail, tablets can allow inmates to see photos sent by their families in color.<sup>97</sup>

Tablets are especially essential during the COVID-19 pandemic, given infection concerns with using shared phones

---

85. Poehlmann-Tynan, p. 14. <https://www.irp.wisc.edu/publications/focus/pdfs/foc322c.pdf>.

86. See, e.g., Danielle J. Murdoch et al., "Boise State University—Ada County Sheriff's Office Inmate Video Visitation Program Evaluation, June 2016, pp. 101-04. [https://www.researchgate.net/profile/Laura\\_King23/publication/303818777\\_Ada\\_County\\_Sheriff's\\_Office\\_Inmate\\_Visitation\\_Program\\_Evaluation/links/5797924808aeb0ffcd06dda1/Ada-County-Sheriffs-Office-Inmate-Video-Visitation-Program-Evaluation.pdf](https://www.researchgate.net/profile/Laura_King23/publication/303818777_Ada_County_Sheriff's_Office_Inmate_Visitation_Program_Evaluation/links/5797924808aeb0ffcd06dda1/Ada-County-Sheriffs-Office-Inmate-Video-Visitation-Program-Evaluation.pdf); Rabuy and Wagner, p. 8. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

87. Emily Widra, "In their own words: The value of in-person visitation to families," Prison Policy Initiative, May 9, 2017. <https://www.prisonpolicy.org/blog/2017/05/09/video-visitacion-quotes>; Rabuy and Wagner, pp. 8-9. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

88. "Tennessee Department of Correction," JPay, last accessed Aug. 21, 2020. <https://www.jpays.com/Agency-Details/Tennessee-Department-Of-Correction.aspx>.

89. Digard et al., p. 18. [https://www.vera.org/downloads/publications/video-visitacion-in-prison\\_02.pdf](https://www.vera.org/downloads/publications/video-visitacion-in-prison_02.pdf).

90. Rabuy and Wagner, p. 14. [https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOutFamilyTime_January2015.pdf).

91. Toohey. <https://www.orlandosentinel.com/coronavirus/os-health-coronavirus-prison-video-calls-failing-families-20200515-52q752acqbffhclajhgc52wq-story.html>; Lewis and Lockwood, <https://www.themarshallproject.org/2019/12/19/can-you-hear-me-now>.

92. Digard et al., pp. 6-7. [https://www.vera.org/downloads/publications/video-visitacion-in-prison\\_02.pdf](https://www.vera.org/downloads/publications/video-visitacion-in-prison_02.pdf).

---

93. Murdoch et al., pp. 50-51. [https://www.researchgate.net/profile/Laura\\_King23/publication/303818777\\_Ada\\_County\\_Sheriff's\\_Office\\_Inmate\\_Visitation\\_Program\\_Evaluation/links/5797924808aeb0ffcd06dda1/Ada-County-Sheriffs-Office-Inmate-Video-Visitation-Program-Evaluation.pdf](https://www.researchgate.net/profile/Laura_King23/publication/303818777_Ada_County_Sheriff's_Office_Inmate_Visitation_Program_Evaluation/links/5797924808aeb0ffcd06dda1/Ada-County-Sheriffs-Office-Inmate-Video-Visitation-Program-Evaluation.pdf); Tartaro and Levy, p. 36. <https://doi.org/10.1080/23774657.2016.1239185>.

94. Digard et al., p. 18. [https://www.vera.org/downloads/publications/video-visitacion-in-prison\\_02.pdf](https://www.vera.org/downloads/publications/video-visitacion-in-prison_02.pdf).

95. Camille Ryan, "Computer and Internet Use in the United States: 2016," American Community Survey Reports, August 2018, p. 7. <https://www.census.gov/content/dam/Census/library/publications/2018/acs/ACS-39.pdf>.

96. See, e.g., Raheer. <https://www.prisonpolicy.org/blog/2017/07/06/tablets>; and Derek Gilna, "Companies Pitch Tablets for Prisoners to Maintain Family Ties, Aid in Reentry ... and Generate Profit," *Prison Legal News*, July 7, 2015. <https://www.prison-legalnews.org/news/2015/jul/7/companies-pitch-tablets-prisoners-maintain-family-ties-aid-reentry-and-generate-profit>.

97. Tonya Riley, "'Free' Tablets are Costing Prison Inmates a Fortune," *Mother Jones*, Oct. 5, 2018. <https://www.motherjones.com/politics/2018/10/tablets-prisons-inmates-jpay-securus-global-tel-link>.



and kiosks. Distributing tablets to inmates can help them sustain family connections even when they are in quarantine or isolation. For example, all inmates in Davidson County (TN) are provided a tablet, including those in medical isolation units.<sup>98</sup>

However, the cost of using tablets can be a major barrier. Even when tablets are ostensibly offered to inmates for free, they usually have to pay high rates for services.<sup>99</sup> Families become locked into a company's services, which charge above-market prices for phone calls, video visitation, media and money transfer. When tablets are not offered for free, their costs can be prohibitive. For example, at the Knox County Jail (TN), inmates could only borrow tablets for 15 minutes for free, but they could rent the tablets for \$5 per day or purchase them for \$425.95.<sup>100</sup> Similarly, at Marion Correctional Facility in Ohio, tablets were reported to cost \$140.<sup>101</sup> As a result of these costs, not all inmates can access tablets or afford to use them to communicate with family.

Inmates have also reported technical malfunctions with tablets and their apps, as well as poor customer service.<sup>102</sup> If tablets break, providers may not be required to repair or replace them. For example, companies do not have to repair or replace tablets if they believe the tablets were "willfully" damaged, or if they have reached the maximum number of replaced or repaired tablets in their contract.<sup>103</sup>

### Mobile Applications and Other Web-based Services

Private companies have developed mobile applications (apps) and web-based services to make it easier for families to stay connected with their incarcerated loved ones. These apps and services are relatively new, and more research is needed to assess their quality.

Several companies that contract with correctional facilities offer mobile apps that allow friends and family to communicate with inmates.<sup>104</sup> The services vary by company and correctional facility, but include electronic messaging, video visitation, and photo and video sharing. These apps integrate with the communication options available to inmates in their facilities, such as proprietary video visitation systems.

Other companies have created mobile apps and web-based services to aid family connections, but their functionality is limited by current restrictions around communication with incarcerated individuals. For example, families can upload photos and messages electronically, but their letters and pictures can typically only be sent to inmates via the postal mail. This is because those apps cannot access the proprietary systems set up by companies that contract with correctional facilities. Similarly, apps face obstacles to providing higher-quality or lower-cost options for video calling because the only tablets or kiosks currently available to inmates are the ones provided by companies that contract with correctional facilities.<sup>105</sup>

As mentioned above, a number of mobile apps have been developed to help families share photos and messages by printing those materials and sending them to inmates via the postal mail.<sup>106</sup> Some of these companies were founded by formerly incarcerated individuals, who experienced firsthand the importance of staying connected with family while in prison. After Marcus Bullock recognized the transformative value of his mother's letters and phone calls during his incarceration, he founded Flikshop to make it easier for inmates to stay connected with family and other loved ones.<sup>107</sup> Instead of having to sit down to write letters, develop photos and mail them, the Flikshop mobile app allows users

98. Sheriff Daron Hall, Davidson County (TN), "Event: How Can Legislators and States Use Criminal Justice Policy to Mitigate the Harm of COVID 19?", R Street Institute, May 5, 2020, 23:37-27:05. <https://www.rstreet.org/2020/05/05/event-how-can-legislators-and-states-use-criminal-justice-policy-to-mitigate-the-harm-of-covid-19>.

99. See, e.g., Marc Finkel and Wanda Bertram, "More states are signing harmful 'free prison tablet' contracts," Prison Policy Initiative, March 7, 2019. <https://www.prison-policy.org/blog/2019/03/07/free-tablets>; Wanda Bertram and Peter Wagner, "How to spot the hidden costs in a 'no-cost' tablet contract," Prison Policy Initiative, July 24, 2018. <https://www.prisonpolicy.org/blog/2018/07/24/no-cost-contract>; Riley. <https://www.motherjones.com/politics/2018/10/tablets-prisons-inmates-ipay-securus-global-tel-link>; Raheer. <https://www.prisonpolicy.org/blog/2017/07/06/tablets>.

100. J. Tanner Lusk, "Isolation for Profit: How Privately Provided Video Visitation Services Incentivize Bans on In-Person Visitation Within American Correctional Facilities," *Washington and Lee Journal of Civil Rights and Social Justice* 26:1 (Jan. 1, 2020), pp. 347, 354. <https://scholarlycommons.law.wlu.edu/cgi/viewcontent.cgi?article=1489&context=crsj>.

101. Riley. <https://www.motherjones.com/politics/2018/10/tablets-prisons-inmates-ipay-securus-global-tel-link>.

102. *Ibid.*

103. See, e.g., Finkel and Bertram. <https://www.prisonpolicy.org/blog/2019/03/07/free-tablets>; Raheer. <https://www.prisonpolicy.org/blog/2017/07/06/tablets>.

104. See, e.g., Bischoff. <https://www.comparitech.com/blog/information-security/prison-phone-service-exposes-millions-inmate-records/>; Marissa Miller, "How incarcerated people communicate with the outside world is heavily regulated by those who profit from it," *Mic*, July 30, 2019. <https://www.mic.com/p/how-incarcerated-people-communicate-with-the-outside-world-is-heavily-regulated-by-those-who-profit-from-it-17992732>; Traci Rosenbaum, "Cascade County Detention Center COVID-19 outbreak: Here's what families need to know," *Great Falls Tribune*, Aug. 26, 2020. <https://www.greatfallstribune.com/story/news/2020/08/26/cascade-county-sheriff-outlines-options-families-inmates-jail-coronavirus-outbreak/5637422002>; "Text Message FAQ," CorrLinks, last accessed Aug. 21, 2020. <https://corrlinks.blob.core.windows.net/textfaq/TextMessageFileIndex.pdf>.

105. Devin Coldewey, "Ameelio wants to take on for-profit, prison-calling rackets after starting with free letters to inmates," *TechCrunch*, May 14, 2020. <https://techcrunch.com/2020/05/14/ameelio-wants-to-take-on-for-profit-prison-calling-rackets-after-starting-with-free-letters-to-inmates>.

106. See, e.g., Olivia Carville, "Ex-Cons Create 'Instagram for Prisons,' and Wardens Are Fine With That," *Bloomberg*, Feb. 6, 2019. <https://www.bloomberg.com/news/features/2019-02-06/ex-cons-create-instagram-for-prisons-and-wardens-are-fine-with-that>; Rae Hodge, "As jails and prisons face coronavirus, a new app tries to bridge the mail gap," *CNET*, May 30, 2020. <https://www.cnet.com/news/as-jails-face-coronavirus-threat-a-new-app-seeks-to-bridge-the-mail-gap/>; Walter Pavlo, "An Entrepreneur's Vision Of How To Break The Cycle Of Prison: TextBehind," *Forbes*, May 18, 2015. <https://www.forbes.com/sites/walterpavlo/2015/05/18/an-entrepreneurs-vision-of-how-to-break-the-cycle-of-prison-textbehind>.

107. See, e.g., Kerrie Hillman et al., "As a Boy in Adult Prison, His Mother's Letters 'Were Everything,'" *NPR*, Aug. 11, 2017. <https://www.npr.org/2017/08/11/542648319/as-a-boy-in-an-adult-prison-his-mothers-letters-were-everything>.



Source: Image provided and reproduced with permission of Flikshop.

to upload photos and add messages, which are delivered to inmates as printed postcards.<sup>108</sup> Similarly, Joseph Calderon founded Pelipost based on his experience sending photos to his mother during her incarceration.<sup>109</sup>

In addition to sending photos and messages, the companies Pigeonly and InmateAID help families and friends send greeting cards to inmates and access lower-cost, local rates for phone calls.<sup>110</sup> Unlike other companies that allow families to choose services in a more à la carte fashion, some or all of the services offered by Pigeonly and InmateAID require monthly subscriptions.

Some companies offer text messaging services that work with CorrLinks, the electronic messaging option for federal prisons and certain state prisons. These companies allow families to send text messages, which are then converted into CorrLinks messages and sent to inmates.<sup>111</sup> However, these services do not impact how inmates send and receive messages; they still have to use the CorrLinks system directly.

Donations and other sources of funding allow some companies to provide some or all of their services free of charge. For example, Ameelio is a nonprofit technology company that allows family and friends to send free letters and photos to inmates.<sup>112</sup> The Photo Patch Foundation raises money to help children send free letters and photos to their incarcerated parents.<sup>113</sup> Similarly, the Flikshop Angels program collects donations for Flikshop credits that allow children to send free photo postcards to their incarcerated parents.<sup>114</sup>

Additionally, some companies use technology and the data collected through their services to provide re-entry support for inmates. For example, Flikshop uses its data to send targeted campaigns to incarcerated users around re-entry planning and recidivism reduction.<sup>115</sup> The company leverages data from its incarcerated users and works to connect them with organizations that are hiring, providing affordable housing or offering other re-entry programs.<sup>116</sup> Similarly, Ameelio offers a service that connects inmates nearing

108. See, e.g., Michael A. Fletcher, "The creator of this social media app wants prisoners to stay connected to their families," *The Undeclared*, Jan. 22, 2019. <https://theundefeated.com/features/marcus-bullock-creator-of-flikshop-app-wants-prisoners-to-stay-connected-to-their-families>.

109. See, e.g., author correspondence with Joseph Calderon (email), July 2, 2020; Becky Calderon, "Becky's Story Inside Incarceration (Pt. 1)," Pelipost, Nov. 12, 2019. <https://blog.pelipost.com/index.php/2019/11/12/beckys-story-inside-incarceration>.

110. Carville. <https://www.bloomberg.com/news/features/2019-02-06/ex-cons-create-instagram-for-prisons-and-wardens-are-fine-with-that>.

111. See, e.g., "How AllDayText Works," AllDayText, last accessed Sept. 7, 2020. <https://alldaytext.com/how-it-works/>; "How it works," TextInmate.com, last accessed Sept. 7, 2020. <https://textinmate.com/#how>.

112. Hodge. <https://www.cnet.com/news/as-jails-face-coronavirus-threat-a-new-app-seeks-to-bridge-the-mail-gap/>.

113. Vikki Law, "Connecting With Incarcerated Parents Is Easier With Photo Patch, an App Developed By a Teen," *Teen Vogue*, May 13, 2020. <https://www.teenvogue.com/story/connecting-incarcerated-parents-photo-patch>.

114. Lydia Blanco, "Flikshop Is Helping Inmates Stay Connected With Their Families During COVID-19 Crisis," *Black Enterprise*, April 4, 2020. <https://www.blackenterprise.com/flikshop-is-helping-inmates-stay-connected-with-their-families-during-the-covid-19-crisis>.

115. See, e.g., author interview with Marcus Bullock (telephone), April 20, 2020; Canning. <https://www.forbes.com/sites/jilliancanning/2019/12/13/from-maximum-security-prison-to-ceo-marcus-bullock-is-leveraging-data-to-fight-recidivism/#685774d4db5>.

116. Canning. <https://www.forbes.com/sites/jilliancanning/2019/12/13/from-maximum-security-prison-to-ceo-marcus-bullock-is-leveraging-data-to-fight-recidivism/#685774d4db5>.

release to organizations that provide educational, employment, healthcare and social resources.<sup>117</sup>

## POLICY RECOMMENDATIONS

The following policy recommendations are not exhaustive. Broader changes to incarceration—reducing the number of people who are incarcerated or increasing the wages of individuals while they are incarcerated—would yield an even larger impact on the lives of individuals and families. However, the following reforms would substantially improve the ability of incarcerated individuals to maintain strong, positive connections with their families.

### Prevent Technology from Supplanting In-person Visitation

Technology should not replace in-person visitation, unless public health concerns require temporary suspensions of in-person visitation. Most of the research into the benefit of family connections has focused on in-person visitation, and many inmates continue to prefer in-person visitation to video visitation.<sup>118</sup> The American Correctional Association and American Bar Association agree that video visitation and other technologies should not replace in-person visitation.<sup>119</sup> However, a Prison Policy Initiative report found that 74 percent of local jails discontinued in-person visitation after adopting video visitation.<sup>120</sup> In fact, contracts with the company Securus used to explicitly require facilities to ban in-person visitation after installing video visitation.<sup>121</sup> There has also been litigation over the constitutionality of Knox County Jail's ban on in-person visitation after instituting video visitation.<sup>122</sup> Policymakers should prevent companies from requiring facilities to ban in-person visitation when they implement video visitation.

---

117. "Our Mission," Ameelio, last accessed Aug. 21, 2020. <https://ameelio.org/#/mission>.

118. See, e.g., Mitchell et al., pp. 74-83. <https://doi.org/10.1016/j.icrimius.2016.07.006>; Murdoch and King, pp. 10-11. <https://www.tandfonline.com/doi/full/10.1080/0735648X.2019.1653216>.

119. "Criminal Justice Standards on Treatment of Prisoners," American Bar Association, Feb. 2010. [https://www.americanbar.org/groups/criminal\\_justice/publications/criminal\\_justice\\_section\\_archive/crimjust\\_standards\\_treatmentprisoners](https://www.americanbar.org/groups/criminal_justice/publications/criminal_justice_section_archive/crimjust_standards_treatmentprisoners); Pasley, p. 6. [https://www.prisonlegalnews.org/media/publications/To\\_What\\_End\\_Assessing\\_the\\_Impact\\_of\\_the\\_Knox\\_County\\_Jails\\_Ban\\_on\\_In-Person\\_Visits.pdf](https://www.prisonlegalnews.org/media/publications/To_What_End_Assessing_the_Impact_of_the_Knox_County_Jails_Ban_on_In-Person_Visits.pdf).

120. Rabuy and Wagner, p. 11. [https://static.prisonpolicy.org/visitation/ScreeningOut-FamilyTime\\_January2015.pdf](https://static.prisonpolicy.org/visitation/ScreeningOut-FamilyTime_January2015.pdf).

121. Securus Technologies, Inc., "Securus Technologies Revises Video Visitation Policy—Defers to Prison/Jail Officials on Rules For Onsite Visits," Press Release, May 4, 2015. <https://www.prnewswire.com/news-releases/securus-technologies-revises-video-visitation-policy--defers-to-prisonjail-officials-on-rules-for-onsite-visits-300077180.html>.

122. Lusk, p. 341. <https://scholarlycommons.law.wlu.edu/cgi/viewcontent.cgi?article=1489&context=crsj>.

## Remove Barriers to Traditional Communication Options

In-person visitation is uniquely beneficial for inmates and their families, and there are multiple ways that visitation could be more accessible and productive. As much as possible, inmates should be housed in the facility closest to their families. Additionally, state governments, communities, correctional facilities and nonprofit organizations should work together to provide free or inexpensive transportation to prisons. Finally, correctional facilities should consider expanding visiting hours and reducing fees associated with visitation.

To make visitation a more positive experience for children and other family members, decisionmakers should reform current search policies, promote family-oriented programming and create welcoming visitation spaces that allow for meaningful interactions. Facilities should also look for creative ways to utilize technology to facilitate in-person visitation, such as text notification systems to inform families about updated policies or scheduling changes.

Additionally, the cost of telephone calls should—at most—reflect only the true cost of the service. Correctional facilities should negotiate better contracts with companies and consider providing phone calls for free. New York City and San Francisco already provide free phone calls from city jails, and the Federal Bureau of Prisons made both phone calls and video visitation free in response to the COVID-19 outbreak; these measures should be expanded into other areas.<sup>123</sup> Phone providers should ensure that any call records or recordings are securely stored and protected from data breaches. Policymakers at the state and federal level should regulate the pricing of phone calls, as well as the ability of companies to obtain monopoly contracts by offering commissions or other improper perks to correctional facilities.<sup>124</sup>

Unnecessary restrictions on mail formats, such as postcard-only policies, should also be relaxed. Facilities that only provide scans of incoming mail and destroy the original materials should reconsider their policies. At a minimum, they should improve the quality of those scans and ensure that all the pages are included.

---

123. See, e.g., "Mayer de Blasio Announces Full Implementation of Free Phone Calls for People in Custody," City of New York, May 1, 2019. <https://www1.nyc.gov/office-of-the-mayor/news/229-19/mayor-de-blasio-full-implementation-free-phone-calls-people-custody>; Matthew Green, "San Francisco Permanently Scraps Jail Phone Call Fees," KQED, July 14, 2020. <https://www.kqed.org/news/11828999/san-francisco-moves-to-permanently-scrap-phone-call-fees-product-markups-at-county-jails>; Hendel. <https://www.politico.com/news/2020/04/14/federal-prisons-make-inmate-calling-free-186383>.

124. See, e.g., S. 1764, Martha Wright-Reed Just and Reasonable Communications Act of 2019, 116th Congress; Peter Wagner and Alexi Jones, "On kickbacks and commissions in the prison and jail phone market," Prison Policy Initiative, Feb. 11, 2019. <https://www.prisonpolicy.org/blog/2019/02/11/kickbacks-and-commissions>; and Wagner and Jones. [https://www.prisonpolicy.org/phones/state\\_of\\_phone\\_justice.html](https://www.prisonpolicy.org/phones/state_of_phone_justice.html).

## Make Technological Options for Family Connection More Accessible

While electronic messaging, video visitation and handheld tablets can help sustain family connections, many inmates and their families are prevented from using those services due to both cost and availability. Now, it is especially essential to ensure that inmates have access to technology that allows them to stay connected with their families as in-person visitation has been suspended or severely restricted across the country due to the COVID-19 pandemic. Electronic messaging and video calls should be available for free during this public health crisis. Given the benefits to those who are incarcerated, as well as their families and communities, it is sound public policy to make such services free in the long-term as well.

At the very least, facilities, companies and policymakers should work to reduce or subsidize the costs of those services. Private companies should reduce the fees charged to inmates and families, and make their costs transparent. Companies that provide video visitation should consider charging families by the minute rather than by visit, to make it more feasible to have shorter, more frequent calls. For example, incarcerated parents could use a quick video call to say good-night to their children.

Facilities should also consider providing inmates with free or low-cost, handheld tablets. In addition to educational and entertainment services, tablets can provide greater and more productive access to electronic messaging, phone calls and video visitation. While their communications could still be monitored and limited to approved contacts, inmates can have more meaningful interactions with their families from the privacy and convenience of their own cells. Being able to stay connected without needing to use shared kiosks is especially important during the COVID-19 pandemic. Furthermore, to fully benefit from tablet access, inmates need to have access to secure, white-listed internet within their facilities.<sup>125</sup>

If tablets are not available for all inmates, facilities should increase the number of video visitation terminals within common spaces. They should also consider not requiring appointments for video visitation, which would allow families to have more flexibility in scheduling visits. Moreover, facilities should allow families to participate in video visitation from home or a community site, rather than requiring them to travel to the facility to use on-site video terminals. For example, Pennsylvania previously required families to travel to kiosks at correctional facilities for video visitation, but recently began piloting video calls using Zoom; other

facilities should consider implementing similar options.<sup>126</sup> Remote visitation can remove barriers due to distance and transportation, as well as allow children and other family members to participate from a more welcoming environment.

To accommodate families who do not have the necessary technology at home, policymakers, private companies and nonprofit organizations should work together to set up community sites for video visitation. For example, the Brooklyn Public Library worked with Cisco to develop a video conferencing program that connects children to their incarcerated parents.<sup>127</sup> Organizations can also help families navigate the set-up process for video visitation or other technological services.

On a broader level, ease of connection through technology must be balanced with security concerns. While unrestricted internet, cell phone and social media access could help inmates keep in touch with their families, it could also be used to harass victims or orchestrate crimes. Due to concerns about public safety, cell phones are typically banned in prison, though they have been smuggled in.<sup>128</sup> Additionally, inmates do not have unrestricted access to the internet and are prohibited in some facilities from accessing or posting information on social media.<sup>129</sup> It is crucial that technology integration be done carefully and intentionally, considering both the needs of inmates and the safety of the public. Restrictions to inmates' access to technology should be focused on legitimate public safety concerns, instead of unnecessarily limiting their ability to have meaningful communication with their families.

## Improve the Quality of Technological Options for Family Connection

Given that much of the research into the benefit of family connections has focused on in-person visitation, connections through technology should mimic in-person experiences as much as possible. Currently, video visitation falls far short. Private companies and the facilities that contract with them

---

126. Mia Armstrong, "Life Has Moved to Zoom. Can Prison Visitation Do the Same?", *Slate*, April 28, 2020. <https://slate.com/technology/2020/04/zoom-video-communication-prison-pandemic.html>.

127. "Library Gives Kids Quality Connections to Parents in Jail," Cisco. [https://www.cisco.com/c/dam/en\\_us/solutions/industries/docs/gov/case-study-brooklyn-public-library.pdf](https://www.cisco.com/c/dam/en_us/solutions/industries/docs/gov/case-study-brooklyn-public-library.pdf).

128. See, e.g., Kevin Roose and Pendarvis Harshaw, "Inside the prison system's illicit digital world," *Splinter*, Feb. 03, 2015. <https://splinternews.com/inside-the-prison-systems-illicit-digital-world-1793844988>; Kim Severson and Robbie Brown, "Outlaws, Cellphones Are Thriving in Prisons," *The New York Times*, Jan. 2, 2011. <https://www.nytimes.com/2011/01/03/us/03prisoners.html>.

129. See, e.g., Mark Rumold, "Now More Than Ever, Prisoners Should Have Some Access to Social Media," Electronic Frontier Foundation, March 27, 2020. <https://www.eff.org/deeplinks/2020/03/now-more-ever-inmates-should-have-some-access-social-media>; Roose and Harshaw. <https://splinternews.com/inside-the-prison-systems-illicit-digital-world-1793844988>.

---

125. Emily Mooney and Kat Crawford, "Opinion: Improve technology in prisons," *The Detroit News*, May 18, 2020. <https://www.detroitnews.com/story/opinion/2020/05/19/opinion-improve-technology-prisons/5212694002>.

should address common complaints about connection issues, low video quality, audio lag and other technical problems. Policymakers should consider requiring minimum standards for video quality. Facilities should ensure that video visitations start on time and do not end abruptly. For on-site video visitation terminals, facilities should provide privacy partitions and height-adjustable seats, so that children and adults of different heights can be seen clearly on the video. For inmates who do not have access to video visitation through a tablet, shared kiosks should be set up in a way that allows inmates to have better eye contact. Facilities should also place shared kiosks in locations that maximize privacy, so that inmates can take video calls with fewer distractions and interruptions.

Additionally, facilities and providers should allow families to send attachments in their electronic messages. Being able to receive photo and video attachments can help inmates feel connected to their families' daily lives and major events. Facilities and companies can also consider allowing inmates to send photo and video attachments, with the same restrictions and monitoring as their other communications. As with phone call records, electronic messages should be securely stored and protected from data breaches.

## CONCLUSION

Reflecting on her experience with her son's incarceration, Sylvia Bullock stated: "[The] best thing that can happen is to keep families connected."<sup>130</sup> Indeed, the importance of these connections is apparent: Regular and productive communication helps incarcerated individuals and their families maintain strong social bonds and emotional wellbeing. Positive family connections can also promote successful re-entry and support public safety.

Unfortunately, the current public health crisis and pre-existing issues of cost and quality often prevent such connections from reaching their full potential. In order to truly promote familial communication, and thus re-entry, policymakers must quickly address these barriers and improve the quality and accessibility of what is offered. To do so would allow for more meaningful interactions, which would benefit incarcerated individuals, their families and society as a whole.

## ABOUT THE AUTHORS

**Diane Cheng** is a research consultant. She was formerly the research director at The Institute for College Access & Success (TICAS), a nonprofit organization focusing on higher education research and policy issues. She received a Bachelor's Degree and Master's Degree in Sociology from Stanford University.

**Arthur Rizer** is Director of Justice and National Security Policy at R Street Institute. He is a former visiting professor of law at Georgetown University Law Center and Associate Professor of Law at West Virginia University College of Law. Before entering academia, Rizer worked at the U.S. Department of Justice (DOJ) for nine years as a trial attorney. He also served as a Military Police and Armor officer in the reserve and active U.S. Army. He retired as a Lieutenant Colonel from the U.S. Army National Guard (WV).

**Nila Bala** is the associate director of Criminal Justice Policy and a senior fellow at the R Street Institute, where she helps lead criminal justice policy areas generally, and specifically develops policy to advance reforms in juvenile and economic justice. Previously, she was a public defender in Santa Clara, California and Baltimore, Maryland. Earlier in her career, she clerked for Judge Keith P. Ellison of the U.S. District Court for the Southern District of Texas.

---

130. Author interview with Sylvia Bullock (telephone), May 8, 2020.