

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

H.294

Introduced by Representatives Headrick of Burlington, Carris-Duncan of
Whitingham, Chapin of East Montpelier, Logan of Burlington,
and McCann of Montpelier

Referred to Committee on

Date:

Subject: Public institutions and corrections; commissary; telecommunications;
State contracts; labor; employment practices; minimum wage

Statement of purpose of bill as introduced: This bill proposes to ensure that
incarcerated individuals are provided communications services at no expense.
This bill also proposes to require the Department of Corrections to evaluate its
contracts with Global Tel Link Corporation and the Keefe Group. This bill
also proposes to require that incarcerated individuals receive at least federal
minimum wage.

~~An act relating to commissary and telecommunications prices in State
correctional facilities and fair compensation for incarcerated labor~~
*An act relating to telecommunications services and wages in correctional
facilities*

It is hereby enacted by the General Assembly of the State of Vermont:

~~Sec. 1. 28 V.S.A. § 802a is amended to read:~~
~~§ 802a. TELEPHONE USE, DEBIT AND COLLECT CALL SYSTEMS~~

OTHER COMMUNICATION SERVICES

(a) Upon admittance to a correctional facility, the inmate shall within 24 hours be allowed access to a telephone for outgoing telephone calls at the no expense of ~~to~~ the inmate.

(b) An inmate shall be allowed easy access in placing ~~collect~~ telephone calls at no expense upon admission to a correctional facility under reasonable conditions determined by the Commissioner, unless the inmate has been prohibited under provisions of section 853 of this title regarding punishment for a breach of the rules and regulations of the correctional facility in which an inmate is confined.

(c) When an inmate requests and receives a list of parties approved to receive telephone calls, the inmate shall be provided ~~the option of using a debit or collect call~~ a system to place such calls at no expense to the inmate. ~~Under the debit system, the inmate shall pay for telephone service at the time of use, and the cost of such service will be automatically deducted from an account maintained by the inmate for that purpose.~~

(d) Any contract to provide telephone or other communication services to inmates in State correctional facilities shall be negotiated and awarded in a manner that provides for ~~the lowest reasonable~~ no cost to inmates, to their families, and to others communicating with inmates.

1 ~~(e) The Department may supplement telephone use with other~~
2 ~~communication services, including video and electronic communication~~
3 ~~services, provided that any other communication service shall be offered at no~~
4 ~~expense to the inmate.~~

5 Sec. 2. 28 V.S.A. § 820 is added to read:

6 § 820. COMMISSARY

7 Any contract to provide commissary services to inmates in State
8 correctional facilities shall be negotiated and awarded in a manner that
9 provides that prices shall be set so as not to exceed by more than 10 percent
10 the fair market value for comparable products sold in the community where
11 the facility is located.

12 Sec. 3. DEPARTMENT OF CORRECTIONS; EVALUATION OF
13 CONTRACTS

14 On or before January 1, 2026, the Department of Corrections shall evaluate
15 its contracts with Global Tel Link Corporation and the Keefe Group and report
16 to the General Assembly on whether:

17 (1) each vendor offers its services or products to incarcerated
18 individuals at prices substantially higher than applicable to comparable
19 services or products offered in the community where the facility is located; and

20 (2) each vendor offers its services or products to incarcerated
21 individuals at prices substantially higher than offered by competing vendors.

1 ~~Sec. 4-28 V.S.A., § 751b is amended to read:~~

2 § 751b. GENERAL PROVISIONS GOVERNING OFFENDER WORK

3 * * *

4 (b) An offender shall not be required to engage in unreasonable labor or to
5 perform any work for which ~~he or she~~ the offender is declared unfit by a
6 physician employed or retained by the Department.

7 (c)(1) The Commissioner shall establish written guidelines governing the
8 hours and conditions of offender work, and the rates of compensation of
9 offenders for employment. An offender shall be compensated at a rate that is
10 equal to or greater than the federal minimum wage unless a different wage is
11 required for the offender's position pursuant to federal law.

12 (2) Wage payments of offenders shall be set aside in a separate fund.

13 (3) The guidelines of the Department may provide for the making of
14 deductions from wages of offenders to defray part or all of the cost of offender
15 maintenance or payments to victims of crime. The guidelines may also
16 provide for the setting aside by the Department of a portion of an offender's
17 wages to enable the offender to contribute to the support of ~~his or her~~ the
18 offender's dependents, if any; to make necessary purchases from a
19 commissary;; to purchase approved books, instruments, and instruction not
20 supplied by a correctional facility;; and to set aside sums to be paid to the
21 ~~offender upon release from the custody or supervision of the Commissioner.~~

1 ~~(4) Any interest that accrues from these wages during the period of such~~
2 custody of an offender shall be credited to any fund maintained by the
3 correctional facility for the welfare of offenders.

4 * * *

5 Sec. 5. DEPARTMENT OF CORRECTIONS WAGE POLICIES; UPDATE

6 On or before January 1, 2026, the Commissioner of Corrections shall
7 update all Department of Corrections policies relating to inmate wages to
8 comply with the requirements of 28 V.S.A. § 751b.

9 Sec. 6. EFFECTIVE DATE

10 ~~This act shall take effect on July 1, 2025.~~

Sec. 1. INTENT

It is the intent of the General Assembly to:

(1) create conditions of incarceration that encourage the development and maintenance of the personal supports necessary for rehabilitation;

(2) mitigate the disruptions to family and community connections caused by incarceration by reducing communication barriers;

(3) divest the State from the for-profit prison industry; and

(4) inform State correctional policy decision making with data, fiscal analysis, and agency expertise.

*Sec. 2. DEPARTMENT OF CORRECTIONS; EVALUATION OF
TELECOMMUNICATIONS SERVICES; REPORT*

(a) On or before December 1, 2026, the Department of Corrections shall provide to the House Committee on Corrections and Institutions and the Senate Committee on Institutions a written report evaluating options for providing no-cost telecommunications services to inmates in the Department's custody that:

(1) describes the current telecommunications service model, including usage rates, costs, and contract terms under existing provider arrangements;

(2) describes alternative options for providing telecommunications services, including through nonprofit providers or as a regulated public utility;

(3) analyzes the cost to the State of each alternative, including:

(A) start-up and transition costs, both with and without Wi-Fi;

(B) ongoing operational and administrative costs;

(C) cost comparisons to the current model;

(D) impacts on Department budgets;

(E) anticipated changes in service usage and volume; and

(F) any anticipated benefits or savings, including reasonably ascertainable impacts on behavior, security, safety, and an incarcerated person's ability to sustain support systems; and

(4) identifies implementation, operational, and transition considerations for each alternative, including:

(A) administrative, technological, and contractual requirements;

(B) operational changes;

(C) implementation timeline; and

(D) any required statutory, regulatory, or policy updates.

(b) In conducting its evaluation of options for providing no-cost telecommunications services, the Department of Corrections shall, when practicable, consult with the following stakeholders:

(1) the Public Utility Commission;

(2) the Joint Fiscal Office;

(3) one or more nonprofit providers of corrections telecommunications services with operational experience;

~~(4) CoreCivic;~~

~~(5)~~(4) incarcerated Vermonters, formerly incarcerated Vermonters, and organizations representing incarcerated or formerly incarcerated individuals;

~~(5)~~(6)(5) representatives of families of incarcerated Vermonters or organizations representing families of incarcerated Vermonters;

~~(6)~~(7)(6) community-based reentry service providers;

~~(7)~~(8)(7) justice reform organizations;

~~(8)~~(9)(8) the Prison Research and Innovation Network (PRIN); and

~~(9)~~(10)(9) any other stakeholders or subject matter experts identified by the Commissioner of Corrections as necessary for the evaluation.

(c) The Department of Corrections shall provide to the Joint Legislative Justice Oversight Committee for the Committee's analysis and input:

(1) a first draft of the report on or before September 15, 2026; and

(2) an updated draft of the report on or before November 15, 2026.

Sec. 3. DEPARTMENT OF CORRECTIONS; WAGE IMPACT

EVALUATION; REPORT

On or before December 1, 2026, the Department of Corrections shall provide to the House Committee on Corrections and Institutions and the Senate Committee on Institutions a written report evaluating the impacts of current wages for inmates in the Department's custody that:

(1) collects and analyzes the current wage levels for inmates;

(2) identifies the categories of labor performed by inmates that would otherwise be performed by the State and estimates the cost to the State of providing the same services through State employees or contracted vendors, including wage and benefit costs;

(3) compares different wage impact scenarios and estimates the impact of wage adequacy improvements on outcomes for inmates, such as maintenance of family contacts, compliance with restitution and support obligations, reentry success, and participation in facility work programs; and

(4) assesses the relationship between current wage levels and the ability of work program participants to purchase telecommunications services and commissary items.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.