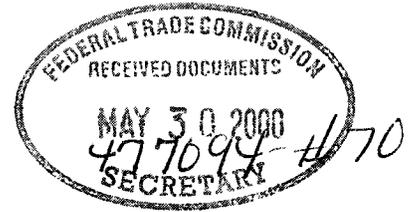


Before the
Federal Trade Commission
Washington, DC

File No. P994414



Telemarketing Review

Re: Telemarketing Review – Public Comment. FTC File No. P994414

TO THE COMMISSION;

My name is April Jordan. I urge the Commission to amend the Telemarketing Sales Rule, 16 CFR 310 (“Rule”), to address a serious problem my family and many others have and continue to experience.

Summary of Comment

My family has been victimized by the telemarketing industry, as my first comment records at length. The intent of this additional comment is to summarize experiences of other families who in the last few months have also had similar horror stories. These families are trying to find a way to protect their identity while relating their experiences. They also, just as I do, feel betrayed by those sworn to protect and serve. For every story told, there are many more people who have experienced similar problems who are remaining silent. These articles only scratch the surface of a much deeper issue. I cannot imagine the impact of all the victims being granted a voice while remaining unnamed for their own safety. The telemarketing industry has stripped them of their basic right to free speech. Risking your very life to speak out is not free speech. No

company, industry or government should be able to impose these restrictions on families in this country.

One article details the telemarketing industry's view of using inmates which includes blocking an entire area code for prevention and inmates being "written up" if they chose to quit the program.

It is my belief that anyone who is called by a prisoner should be told that fact very clearly at the beginning of the first call, and in every later contact. Similarly, the failure of the telemarketer to make this information clear is both deceptive and abusive.

The Commission should amend the Rule to expressly prohibit telemarketing that uses prisoners without full disclosure.

Recent Articles

May 21, 2000

**Inmate's Attempt to Contact Girl Buffets Prison Work Program
Corrections Still Committed To Inmate Labor
BY GREG BURTON THE SALT LAKE TRIBUNE**

The letter arrived in February, addressed to a Utah girl.

"Hi, how are you doing? I am fine. My name is David . . ." The words, scrawled on lined paper, offered endearments and then subtly delved deeper. And then the subtlety ended:

"By the way, do you have a boyfriend? . . . If you will be willing to go out with me, will you answer these questions honestly as to what you will be willing to do with me . . . holding hands, French kissing, fondling each other" and so on, into more explicit sexual suggestions.

The girl's mother intercepted the letter, written by an inmate at the Utah State Prison, and forwarded it to Utah Attorney General Jan Graham.

Prison officials are investigating the matter.

The incident and others like it have shaken the Utah Department of Corrections and increased concerns about inmate jobs that place private facts about the public under the noses of prisoners working for the state's lucrative inmate labor program.

In many ways, the investigation has dovetailed with issues raised by another recent prison probe, launched when an inmate software designer, who killed himself before he could be interviewed, purportedly masterminded a computer-security breach at the Draper prison.

"The age of computers has presented new challenges that require increased expertise on our part," says Corrections Director Pete Haun, an advocate for prisoner education and job training. "We need to take a good, hard look at it."

In the case of the letter writer, inmate David Hunsaker worked as a telemarketer for Utah's SandStar Family Films, a primarily no-sex, no-violence movie distribution company based in Utah. Last February, a 15-year-old Utah girl was home when another inmate telemarketer, given a random telephone number and name, drew out the girl's address. That inmate, whom prison officials decline to name, allegedly bartered the girl's information to Hunsaker while the two sat among a bank of phones inside the Point of the Mountain prison.

Prison officials would not discuss their investigation, but according to documents obtained in a records request by The Salt Lake Tribune, Assistant Attorney General Jim Beadles asked Haun and his deputies to expedite their inquiry.

"As you can imagine, the parents are petrified," Beadles wrote to Haun in an e-mail dated March 7. "I ask that this request be given some urgency."

In the parents' letter to Graham, also obtained under Utah's Government Records and Management Act, the girl's mother said her daughter "worried about it for days wondering where she could go hide when Mr. Hunsaker gets out. . . . Our concern is how can we protect or prevent letters like this going to innocent young children?"

The Utah parents are not alone in their fear. Also in February, a Texas mother says another Utah inmate telemarketer asked her daughter intrusive questions. Her complaint, too, was fielded by the Utah Attorney General's Office. In each case, the inmates acquired private information despite protections against such intrusions—including the taping of inmate calls, conversation monitoring and prohibitions against inmates writing down what they hear.

Clamping Down: Soon after the Attorney General's Office learned of the incidents, inmates at the prison call centers were forced to undergo strip searches before entering and exiting the Utah Correctional Industries (UCI) facility inside the Draper prison, one inmate says.

"Nobody's having much fun now," the inmate, who said he feared retaliation if prison officials learned he had talked, told The Tribune.

"We are in the process of analyzing the whole arena of prison industries," says Haun. "It very well could create changes, either through the implementation of new policy or the elimination of some of the offender jobs."

But scaling back Utah's prison labor program—one of the nation's leading inmate employers—could be a tough sell and an even harder financial divorce. Inmate labor produces \$12 million in annual sales for Corrections, although the income is plowed back into UCI programs. Success has funded additional prison staff at UCI and paid for technically advanced offices and capital improvements that otherwise would be impossible given the slow growth of state budgets.

"You've got to take common-sense precautions, but in general work is good," says Morgan Reynolds of the National Center for Policy Analysis, a private, nonprofit think tank. "Humane work for wages to produce a quality project is an advantage, not only for the inmate but for society in general. It's going to improve public safety in the long run, especially because having a job and job skills is the biggest reducer of recidivism that we know of."

Effect on Recidivism: While factors affecting recidivism are difficult to gauge, a recent study by the Federal Bureau of Prisons found inmates employed in federal inmate labor programs were 24 percent more likely than nonemployed inmates to find jobs upon release and remain crime-free for up to 12 years thereafter.

On April 6, bureau Director Kathleen Hawk Sawyer told members of the U.S. Senate Judiciary Committee that prison industries were an "important rehabilitation tool that provides inmates an opportunity to develop work ethics and skills that can be used upon release from prison."

The federal prison work program's mission, she said, was to "employ, instill good work habits in and provide skills training to as many inmates as possible; contribute to the safety and security of federal prisons by keeping inmates constructively occupied; produce market-priced, quality goods for federal government customers; operate in a self-sustaining manner; and minimize its impact on private business and labor."

The director of Utah's inmate-labor program echoes those goals and says UCI's programs reduce prisoner recidivism as well as or better than the federal program.

"You always look at yourself and ponder what you are contributing, but I can definitely say I'm still proud of what we are doing and where we are going," says Dick Clasby, who was a displaced aerospace worker from California when he became a guard and then, 20 years ago, a part of Utah's inmate labor program. Back then, stamping license plates and slaughtering beef were standard inmate jobs.

Today, UCI employees write software, repair computers for schools, build state-office furniture, print technical journals, read for the blind and answer phones for the Utah Travel Council. They sew, upholster, clean up asbestos and copy precise blueprints for state buildings onto microfilm.

And they still pound out license plates and process meat.

National Leader: For a decade, Utah has either led the nation or been close to the top in the percentage of inmates employed in its prison labor program. About 850, or 18 percent, of Utah inmates work for UCI, according to the prison's 1999 annual report. The national average is about 6 percent.

"If nothing else, it's a management tool. People who work are productively involved, their minds are busy, they are not sitting around stewing in their own juice," Clasby says. "We always have setbacks. You just try to roll with the punches, correct what we've done wrong and go again."

There is no consensus about how prison-labor programs affect recidivism. Critics argue the best inmates are chosen for the best jobs and success naturally follows.

Chris Mitchell, director of planning research at Corrections, says success "is going to be distorted a little bit. People who participate in the programs have already selected themselves as people who want success."

And even though UCI has added 500 inmate employees since 1990, Utah's three-year recidivism rate has held steady over the same period, at between 31 percent and 32 percent.

UCI's success is mitigated by failures such as the telemarketing fiasco. Still, prison officials say inmate exposure to the family-friendly people at SandStar has been positive.

SandStar executives say they are committed to the program and satisfied by the prison's response. UCI, which previously monitored only a few inmate telemarketing conversations, is adding equipment to allow real-time monitoring of 10 additional conversations. SandStar has hired five more employees whose sole responsibility will be to monitor inmate calls, and inmate work stations have been turned to face the wall so, Clasby says, "inmates can't see where our inmate work staff is."

'Farsighted' Program: David Anderson, Sandstar's president, says his company initially teamed with UCI because it was a "farsighted correctional program."

"The goal is to provide positive and productive experiences to a selected universe of inmates," he told The Tribune in a written response to queries. The programs, he says, "provide the individual inmate the much-needed personal dignity of, in some part, making a responsible contribution to personal and family financial commitments."

Indeed, inmate salaries are divided, with weighted portions reserved for payment of fines, victims' restitution and prisoner savings accounts. Not only do inmates from UCI walk out prison gates with transferable job skills, they generally are carrying more than the traditional \$100 that other freed inmates receive.

While assessing the success or failure of inmate labor, Reynolds, the national policy analyst, says Utahns should resist a knee-jerk reaction.

"There's a parallel here to any business," he says. "The problem of betrayal of employees is a bigger problem than shoplifting. All businesses have a problem with corruption and theft. It's just more visible behind bars."

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May 23, 2000

The Herald Journal on May 23, 2000

Prison mail inspires fear

By Jeremy B. Pugh, staff writer

An inmate at the Utah State Prison who sent a suggestive letter to a 15-year-old Utah girl last February also sent a letter to a 27-year-old Northern Utah woman. Prison officials said this morning they were not aware of the second letter.

According to an article in the Salt Lake Tribune, David Hunsaker, 24, obtained the address of the 15-year-old recipient while working as a telemarketer for Utah's SandStar Films, which contracts with the prison for inmate labor. Jack Ford, spokesman for the Utah Department of Corrections, told The Herald Journal he was not aware of the letter to the 27-year-old, and thus could not say how Hunsaker obtained her address, which is unlisted.

Hunsaker is serving a zero- to five-year sentence for forgery that will expire July 13, and Utah Board of Pardons official John Green said the board has no cause to keep him in prison beyond that date.

"Once July 13, 2000, comes, the board has no jurisdiction over him," Green said. "He served all five years of his sentence."

The 27-year-old who received the letter spoke to The Herald Journal on the condition of anonymity. The letter arrived May 8.

"I thought it was a joke," she said. "But I did some digging and I still don't know how he got my name. The letter implies he knows what I look like and he asks for my picture. I'm scared."

The 15-year-old's letter arrived in February and was forwarded by the girl's mother to the Utah Attorney General's Office, which initiated an investigation, the Tribune article stated. Officials at the Attorney General's Office said this morning the investigation has been taken over by the Utah Department of Corrections.

"Here he sends this letter in February and they know about it and I get one in May," the 27-year-old said. "Aren't they monitoring his mail? Something?"

Ford said inmates are often put on "mail watch" if there has been a problem but he did not know if Hunsaker's mail was scrutinized.

Hunsaker's letter opens innocently enough. He introduces himself as a person looking for companionship.

"I am wondering, are you married or have a boyfriend?" he writes. "If not, will you go out with me?"

He discusses future plans and then informs the recipient that he is an inmate at the prison and will be released on July 13. The letter closes with a rudimentary, 10-question "yes-no" survey that asks the woman what level of relationship she would desire. Hunsaker begins by asking if she would be up for "holding hands" and then he denigrates to "kinky stuff."

The letter's 27-year-old recipient said she first contacted the Cache County Sheriff's Office, which referred her to the Utah Board of Pardons, whose officials basically told her they could do nothing.

"They cannot prolong his sentence," she said, echoing Green's statement. "Once he's out the police have no jurisdiction over him, they can't do anything unless he commits a crime."

Green said Hunsaker was scheduled to be paroled to a halfway house on June 13, but that parole has been revoked and a hearing will be scheduled. Green, however, wouldn't say if the letter was the reason the parole was revoked.

"They have taken away his parole date because somebody's complained about something," Green said. "That complaint has to be serious because once a guy has a parole date it can't be taken away unless there is justification."

The 27-year-old sent a letter to the Board of Pardons asking for a no-contact clause to be put on the terms of his parole.

"I feel strongly that my personal safety is in jeopardy," she wrote. "... I want it known that he is absolutely not to have any written, electronic or physical contact with me. He is not to stalk me in any way and that must be stated in his parole agreement. I reaffirm the fact that he is a threat to me and my family, society in general and this is an extremely grave matter."

However, regardless of the one-month-parole revocation, Hunsaker will be released on July 13, leaving the 27-year-old frustrated and in fear.

"Nothing is going to be done, nothing," the woman said. "It's not right. I've been told I could hire a private attorney and get a restraining order but that would put me in more danger because he'd know who I am. I can't believe that I have to make time in my life for a person that I don't even know and is not even here."

Ford said this morning that the matter is under investigation and couldn't comment on the investigation's status. He did say that prison officials were not aware of Hunsaker's letter to the 27-year-old. They were only aware of the February letter to the 15-year-old.

According to the Tribune article, Hunsaker was working as a telemarketer and obtained the 15-year-old's name and address from another inmate who had coaxed the information out of her while she was home alone. That inmate, whom prison officials declined to name, allegedly bartered the girl's information to Hunsaker.

Officials at the Cache County Attorney's Office said they have notified Northern Utah law enforcement officials about the situation and Hunsaker's impending release. But because he hasn't violated any law by simply writing a letter, no charges will be brought against him. Cache

Victim's Advocate Terry Warner said the matter raises some serious questions about privacy issues.

"This woman is not listed, but a credit card company could sell her name and address to a telemarketing firm and then it ends up in the prison," Warner said.

May 24, 2000

Inmate Sends 2nd Suggestive Letter Wednesday, May 24, 2000

GREG BURTON

THE SALT LAKE TRIBUNE

Two months after an inmate telemarketer's sexually suggestive letter to a Utah girl prompted an investigation into inmate-labor procedures at the Utah State Prison, the same inmate apparently mailed a similar letter to a different Utah woman.

"I just want people to know nothing has been done, this is still going on and who knows how many more girls, how many females, have received this letter," the 27-year-old woman, who asked not to be identified, told The Salt Lake Tribune. "To me, he's violating us. I don't know what you'd call it. He shouldn't have access to information like that."

In both letters, inmate David Hunsaker tells his targets that he got their names from an inmate he worked with at a Utah telemarketing firm that operates a call center at the Point of the Mountain prison. Some officials believe those names were plucked from the inmate's computer TelePrompter, although prison investigators will not say if they have confirmed those suspicions.

Hunsaker sent a letter to the first recipient, a 15-year-old girl, in February. Her parents forwarded the letter and a complaint to Utah Attorney General Jan Graham.

The cases have lawmakers questioning whether inmates should be employed as telemarketers. Sen. Michael Waddoups, R-Taylorsville, said Hunsaker's letters may be discussed by lawmakers this summer.

"We have to realize who [the inmates] are, and maybe this is one industry where they shouldn't be employed," he said.

The latest recipient says she has never received a call from the telemarketing firm, SandStar Family Entertainment. But she did order exercise videotapes through a company that advertises on television, and she suspects her personal information may have been sold to SandStar, a distributor for family-oriented films.

"I was very terrified when this happened," the woman said. "My exact thoughts were the same as this little girl had -- 'How do I know this person isn't capable of hunting somebody down?'"

Hunsaker was admonished and removed from his telemarketing job in March after the first incident, prison officials said. "The county attorney is looking at possible criminal charges," Assistant Attorney General Jim Beadles wrote to Department of Corrections Director Pete Haun in a March 7 e-mail obtained by The Tribune.

Even so, the second letter, which prison administrators were unaware of until a reporter called Monday, did not arrive at the 27-year-old's home until May 8.

While the prison can, and often does, screen the correspondence of problem inmates, that policy apparently was not invoked with Hunsaker -- even after Beadles asked the prison to conduct a speedy and thorough investigation. "We very rarely review mail unless the inmate is on mail watch," said prison spokesman Jack Ford. "How he came by this latest name... we don't know. The matter is being looked into."

Hunsaker, in prison on a 1994 Box Elder forgery conviction, was scheduled to be paroled from Draper to a halfway house on June 13. After complaints, Utah's Board of Pardons and Parole rescinded the date, said John Green, the board's executive director. Hunsaker's sentence, though, terminates on July 13. "If he is not charged criminally then he will walk out the front door. That's it," Greensaid.

In the letters, Hunsaker talks about his pending release as a springboard to a potential rendezvous. "I have something I want to tell you and I hope I don't scare you," he wrote to the 15-year-old in a letter obtained by The Tribune. "I was hoping that after I get out that we can get together, spend time getting to know you, and if possible spend a weekend together." Hunsaker includes a questionnaire about what he would like to do with the targets of the letters, a list that progresses from kissing to fondling to fathering children.

On Tuesday, Ford said the prison would release a copy of Hunsaker's photograph to the 27-year-old so she could identify Hunsaker if he tried to contact her.

Cache County Attorney Scott Wyatt, whose office is assisting one of the letter recipients, said the prison should do everything in its power to aid Hunsaker's targets. "If the Department of Corrections has a difficult time policing this kind of activity and people under their control are creating a threatening environment for law-abiding women who have no connection with this guy,... it is incumbent on the state of Utah to help... the victims assess the threat," he said.

The 27-year-old Utah woman agrees. "It seems like he has more rights than me," she said. "What I want to know is how are they going to stop this from happening, not only to me, but to anyone else?"

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May 26, 2000

**State May Hang Up On Inmates
Friday, May 26, 2000**

BY GREG BURTON
(c) 2000, THE SALT LAKE TRIBUNE

Utah's Travel Council and Department of Commerce may stop using inmate employees who for the past three years have answered thousands of calls from people unaware they were sharing private information with prisoners. In many cases, would-be visitors to the Beehive State gave their names and addresses to sex offenders at Utah State Prison in Draper via an 800 number operated by the Utah Travel Council but staffed by inmates sitting at the prison's call center.

At other times, juveniles working on school projects chatted with prisoners answering calls for the Utah Department of Commerce's Division of Corporations. Neither the Commerce Department nor Travel Council requires inmates to identify themselves. As of today, the calls continue to pour into the call center.

While Commerce officials say they know of no instance where the information was misused, the Director of the Division of Corporations recently met with prison brass after The Salt Lake Tribune reported a spate of inappropriate contacts between inmate telemarketers and women they have met through work over the phone. "These incidents are driving us to re-evaluate our relationship," said Commerce spokesman Kim Morris. "We are giving inmates information that I guess someone can use and that does concern us."

State officials say there is pressure to disband the prison call center. Agencies that use prisoners may instead hire permanent state employees to answer the same calls. They also may contract with a private company that operates its own call center.

"Either of those options are more costly than what we are doing now," said Spencer Kinard, assistant director of the Utah Travel Council. "But under the current atmosphere of inmates having access to personal data, that is simply unacceptable to some people."

The Commerce Department's contract with the Utah Department of Corrections and Utah Correctional Industries (UCI), the department's inmate labor arm, is up for renewal in August. The Travel Council's UCI contract expires in December, although the agency still pays UCI \$7.50 an hour for three inmate employees, who receive only a portion of that pay.

Corrections spokesman Jesse Gallegos said the prison is hopeful a compromise may save the call center. "If together we cannot do that . . . we are not going to jeopardize security for the sake of that inmate labor pool."

As many as three families -- two in Utah and one in Texas -- have recently filed complaints about inmate telemarketers who used their jobs to funnel private information about their family or their daughters to other inmates. At least one inmate used the information to send sexually suggestive letters.

But that inmate, convicted forger David Hunsaker, apparently did nothing illegal, Gallegos said. Still, prison officials will screen the inmate's outgoing mail until he leaves prison in July.

Last month, the mother of one of Hunsaker's targets delivered a complaint to the Federal Trade Commission, which is fielding hundreds of public comments on federal telemarketing regulations and the practices of firms that solicit sales over the phone.

In a letter to the FTC obtained by The Tribune, April Jordan of Texas said, "My family is the victim of prisoners in the Utah state prison system who have been hired by a private telemarketer to sell goods to people across the country."

Jordan told Utah prison officials in February that her daughter answered a phone call meant for her from a man soliciting family-oriented films for Utah's SandStar Family Entertainment.

Officials at SandStar, a company being considered for a \$100,000 state grant from Utah's Industrial Assistance Fund, say they have a policy of "zero tolerance" for inmate misbehavior. However, they say, the telemarketing jobs provide valuable skills to inmates who want to improve their lives.

But the cost is too great, said Jordan, whose 15-year-old daughter received a suggestive inmate letter. "The nature of the telemarketing plan permits criminals to obtain and use personal data on

individuals, including children, without any idea that they are giving private information to criminals," Jordan told the FTC.

"Anyone who is called by a prisoner should be told that fact very clearly at the beginning of the first call, and in every later contact." On Wednesday, a former Commerce employee told The Tribune she complained to Commerce officials about the prison call center two years ago after an inmate she trained to use the agency's database sent her a letter filled with pornography.

The inmate later signed the woman up for a subscription to Playboy magazine. "It's scary, as a woman," said Cindy Draper, who quit in July after receiving another inmate letter.

"The inmates are allowed to give out addresses, business addresses, officers of corporations, limited liability members, registered agents. People don't know who they are talking to."

Morris said after Draper's complaint, Commerce switched to a male-only training staff for inmate employees.

If the prison call center survives, Morris and Kinard said they may require inmates to identify themselves.

But both said that if callers knew who they were talking to, the program probably would fail.

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August 3, 1999
Associated Press (AP) Newswires
Associated Press Newswires

Convicts are a dependable workforce, says manager

GREAT FALLS, Mont. (AP) - State inmates at the regional jail here are working as telemarketers, and officials say precautions have been taken to avoid the abuses that have marred such operations in other states.

Since May the inmates have pitched a voicemail system for telecommunications giant MCI under contract with Inmark International LLC, a Las Vegas company that markets by phone in several states under different arrangements, from prisons to big offices to homes.

The reason for hiring inmates, says Steve Hatfield, a Telemark manager, is simple: "I need people who are there every day."

He said Telemark had to staff a 250-desk facility in Nevada with only 75 workers, despite hiring by the hundreds.

If inmates quit before their six-month contract ends, they could be "written up" for breaking jail rules.

Hatfield says the work seems to have a positive effect on the inmates.

"We train them to become customer service reps in the future, getting them to talk in a

professional manner," he said. Inmates also may earn a certificate to use in future job-seeking.

Glen Davis of Montana Correctional Enterprises at Montana State Prison in Deer Lodge agrees that the inmates benefit. "We teach them a work ethic. We teach them a job skill," Davis said. "Most of these guys don't have any discipline in their lives. That's why they're here."

At least 17 states now have programs involving prisoners working with the public over the telephone.

Some programs have drawn criticism for allowing prisoners access to people's credit card numbers, bank records, home addresses and other information that could be exploited. Montana officials say they have avoided those pitfalls.

Chief Capt. Dan O'Fallon, jail administrator, said he made certain prisoners would never call anyone in Montana's 406 area code so they are unlikely to talk to with friends, witnesses or victims.

The process begins when a computer in another state dials the number and makes the sales pitch. Most people hang up, but those interested have their calls transferred to the jail. If the inmate persuades the prospect to buy, the call is transferred to a "verifier" in Utah, who collects the information and makes sure any agreement is clear. No credit cards are involved, and calls are recorded and monitored by people somewhere else.

The Cascade County jail has room for 12 inmates to work but is slated for an expansion that will allow about 20. With multiple shifts, about 50 prisoners, or a third of the inmate population, could work there.

The telemarketing jobs pay minimum wage. Deductions are made for taxes, any court-ordered restitution, and a percentage for a crime victims fund. A portion goes to the prison to offset incarceration costs. In the end, telemarketing inmates make less than \$1.30 an hour. In contrast, most prison jobs such as custodial and kitchen work bring in about \$1.50 a day.

Critics question the morality of such inmate-labor programs as well as their economics.

"When we begin to contract out prison labor with the private sector, we're approaching the same kind of moral codes of some of our trading partners," said Don Judge, executive secretary of the Montana AFL-CIO, an association of labor unions. He was referring to the People's Republic of China, which has long been accused of using forced labor in its prisons.

"Why is the state involved in providing minimum-wage jobs to the private sector?" Judge asked. "It does nothing to improve the wages and benefits of the people of Montana."

He also doubts the usefulness of the skill the inmates learn and scoffs at claims that telemarketers cannot find good workers in today's tight labor market.

"It's only tight because they can't find people to work at such a low wage," he said.

May 8, 2000

KRLD, a local Dallas talk radio station, took calls from the public in response to the issues relayed by my family's incident. During this time, a caller stated that her niece had been contacted by an inmate telemarketer from the State Prison located in Atica. There was stalking of the young lady upon the inmate's release.

May 22, 2000

**KTVX, ABC Station in Salt Lake City, Utah
Paul Murphy**

The ABC News did a story concerning my family and the inmates violations. During the interview, the inmate that chose to write my daughter did not apologize for requesting information on females for pen-pals from the telemarketer, however, he did apologize for writing to a minor. He also stated that he would not want an inmate calling his home. He is serving time for theft charges.

The inmate that coerced information from my daughter during his telemarketing job at the prison is serving time for theft, assault and weapons charges.

The telemarketing firm, SandStar, released the following statement. "SandStar fully appreciates the alarm that this rare violation engendered in the contacted consumer and has apologized, taken corrective action against the offender and assured continued vigilance."

My family never received an apology from SandStar, either verbally or written.

"The prison says... whether it (the call center) will stay or not, will depend on how good we feel after the investigation is over and how much control we have in the place."

April 19, 2000

In a letter dated April 19, 2000 from SandStar that I received on April 27, 2000, there was an explanation for the call placed 6 weeks after the Do Not Call request. The excuse stated that it was nothing more than a computer "glitch". This is not reassuring in the least as undoubtedly many other families' requests were also reversed.

The following is a portion of the letter signed by Mike Beck, COO:
"Unfortunately, it appears from the investigation triggered by your call and complaint, that a computer software anomaly occurred during a software system upgrade that was completed in the last week in March. We believe that the anomaly resulted in the reversal of the Do Not Call entries for certain numbers,... Please be assured that the numbers have now been re-entered into the Do Not Call List database. We assure you that the unwanted call that you received was unintentional and not the result of anything other than a computer "glitch".

No apologies, just excuses. Would they have found this glitch had I not complained when the second call was placed to my home? Why was there not a trial run and analysis done prior to sending the updated database into the dialing system?

Conclusion

As shown within these pages, no monitoring system or guideline(s) can protect our children from inmates who have access to the public. The responsible state prisons that have chosen to protect and serve the public by discontinuing these programs should serve as an example for the rest of the states. If it is not acceptable to place families at risk in one state, why should the value of life be less in another state?

I beseech those with foresight and courage to abolish the practice of using inmates within the telemarketing industry.

If, with all the evidence before you, and with victims imploring you to protect the innocent, you believe it is still in the best interest of our children to continue this practice, then you must impose a mandatory full disclosure. How many more families must endure this preventable tragedy?

Dated May 26, 2000

Respectfully submitted,

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