

5-15-020 Attorney and Other Professional Priority Visits

PURPOSE OF ORDER:

Per Title 15, inmates have a constitutional right to unimpeded access to attorneys and legal representation. State law also mandates that custodial staff ensure that inmates have accessibility to their attorneys at reasonable times. In order to abide by state law and Department policy, while maintaining the integrity of the facility's security and limiting potential liability for the Department and its personnel, the following policy shall be adhered to.

SCOPE OF ORDER:

This order shall apply to all personnel assigned to and/or working in any capacity at Century Regional Detention Facility (CRDF).

ORDER:

Professional visiting hours are Monday through Friday, 9:15-1:00 p.m. and 2:00-4:00 p.m.

PRIORITY VISITORS AND CREDENTIALS

Priority visitors must be able to prove that their business with the inmate they request to visit involves the inmate's criminal case or other official investigation. All priority visitors are subject to search upon entrance into the visiting area. Visiting staff shall utilize professional discretion at all times. All priority visitors shall present authentic and valid credentials bearing their photograph and a serial number. The following occupations qualify as priority visitors, each must provide the appropriate type of identification specified below:

Attorney:

- i. Must be in possession of a valid, governmental issued photo identification and a valid California State Bar card.
- i. Attorneys in possession of a valid California State Bar card may use laptop computers during their professional visit upon signature and agreement to the terms and conditions outlined on the Custody Division Laptop Request and Acknowledgment form.
- i. An attorney with a court order may bring in 2 other persons who are necessary for preparation on the case. Material Witnesses must not be a family member.

Material Witness

- i. Must not be a family member
- i. Must have a valid picture identification
- i. Shall use form SH-J-319

- Do not have pass through privileges
- Must be accompanied by an attorney at all times

Public Defenders, District Attorneys and U.S. Attorneys:

- Must be in possession of a U.S., State, or County badge and identification card
- A Los Angeles County Public Defender's identification card shall be acceptable identification for access

Public Defender's Law Clerk:

- A Law clerk must present a valid Public Defender's Department identification and shall be accompanied by a Deputy Public Defender or paralegal.

Out-of-State Attorneys:

Attorneys not licensed to practice law in the State of California shall not be admitted to the attorney room unless:

- Accompanied by a California licensed attorney unless they are visiting an inmate held on their State's fugitive warrant.
- In possession of a Pro Hac Vice order (a court order allowing an out-of-state attorney to temporarily practice law in California) authorizing the attorney to visit an inmate.

Bondsman:

- An authentic and current state picture identification and an identification card issued by the Department of Insurance, **and** a photocopy of the bail agency's current license
- May bring in one visitor to sponsor bail
- Shall not pass money or business cards to an inmate

Private Investigators:

- Must present an authentic and valid state picture identification **and** an authentic identification issued by the Department of Consumer Affairs.
- A private Investigator shall not be a relative of the inmate.
- A private investigator may provide other forms of documentation verifying they have a lawful business with an inmate. This documentation can include, but is not limited to, an appointment letter, witness list, or letter from an attorney stating that the investigator needs to interview a particular inmate for a criminal case.

Foreign Embassy Personnel:

ï· Visiting Personnel shall notify the on duty Watch Commander

ï· Must possess an authentic and current picture identification from their country's embassy.

Notary Public:

ï· Must have a valid picture identification and notary stamp

Medical/Psychiatric/Mental Health personnel:

ï· An authentic and current state picture identification and medical/psychiatric identification

ï· Must possess a valid court order

ï· Los Angeles Superior Court Psychological/Psychiatric Panel members are not exempt from the court order requirement

ï· "One-time" or specially ordered visits by psychiatrists not on the court-ordered list may be conducted pursuant to court order. At the time of entry, the psychiatrist must present the court order, picture identification, and medical/psychiatric identification.

Paralegal:

ï· An authentic and current state picture identification from the Public Defender's office or shall be named on a court order accompanied by a letter from the attorney.

Parole or Probation Officer:

ï· An authentic and valid State or County identification. Presentation of a badge only does not constitute proper identification.

Department Law Enforcement Officers:

ï· Must have valid identification

ï· Face-to-face interviews will require the approval of the on duty Watch Commander

Outside Law Enforcement Officers:

ï· Must present their department/agency identification for examination and at the discretion of the Custody Division Chief subject to photocopying.

ï· Must complete a Law Enforcement Request Inmate Interview form.

ï· Failure to comply with either of these provisions will be cause for denial of the interview.

Investigators (District Attorneys, Public Defenders, and U.S. Attorney Investigators)

- i. Must present valid picture identification

Process server:

- i. Must be in possession of a valid, governmental issued photo identification and a process server's state license.
- i. Pass through privileges only apply to legal documents
- i. If a process server is needed, contact Civil Management at 310-603-7422.

Legal Runners

- i. All legal runners must be approved by a judge
- i. The legal runner must fill out the legal runner application and fax it to CRDF's Legal Unit at 323-415-7718.
- i. Once a legal runner has been approved, the Legal Unit will notify visiting personnel

A legal runner may be a relative to the inmate

- i. Must be in possession of a valid, governmental issued photo identification.

Interpreters

- i. Interpreters with a valid county identification specifying his/her status as an interpreter, will be granted access.
- i. Non-County employees must present a court order containing their full legal name and ID number. All interpreters presenting a court order will be subject to a background check.
- i. Family members cannot be used as interpreters

Los Angeles County Social Workers, DCFS

- i. Must present a valid and authentic state picture identification **and** valid agency picture identification. Presentation of an agency picture only does not constitute proper identification.

Non-County Social Workers and MAT Assessors

- i. Must present a valid and authentic state picture identification **and** valid agency picture identification. Presentation of an agency picture only does not constitute proper identification
- i. Must present a minute order and letter from the case carrying social worker appointing to the specific inmates case.

GENERAL GUIDELINES

Passes

Attorneys shall be required to submit a completed Attorney Visiting Form (SH-J-9) for the inmate they request to visit. All information on the pass must be legible prior to the pass being processed.

All other priority visitors shall be required to submit a completed Priority Visiting Form (SH-J-86) for the inmate they request to visit.

Duration and Frequency of Priority Visiting Sessions

Persons who qualify as a priority visitor shall be granted an unlimited amount of time for the visiting session. Priority visitors shall not be restricted to the number of visits per day, unless otherwise specified.

Searches

All priority visitors are subject to search at any time while on the jail grounds or inside the jail facility. Visitors are required to submit to a metal detector search prior to gaining entry into the visiting area. If contraband is found, the visitor may be subject to arrest at the discretion of the watch sergeant. Visitors refusing the metal detector search shall have their requested visit denied.

Priority visitors shall be searched primarily for weapons or any devices that can be used to aid an escape. Briefcases and other containers shall be visually scanned for contraband items. [REDACTED TEXT]

Allowable Material

Priority visitors shall only be allowed to take pertinent legal material into the visiting area. Personal items such as books, newspapers, and other items unrelated to the professional visit shall be secured in a locker or private vehicle prior to entering the visiting area. Food or drinks shall not be permitted into the visiting areas.

Firearms and Miscellaneous Recording Devices

Weapons, ammunition, cameras, cell phones and other recording devices, shall not be permitted in the visiting area. The visiting staff shall advise all priority visitors of this policy at the time the visiting pass is processed. Any priority visitor in possession of such items shall be instructed to secure them prior to entering the visiting area.

Intended Visits

Priority visitors are to visit only with the inmate named on the pass they submitted. Visitors who roam onto any floor or visit with another inmate not named on their visiting pass, shall have their visit canceled and be escorted off the jail facility.

Pass-Through Privileges

Priority visitors are authorized to pass legal documents through the pass-through slot.

If a priority visitor requires documents to be passed to the inmate, the floor prowler shall inform the inmate and

their visitor that the transaction can occur during the last five minutes of the visit only. The document pass-through slot shall be secured at all times unless the module deputy or custody assistant is present to supervise transactions to prevent contraband from entering the facility. At no time shall the pass-through slot be left open and unsupervised for priority visitors to pass items to inmates freely.

i. Priority visitors shall submit all items intended for the inmate to the module deputy or custody assistant to be inspected for contraband prior to the inmate receiving them.

i. Only legal documents are allowed to be passed to the inmate.

Contraband items shall not be allowed to be passed to the inmate. Contraband items include but are not limited to the following:

i. Paperclips

i. Large staples

i. Metal foil

i. Plastic transcript covers

i. Metal fasteners

i. Rubber bands

i. Pens/pencils

i. Pictures/photos

i. Carbon paper

i. Sealed envelopes

i. Books

i. Stationery supplies

LIMITATIONS ON SPECIFIC PRIORITY VISITORS

Attorney

i. An attorney shall not be accompanied by a law clerk, legal assistant, or paralegal unless that person is named on a court order.

i. An attorney may visit a prisoner at any time during the first 24 hours of incarceration.

Bondsman

ï· A bondsman may visit a prisoner any time after bail has been set.

ï· A bondsman shall be allowed to bring one person designated as bail sponsor into the attorney room. The bail sponsor is subject to background check prior to admission to the attorney room.

ï· A bondsman does not have pass-through privileges

Private Investigator

ï· A private investigator shall not be a relative of the inmate.

ï· A private investigator may be named on a court order.

ï· A private investigator may provide other forms of documentation verifying they have lawful business with inmates in our custody. This documentation can include, but is not limited to, an appointment letter, witness list, or letter from an attorney stating that the investigator needs to interview a particular inmate for a criminal case.

Face-to-Face Visits

A face-to-face visit is a visiting session between a priority visitor and an inmate in an interview room without any physical barrier separating them. Face-to-face visits shall be submitted to the CRDF Legal Unit in advance prior to the execution of the order. Court orders may be submitted for verification and prior approval via mail, by handing it to a visiting staff member, or by facsimile to the CRDF Legal Unit at 323-415-7718.

The CRDF Legal Unit shall make every effort to forward all verified Court Orders, in duplicate, to the visiting staff by the next business day for execution of the order. The visiting staff shall honor only the court orders approved by the CRDF Legal Unit or by the watch commander.

Court orders that are honored shall be forwarded to the CRDF Legal Unit to be logged, verified, and processed. This shall be done by placing them in the mailbox labeled LEGAL UNIT located in Operations.

All face-to-face visits require a court order unless the individual requesting the visit is law enforcement. Please refer to CDM section 5-10/055.00 Law Enforcement Interview Procedures for Inmates.

Procedures for a face-to-face visit

ï· All face-to-face visits with professional visitors shall be conducted in the CRDF Booking Area, unless otherwise specified via court order (i.e. face-to-face at the inmate's cell door).

ï· All professional visitors must present valid and authentic identification at the time of check in.

ï· The visiting staff shall issue a temporary movement pass [REDACTED TEXT] and contact the housing module where the inmate is located and arrange for the inmate to be immediately escorted to CRDF Booking.

ï· Visiting staff shall notify Main Control personnel of the visitor and he/she shall be directed to Main Control.

- i. The visitor shall exchange their identification for an escort or non-escort visitor pass from Main Control.
- i. Non escort passes shall only be issued to law enforcement priority visits.
- i. Their person and their belongings shall be searched for contraband items.
- i. [REDACTED TEXT]

Pre-arraigned inmates shall be cursory searched before and after face-to-face visits. Pre-arraigned inmates may be strip searched if there exists a reasonable suspicion based upon specific facts that such person is concealing a weapon, drugs or contraband. If a strip and/or visual body cavity search is necessary for any pre-arraigned inmate, the watch commander shall complete and sign a Strip Search Authorization Record (SH-R-399) which shall be forwarded to the Unit commander for review. [[/R]]

- i. Under no circumstances shall a visitor engage in any form of physical contact with the inmate.

Violation of this policy shall result in the termination of the visit.

- i. All face-to-face visits shall be visually monitored by Department personnel assigned to the interview room where the visit is conducted.
- i. All weapons shall be secured prior to entering the secure areas of the facility.

Face to Face Visits Requested During Non-Visiting Hours

- i. The visitor shall enter the facility through the main entrance and present appropriate identification or credentials along with a court order for a contact visit to Main Control.
- i. The visitor shall fill out the appropriate visiting request form (SH-J-9 or SH-J-86).
- i. Main Control personnel shall ensure that the pass is complete and legible.
- i. Main Control personnel shall confirm that the inmate is at CRDF and that the visitor's credentials are legitimate.
- i. Main Control personnel shall write the visitor's identification number and date of birth information directly on the pass and time stamp it.
- i. All after hour priority visiting passes shall be placed in the mailbox labeled VISITING located in Operations.
- i. The visitor shall exchange their identification for an escort visitor pass from Main Control.
- i. Main Control shall contact the module housing officer where the inmate is located and arrange for the inmate to be immediately escorted to CRDF Booking.
- i. Main Control shall notify and supply the Watch Commander with the information.

i. The visitor shall secure any weapons. Their person and their belongings shall be searched for contraband items.

ii. The visitor shall be escorted to CRDF Booking.

iii. [REDACTED TEXT]

Pre-arraigned inmates shall be cursory searched before and after face to face visits. Pre-arraigned inmates may be strip searched if there exists a reasonable suspicion based upon specific facts that such person is concealing a weapon, drugs or contraband. If a strip and/or visual body cavity search is necessary for any pre-arraigned inmate, the watch commander shall complete and sign a Strip Search Authorization Record (SH-R-399) which shall be forwarded to the Unit commander for review. [[/R]]

Psychiatric Visits

The list of "court-ordered" psychiatrists shall be maintained in Main Control and Visiting. This list includes psychiatrists assigned by the courts to facilitate the mental health needs of the inmates. The psychiatrist's name must be on the current list and they must be in possession of, and present, a valid court order, a current picture identification, and medical/psychiatric identification at the time of the visit. Court-ordered psychiatric visits should occur during normal business hours or stated facility visiting hours.

Department 95, Mental Health, Deputy Public Defenders

Public Defenders assigned to Department 95 shall be allowed face-to-face contact, at the cell door, of those inmates who are either court refusals or pose other problematic issues affecting the determination of their competency to stand trial. **A court order is not required.**

The pre-approved Public Defenders names and LA County Employee Numbers shall be provided to the Legal Unit. This list will be forwarded to Main Control and Visiting Personnel. The Public Defender shall register as a Professional Visitor and check in with the CRDF Visiting Personnel prior to visiting an inmate. Visiting Personnel is to notify Main Control that the Public Defender has been approved for entrance into the facility. The Public Defender is to be escorted to the inmate's cell door by Custody Personnel. Public Defenders who must utilize a laptop or recording device, shall obtain a court order and fax it to the attention of the Legal Unit at 323-415-7718.

If the Public Defender is unable to visit the inmate during CRDF's professional visiting hours, they shall enter the facility through the main entrance and present appropriate identification or credentials to Main Control Custody Personnel. Main Control Personnel is to ensure the Public Defender's name is on the list provided by the Legal Unit or by Inmate Religious Services. Should any problems arise, Main Control Personnel is to contact the Watch Sergeant or Watch Commander who may give authorization for the entrance into the facility.

Type I Prisoners

Type I prisoners are entitled to an attorney/bondsman visit within the first 24 hours of their incarceration. This entitles Type I prisoners housed in the Type I jail an "after hour" visit. The "after hours" visit shall be arranged by the Watch Commander. After the 24 hour period expires, all attorney/bondsman visits shall be held during posted professional visiting hours and coordinated by the Visiting Center.

