5-03/060.05 - Interviews At Court Lockups

Legal requirements must be met when bondsmen and attorneys request interviews; however, officer safety and prisoner security shall not be compromised. Prisoner interviews by attorneys and bondsmen may be conducted subject to the following restrictions:

- An accredited attorney may interview a prisoner any time during the first 24 hours; thereafter, only during posted hours;
- A bondsman may interview a prisoner any time after bail has been set or after a change in the disposition of the charge resulting in a change of bail;
- The interview shall allow as much privacy as space limitations and security requirements permit;
- No time limit can be imposed on the length of the interview; however, it shall be permissible to request the cooperation of the attorney or bondsman in conducting their business as soon as possible;
- Attorneys are permitted to give their client one business card, and bondsmen are not permitted to give a business card;
- Bondsmen with proper credentials shall not be denied an interview at any Court Services Transportation Bureau lockup;
- Bondsmen or their representatives requesting an interview shall present a valid Sheriff's Department pass before being allowed to interview a prisoner. Passes may be obtained at Men’s Central Jail, Room 1014;
- The deputy shall determine the proper level of security needed based on the physical layout of the lockup, the type of prisoner to be interviewed and his work requirements at the time of the interview. If necessary, delay the interview until backup can be secured from a nearby court or a supervisor; and
- At lockups without secure interview rooms where the interview involves a highly dangerous prisoner and there is advance knowledge that bail will be set, ask the district attorney to request that the judge order bondsmen interviews be conducted at Men’s Central Jail.

A prisoner has the right to accept or to refuse an interview at any time, even after requesting the service himself. When a prisoner refuses an interview, the attorney or bondsman involved shall be notified. Such refusal involves no obligations to the attorney or bondsman, either on the part of the prisoner or the Department. Whether he accepts or refuses the interview, the prisoner shall complete the appropriate portion of the attorney or bondsman interview request form.

An attorney or bondsman may request that additional person(s) be permitted to participate in an interview with a prisoner. The deputy receiving this request shall notify the watch commander, who shall approve or deny the request and sign the "Interview Record."

Persons Permitted to Interview at Custodial Facilities

The following persons, possessing suitable identification or in possession of a valid Department pass, may interview a prisoner at any jail or detention facility:

- Attorneys at law - attorneys may request to bring in a maximum of two additional persons necessary for preparation of the case;
- Bail bondsmen - bail bondsmen may bring in a maximum of two additional persons necessary to complete the bail arrangements;

- Full-time compensated investigators employed by:
  - State agencies;
  - City agencies;
  - County agencies;
  - Federal agencies; or
  - Armed Services Investigators;
- Diplomatic representative of foreign nations, including consuls, envoys, etc.;
- Persons in possession of a valid Sheriff's Department or Los Angeles Police Department Press Pass (see section 5-03/060.10);
- Any physician and/or surgeon, including any psychiatrist licensed to practice in this state, who is employed by the prisoner or his attorney to assist in the preparation of the defense;
- Any person who has received authorization of the facility watch commander;
- Persons designated by the Los Angeles Superior Court as pro-per runners;
  - Pro-per witnesses will be permitted to visit in the visiting room during regular visiting hours;
- Notary public - when requested by an inmate for purpose of notarizing legal documents.

No photographs shall be taken in the attorney room without the permission of the watch commander, but tape recorders are allowed in this room.

Attorney Room Procedures at Custodial Facilities

The following measures are necessary prior to, during, and immediately following an attorney room visit:

- Private interview booths;
  - Use will be extended to attorneys and police officers upon request. Use will be subject to availability;
  - No other person may accompany the attorney or police officer without the watch commander's approval; and
  - Upon conclusion of the interview, the inmate involved will be subjected to a security search;
- Attorney room and booths;
  - No physical contact between the inmate and the interviewer; and
  - If a deputy believes it necessary, he may examine papers being passed between the attorney and the inmate to ascertain that they do not contain contraband.

The following classes of individuals must secure clearance from the watch commander prior to entering the attorney room:

- Ex-felons, (must have a letter from the concerned division chief allowing the ex-felon to enter the property, per the penal code);
- Persons under 18 years of age; and
- Former inmates released from the Los Angeles County Jail system within the past 30 days.

Attorneys who request to bring any of the above listed persons into the attorney room shall record the reason

on the reverse side of the "Interview Record" (SH-J-9).

Attorney and Bondsman Requests at Stations

The deputy receiving a request to interview a prisoner shall handle the interview request in the following manner:

- The attorney or bondsman must complete the appropriate part of the "Interview Record" (SH-CR-276);
- Authorization shall then be obtained from the watch commander. When the situation warrants, the watch commander shall immediately notify the follow-up investigator of the pending interview;
- The prisoner shall sign the appropriate part of the interview record indicating acceptance or refusal of the interview;
- Conduct the interview or inform the attorney or bondsman that the prisoner has refused to accept the interview;
- The supervising deputy shall completed the interview record after the interview has terminated and return the completed copy to the watch sergeant;
- The completed copy of the interview record shall be retained at the unit; and
- Bail must be set on felony charges before bondsman can interview.