

3-10/000.05 - Defendants In-Custody

In-custody defendants shall normally be seated next to their attorney. Custodies shall use a chair without wheels and the inmate should be secured. A secured inmate generally means being handcuff to the rear or in waist chains, when permitted by the court. In the event the defense attorney makes a motion to remove the handcuffs, it is up to the bailiff, with the assistance of the prosecutor, to show cause why the defendant should remain handcuffed during the hearing. If the judge makes an order to remove the handcuff, the bailiff shall contact their supervisor. Refer to CSDM, 3-04/050.00 - Inmate Restraint Motion / Court Declaration.

Custody defendants have a right to make notes with materials supplied by the bailiff, any materials given to the defendant by defense counsel shall first be given to the bailiff for a visual inspection.

Attorneys may only give their clients a business card, no other items or notes may be passed directly between an in-custody defendant and an attorney.

Attorneys shall be advised of potential weapons at counsel table when they are dealing with custodies.
