5-10/030.00 Attorney Room and Professional Visitors

Each facility shall develop and implement a plan which shall provide legal and professional representatives with reasonable access to interview inmates, pursuant to the California Penal Code (PC) section 825(b), "Appearance Before a Magistrate, Extension of Time," PC section 834c (a) (3) “Consular Visits,” and the Minimum Standards for Adult Local Detention Facilities, Title 15, section 1068, "Access to the Courts and Counsel."

All court orders verified by the legal unit or in their absence, by the on-duty watch commander, shall be adhered to.

In the event a professional visitor presents a court order, custody personnel shall immediately make notifications for the verification process to commence.

Department of Children and Family Services (DCFS) representatives with a valid court order for visitations between minors and their incarcerated parents/guardians shall have the court order honored and treated as a professional visit. Unit commanders shall develop unit orders delineating the most appropriate location for visits between court-ordered minors and incarcerated parents/guardians to occur. Minors shall remain under the close supervision of the DCFS representative at all times.

Professional visitors must present a valid form of identification and, when applicable, a court order, professional license or certification, required forms (e.g., SH-J-9, SH-J-20, SH-J-319, SH-J-86, etc.), and any other documentation authorizing access to the attorney room.

The following professional visitors shall have access to attorney rooms and/or pass-through privileges:

- Anyone affiliated with an inmate support group that has been approved by the Chief of Custody Division
- American Civil Liberties Union (ACLU) Interns
- Attorneys
- Bondsmen
- Certified Law Students
- Clergy (Ministers, Priests, Chaplains)
- Court Appointed Experts
- Department of Children and Family Services (DCFS) Workers
- Department of Public Social Services (DPSS) Workers
- Facility Yellow Access List Representatives
- Foreign Embassy Personnel
- Interpreters
- Investigators for the Public Defender/Alternate Public Defender/Independent Defense Counsel Office
- Law Clerks
- Legal Runner
- Material Witnesses
- Medical Staff, Physicians, Psychiatrists, and Psychologists
- Medication-Assisted Treatment Program Assessors

- Mitigation and Defense Experts
- Non-County Social Services Employees
- Notary Public
- Own Recognizance (O.R.) Investigators from the Superior Court
- Paralegal
- Parole or Probation Officer
- Process Server
- State Licensed and Court Appointed Private Investigators
- U.S. Department of Health, Education, Welfare Personnel
- **Law Enforcement Official***
- **News Media****

***Law enforcement officials** shall make arrangements in accordance with CDM section 5-10/055.00, “Inmate Interview Procedures for Law Enforcement.” These arrangements include, but are not limited to the following officials:

- Any deputy sheriff personnel (not assigned to custody)
- District Attorneys or District Attorney Investigators
- Federal or State Law Enforcement Officers
- U.S. Attorneys or U.S. Attorney Investigators

****News media** personnel shall be authorized in accordance with CDM section 5-10/020.05, “News Media Interview Requests.”

NOTE: All visitors indicated above are subject to specific limitations detailed in unit orders.

NOTE: Access is dependent on physical limitations or safety and security concerns.

ATTORNEY ROOM VISITS

Attorneys shall be in possession of a valid, government-issued photo identification and a valid California State Bar card, with the exception of an attorney from the Los Angeles County Public Defender or Alternate Public Defender’s Office. A Los Angeles County Public Defender or Alternate Public Defender’s identification card shall be acceptable identification for access. The Public Defender or Alternate Public Defender law clerks and interns shall be allowed access if they are accompanied by a Public Defender attorney or paralegal in possession of a valid Public Defender or Alternate Public Defender’s identification.

Attorneys in possession of a valid California State Bar card, representatives from the Office of Inspector General (OIG), and American Civil Liberties Union (ACLU) representatives (staff, interns, or volunteers with a marked “PROPERTY OF ACLU” laptop) may use laptop computers or tablets in the attorney and public visiting rooms during their professional visit with their client, and upon signature and agreement to the terms and conditions outlined on the Custody Division “Laptop Request and Acknowledgment Form (SH-J-460).” The form shall be provided by the facility’s attorney room personnel and shall be completed for each visit by an attorney requesting to use a laptop computer in a custody facility.

FACE-TO-FACE VISITS

Professional visitors may request a “face-to-face” visit (a visit without a physical barrier between the professional visitor and the inmate) with a valid court order. The court order shall be pre-verified by the respective facility’s legal unit personnel and the order must include use of laptop computers or computer tablets if such device use is desired. Verification of the court order for face-to-face visits without prior verification from the legal unit may be verified by the on-duty watch commander on a case-by-case basis.

An approved court order is required for use of face-to-face visiting rooms by attorneys from the Los Angeles County Public Defender and Alternate Public Defender’s Office, however court orders are not required for use of a laptop computer or tablet during the visit.

Visits with detainees classified as a sexually violent predator (SVP) may be scheduled without obtaining a court order.

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

Professional visitors shall not possess an unauthorized wireless communication device including, but not limited to, a cellular telephone, pager, or any wireless internet device as described in PC section 4575(a) and Custody Division Manual (CDM) section 3-01/090.05, “Wireless Communication Devices.”

Laptops computers or tablets shall not be used to record audio, video, take photographs, or to stream video/audio. All wireless connectivity functions shall be turned off and/or set to “airplane mode” or the equivalent.

Consular officers shall be in possession of credentials issued by the U.S. State Department or by the Sheriff. Consular officers are entitled to use the attorney room.

Attorneys not licensed to practice law in the state of California shall not be admitted to the attorney interview area unless:

- Accompanied by a California licensed attorney; or
- 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 the inmate; or
- Attorneys licensed by another state may visit inmates held on their state's fugitive warrant and need not be accompanied by a California licensed attorney.

All attorney room rules shall be posted in a conspicuous place in plain view of both visitors and inmates. Violation of these rules may result in the termination of the visit.

The term “professional visitors” includes, but is not limited to, persons representing inmate advocate groups.

For procedures related to the Inmate Video Visitation System (IVVS), refer to CDM section 5-10/010.05, “Inmate Video Visitation System.”

Exceptions to Attorney Room Posted Hours

After the arrest, any attorney entitled to practice in the courts of record of California, may, at the request of the inmate or any relative of the inmate, visit the inmate. If the concerned inmate is a foreign national, any consular officer in possession of credentials issued by the U.S. State Department or by the Sheriff, may, at the request of the inmate or after proper notification, visit the inmate.

Diplomatic and consular officials shall be entitled to unlimited visitation rights when a foreign national they represent is in the custody of the Sheriff. These visits will not count as a personal visit and shall be considered a legal/business visit.

When such a request is made during the booking process, the request shall be acted upon as soon as the inmate is booked and searched, but no later than three (3) hours after their arrival at the facility. The same access, when requested, shall be afforded to bail agents.

DOCUMENTATION OF PROFESSIONAL VISIT CANCELLATIONS

Professional visits may be cancelled based on legitimate operation or safety and security concerns. These instances shall be documented by visiting staff in IVVS and by the housing floor staff in the electronic Uniform Daily Activity Log (e-UDAL). Floor supervisors shall review the entries concerning cancelled visits during their daily e-UDAL audits.