

**SAN DIEGO COUNTY SHERIFF'S DEPARTMENT
COURT SERVICES BUREAU
POLICIES AND PROCEDURES MANUAL**

DATE	DISSEMINATION	CATEGORY	NUMBER
March 12, 2013	VISTA	COURT HOLDING	E.9.V
SUBJECT: ADULT INMATE ACCESS TO COUNSEL – TITLE 15 COMPLIANCE			PAGE 1 of 2

Purpose:

To delineate the authority granted, and the guidelines court holding personnel will follow, when dealing with attorneys or other visitors to the court holding area.

Policy:

Court holding deputies are the primary authority in determining when and where an inmate will have access to counsel. They will balance the needs of the court and proper legal defense with the requirement that the court holding area remain safe for staff, attorneys and other visitors and inmates alike.

Procedure:

- I. Attorneys requesting entry to the attorney visiting area, or any part of court holding shall have identification (Driver's License and California Bar Card) on their persons and available for inspection.
- II. The attorney visiting area between the sally port doors has a limited amount of space. The Window Deputy should remain constantly aware of the number of attorneys and inmates in that area with the goal of safety for all parties in mind.
- III. The Window Deputy can restrict or exclude attorneys from the attorney area if their presence, for whatever reason, compromises the safety or security of court holding.
- IV. The Window Deputy can allow attorneys entry to the court holding area (inside the inner sally port door with direct access to inmates) on a case-by-case basis.
 - A. Because of the close physical contact possible between attorneys and inmates in court holding, deputies will use discretion when determining who will be allowed into the court holding area;
 - B. All attorneys allowed into the court holding area will follow the visitor's log procedures outlined in CSB Policy and Procedure section A.6;
 - C. Only the authorized persons listed in CSB Policy and Procedure section E.13 will be allowed to accompany attorneys into court holding;

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- D. Court holding deputies will have the primary authority to exclude those persons who may adversely affect the safety and security of the court holding area.

- V. Disputes regarding entry into the court holding or attorney visiting areas shall be reported to a supervisor as soon as practicable.