

Video Protocols for Out of Custody MCJRP LSCMI Interviews (Pilot)

Effective 2.1.16

DCJ PPOs will make every effort to include the defendant's attorney in person at the LSCMI Assessment Interview when the defense attorney wishes to be present. However, when the attorney declines to or cannot participate in person, DCJ has established the following protocols for clients' attorneys to participate via video conference at out of custody MCJRP LSCMI interviews.

All out of custody MCJRP interviews will be scheduled at the field office closest to the offender's residence, which is determined based on the client's self-reported residence at the time of arrest, unless other agreed upon alternative arrangements are made in advance of the interview. In the event the defendant's attorney cannot or declines to appear in person, DCJ will arrange for the interview to occur via Google Hangout at an agreed upon time and date. If Google Hangout is not available to Defense Counsel, Facetime or Skype can be used.

Requirements:

- The Defense Coordinator will notify the defendant's attorney of the date and time of the LSCMI interview.
- Defense attorneys will inform the Defense Coordinator if they want to appear remotely via video conference.
- The Defense Coordinator will make arrangements for remote access with DCJ staff.
- Both the PPO and defense attorney must each have an internet capable computer, internet access or cell phone that contains a video camera (internal or external), microphone, and speakers.

Conferencing Instructions:

- The PPO will facilitate the interview with the defendant in the same manner as interviews conducted with physically present attorneys
- All confidential discussions between the defendant and defense counsel need to occur prior to the start of video conferences due to office security protocols.
- Defense counsel is present via phone or computer device to advise and protect the rights of their clients.
- However during the conference the Defense counsel can request private consultation if needed. The PPO will arrange for private consultation at each office.
- PPO understands the defense attorney can interrupt the assessment to advise his/her client and/or clarify questions.