

## Recording of jail calls resumes, with fixes | Defense attorneys unknowingly taped

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### Document Text

The Sheriff's Department resumed recording phone calls from jail inmates yesterday, after officials said they have enacted more safeguards that prevent conversations between defense attorneys and their clients from being taped.

Sheriff's officials hope the new system will reassure defense attorneys that their phone calls from inmates will remain confidential, as is dictated by law, said Stanford Toyen, a legal adviser and special assistant to the sheriff.

The jail recording system was unplugged June 16 after outraged attorneys learned that an unknown number of their phone calls had been recorded over the past several years -- an act that defense attorneys say is a felony.

Adding to the dispute is the fact that the District Attorney's Office can access the calls from its computers. District Attorney Bonnie Dumanis has said that she is not aware of any prosecutors listening in on conversations between defense attorneys and their clients.

The Sheriff's Department said part of the problem was that their database of attorney phone numbers was incomplete, causing many attorneys' calls to be recorded rather than blocked.

To help solve the problem, the Sheriff's Department added about 100 phone numbers from the Public Defender and Alternate Public Defender to the do-not-record database. Officials are also seeking a complete list of numbers from the state and county bar associations.

Attorneys who are in the database will hear a recording at the beginning of a phone call that confirms they will not be recorded, Toyen said.

For attorneys who are not in the database, an automated warning will alert them that they are being recorded, a feature that has always been in place. However, the new warning will also give attorneys a phone number to call to be added to the database.

Private criminal defense attorney Michael Crowley said the changes were a step in the right direction.

"We are grateful they are providing us a way to communicate with our clients as required by statute," Crowley said.

However some concerns remain, including whether calls to doctors and religious advisers will also not be recorded, as mandated by law.

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### Abstract (Document Summary)

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