

<b>ALAMEDA COUNTY SHERIFF'S OFFICE</b>  <b>DETENTION AND CORRECTIONS</b>  <b>POLICY AND PROCEDURE</b>	<b>NUMBER:</b> 11.47	<b>PAGES:</b> 1 of 2
	<b>RELATED ORDERS:</b> P.C. 2623 C.C.P. 1995-96-97	
	<b>ISSUED DATE:</b> July 1, 1989	
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	<b>REVISION DATE:</b> August 27, 2012	
<b>CHAPTER:</b> Intake, Transfer, Release and Records	<b>SUBJECT:</b> Inmate Interviews and Depositions In Civil Matters	

- I. **PURPOSE:** To provide procedural guidelines for conducting in-custody civil interviews and depositions.
  
- II. **POLICY:** An attorney or his/her investigator may interview a consenting inmate regarding a civil matter, provided that the appropriate policies and procedures are followed. An inmate is not required to participate in an interview. The inmate may consult with his/her counsel prior to consenting to an interview or deposition. It is this Agency's policy to facilitate deposition in the jail pursuant to the Code of Civil Procedure (CCP) and when required by court order.
  
- III. **PROCEDURE:** A duly licensed attorney or his/her investigator may meet with an inmate under the following conditions:
  - A. The inmate must consent to the interview and shall be permitted to consult with his/her attorney prior to agreeing to the interview.
  
  - B. The interview must not have a detrimental effect on the safety of the inmate or staff, and must not constitute a risk to jail security.
  
  - C. **DEPOSITIONS:** An examination upon deposition of an inmate regarding a civil matter shall be preceded by a properly issued court order.
    1. Depositions will be limited to weekdays, excluding holidays, between 0900 and 1400 hours. Depositions can only occur at a time which does not interfere with jail operations, the inmate's court appearances, or the inmate's movement schedule.
  
    2. The deposition must be scheduled on the interior appointment list at least 24 hours in advance. To accomplish this scheduling, the interviewer must notify the day shift ITR Sergeant sufficiently in advance. The day shift ITR Sergeant, or designee, will schedule the interview and coordinate other arrangements as necessary.

3. The on-duty Watch Commander will be notified of the request and the deposition date and time.
4. All depositions shall be conducted in room #134 at Glenn E. Dyer Detention Facility, or the Morrissey Hearing rooms at Santa Rita Jail.