

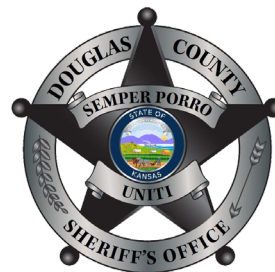


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FOR IMMEDIATE RELEASE

September 14, 2023

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**Joint Statement from District Attorney Suzanne Valdez and Sheriff Jay Armbrister on
Jail Call Recordings**

LAWRENCE - The Douglas County Sheriff's Office contracts with ICSolutions, a vendor providing phone and video communications services for inmates. Those in custody use this system to stay in contact with family and friends. Those communications are recorded and monitored, as stated in the disclaimer that occurs at the beginning of each call. Individuals may also use this system to communicate with their attorneys. Attorneys notify the Sheriff's Office of any phone numbers at which they may make or receive client phone calls. Attorney calls and video visits are privileged and are not to be monitored or recorded. The Douglas County District Attorney's Office has access to recordings of non-privileged calls through an agreement with the Sheriff's Office. The District Attorney's Office does not have access to calls marked as privileged.

On August 30, 2023, a member of the District Attorney's Office was listening to a recorded call. The call included the disclaimer associated with all non-privileged calls. Following the disclaimer, the member of the District Attorney's Office realized that this was an attorney-client communication and immediately shut off the recording. The District Attorney's Office promptly contacted defense counsel, as well as the Sheriff's Office. This marked the first and only time a member of the District Attorney's Office had come across a privileged communication.

The Sheriff's Office began investigating their system to determine whether any similar instances occurred. The Sheriff's Office at this point has identified three instances in which attorney phone numbers were not marked to have the no-record setting and calls were accessed. The Sheriff's Office promptly instituted protective measures to remedy the situation for future calls and to prevent any further such instances, including blocking previously recorded calls from being accessed.

"Communication between an attorney and their client is sacrosanct," District Attorney Suzanne Valdez said. "Once our office was aware of the issue of a recorded call between a defendant and their attorney, we took immediate action to resolve the matter. The Sheriff's Office acted swiftly as well, and we look forward to working together on a system audit to ensure that no attorney communications are recorded in any way."

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The District Attorney's Office and the Sheriff's Office are pooling resources to identify and notify affected parties. Though neither office has any reason to believe there has been any malicious intent or prejudice to any party, both agencies are committed to a detailed audit of all information in the system in the name of transparency as we work through this process together.

"There was a data-entry error, and we recognize we fell short of implementing safeguards of privileged conversations," Sheriff Jay Armbrister said. "It was unintentional, and we feel we are immediately rectifying the error and are working to make things right and notify all attorneys affected. In the interest of transparency to the public and justice system, we understand the importance of working with the Douglas County District Attorney's Office to conduct a full audit of calls accessed since the inception of the system."

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