



# DUE PROCESS

INSTITUTE

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## **Due Process Institute Endorses the Effective Assistance of Counsel in the Digital Era Act**

House bill regulates how individuals in federal custody can interact with legal representation

**WASHINGTON, DC – January 7, 2019** – The Due Process Institute endorses H.R. 5546 - Effective Assistance of Counsel in the Digital Era Act, introduced today in the House of Representatives. The original cosponsors are Reps. Hakeem Jeffries (D- NY) and Doug Collins (R-GA).

“Attorney-client privilege is essential to an effective representation of criminal defendants,” said Shana-Tara O’Toole, President of the Due Process Institute. “The Effective Assistance of Counsel in the Digital Era Act establishes the necessary constitutional protections to electronic messages between incarcerated clients and their attorneys. This bipartisan, commonsense reform brings Bureau of Prisons policy into the 21<sup>st</sup> century and applies the norm of confidentiality to one of the most prevalent forms of communication today.”

“This bipartisan bill is an update to current law that already recognizes that privileged communications must be protected no matter what form they take,” said Joe Luppino-Esposito, Director of Rule of Law Initiatives. “E-mail is often the quickest way to convey detailed information, and the barriers for using it while in the custody of the Bureau of Prisons should be eliminated.”

*The Due Process Institute is a bipartisan nonprofit that works to honor, preserve, and restore principles of fairness in the criminal legal system. For further inquiries, please contact [tamara@idueprocess.org](mailto:tamara@idueprocess.org).*