



# DUE PROCESS

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Press Contact: [tamara@idueprocess.org](mailto:tamara@idueprocess.org)

## **House of Representatives Passes Effective Assistance of Counsel in the Digital Era Act**

**WASHINGTON, DC – September 20, 2020**

Effective Assistance of Counsel in the Digital Era Act, endorsed by Due Process Institute from the very beginning, passed in the House of Representatives today. The bill, originally introduced by Reps. Hakeem Jeffries (D-NY) and Doug Collins (R-GA), now has 13 Democrat and 11 Republican cosponsors. This bipartisan legislation prohibits the Bureau of Prisons from monitoring privileged online communication between federal inmates and their attorneys. Due Process Institute was a key actor in pushing this bill successfully through the House and it now moves to the Senate for consideration.

“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.”

*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).*