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NYC Defenders Demand that City Stop Recording Phone Calls Made by Incarcerated New Yorkers

Thousands of privileged conversations between defense attorneys and their clients were recorded, with some of those recordings sent directly to prosecutors

(NEW YORK, NY) - **The Legal Aid Society, Brooklyn Defender Services, The Bronx Defenders, New York County Defender Services, Queens Defenders and Neighborhood Defender Service of Harlem** called on the city to cease recording all phone calls made by New Yorkers incarcerated in local jails. This call comes in response to an audit of recordings made by the New York City Department of Correction (DOC) and its jail phone service contractor, Securus Technologies Inc., which [revealed](#) that nearly 2,300 privileged calls between New Yorkers and their defense team were recorded. The audit follows public defenders' discovery that prosecutors received recordings of attorney-client conversations earlier last year.

The Legal Aid Society, Brooklyn Defender Services, The Bronx Defenders, New York County Defender Services, Queens Defenders and Neighborhood Defender Service of Harlem, stated:

“The illegal recording of conversations between incarcerated people and their defense teams, the overwhelming majority of whom have not been convicted of any crime, violates every bedrock principle of our legal system. Thousands of times, the people we serve believed they were having private and legally-protected conversations with their counsel. Thousands of times, DOC and its contractor Securus trampled that right. In some instances, conversations were turned over directly to the prosecutors.

This is just one example of DOC's blatant disregard for the rights and humanity of incarcerated New Yorkers - a disregard it continues to [demonstrate](#) by allowing deadly conditions at Rikers to persist.

The recordings also underline the pernicious overreach of the city's surveillance apparatus. Currently, DOC records every single call involving an incarcerated person, but claims to not record numbers it allegedly includes on its 'Do Not Record' list, like those belonging to the defense team. Even if legal calls were properly protected, the universal recording project is a violation of privacy and subjects incarcerated people to undue monitoring and control. Every call, no matter how personal, is recorded and frequently turned over to prosecutors.

We demand an immediate end to recording of all phone calls made by New Yorkers incarcerated at New York City's jails.

DOC and Securus claim these recordings were made by mistake; that they did not intend to record calls between attorneys and their clients. The simplest way to ensure such a mistake is impossible in the future - and to prevent further damage to the legal system and our clients - is to end the wrongful draconian practice of recording phone calls made by incarcerated people every single call.”

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