

**DECLARATION OF DANIEL TIBBITT
CRIMINAL DEFENSE ATTORNEY, MIAMI, FL**

1. I, Daniel Tibbitt, make the following declaration based on my personal knowledge and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.
2. I am a licensed attorney and member in good standing of the Florida bar. I am currently employed as a criminal defense attorney at the Law Office of Daniel J. Tibbitt, P.A. I previously worked as a public defender at the Miami-Dade Public Defender's Office. I have been practicing criminal defense since 2004.
3. I have represented and currently represent clients in criminal custody at several facilities in Florida. These include the Miami-Dade Pretrial Detention Center, TKG Correctional Center, and Metro West Detention Center, all located in Miami, Florida (together, "the Facilities"). This declaration is based only on my personal experiences representing clients at the Facilities and is not necessarily reflective of other attorneys' experiences. All three Facilities are run by the Miami-Dade Corrections and Rehabilitation Department.

In-Person Visits at the Facilities

4. I generally visit clients in person about 3-4 times per week. I am not required to schedule in-person visits at the Facilities in advance or obtain approval before visiting. When I arrive at one of the Facilities for a drop-in visit, I provide my bar card and the client's name. After the facility verifies that I represent the client, an officer escorts me to a room to meet with the individual.
5. The rooms where I meet with clients at the Facilities are private and allow for confidential communications. The door to the room is always closed, and I have never had an issue with officers listening to or recording my conversations with clients.
6. I am permitted to have contact visits with my clients at the Facilities—*i.e.*, there is no barrier or separation preventing physical contact during the visit, which allows me to review documents more easily with my clients.
7. There is typically minimal wait time before I can meet with clients at the Facilities. For example, at the Pretrial Detention Center and TKG, I am typically able to see clients within 10 or 15 minutes of walking into the facility.
8. I am allowed to bring my laptop into my meetings with clients and have done so in order to review documents relating to their cases.
9. I am allowed to bring legal documents with me to the Facilities and have clients review and sign documents during the visit.

10. There is no time limit on legal visits at the Facilities. I have never been told to limit my visit to a certain amount of time, and I can recall instances where I have spent up to two hours meeting with a client.

Video Teleconference (VTC) Visits at the Facilities

11. Since the COVID-19 pandemic began, I have also been able to conduct VTC visits with my clients at the Facilities. VTC visits for private attorneys are available through Global Tel Link (GTL), a private prison telecommunications company. I have a registered GTL attorney account.
12. To schedule a VTC visit, I first send an email with documentation that I represent the client (*e.g.*, a notice of appearance). Once the client has been added to my list of approved VTC contacts, I can schedule a VTC visit through the GTL website. GTL permits attorneys to schedule visits for as soon as the following day. I can choose whether I would like the visit to be 25 minutes or 55 minutes.
13. During a VTC visit, my client is located in a private interview room. No officer is present in the room with the client. The visits are not recorded, and I have no reason to believe that officers listen to my conversations with clients over VTC.
14. The VTC program is straightforward and easy to use. I have not generally experienced technological or other difficulties when conducting VTC visits at the Facilities. Neither attorneys nor clients have to pay for VTC attorney visits.
15. Because in-person visitation and the VTC program are generally effective and easy to use, I do not rely on telephone calls for substantive communications with my clients.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 7th day of October, 2022 in Miami, Florida.



Daniel Tibbitt