

THE VIDEO TELEPHONE IN CRIMINAL JUSTICE:
THE PHOENIX PROJECT

Warner A. Eliot

The Phoenix Project investigated the impact of using a video telephone network in the daily business of the criminal justice community. It sought to gain insight into issues affecting acceptance of the video telephone by the community and the likely reaction of the community when the video telephone becomes available at an affordable price. The measurements, observations and calculations stemmed from what actually happened in Phoenix and Maricopa County, Arizona, when a video telephone network was installed and operated for a 16-month period. The project was sponsored by the National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, U.S. Department of Justice.

Measurements of video telephone usage and 'labor savings' for different planned applications constituted the hard data about acceptance. Observations of the reactions of defendants and practitioners, when coupled with the hard data, led to conclusions about the advantages and problems likely to result from expanded use.

Significant usage occurred for some of the applications and only minor usage occurred for others. It was used, for example, for over two-thirds of all contacts between public defender attorneys and jailed clients, and for almost 90 percent of all not guilty

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arraignments of jailed defendants. It was also used for all of the daily central calendar calls and, most significantly, for remote testimony in a number of preliminary hearings and trials. This established that even without legal precedence there was a degree of acceptance of the video telephone.

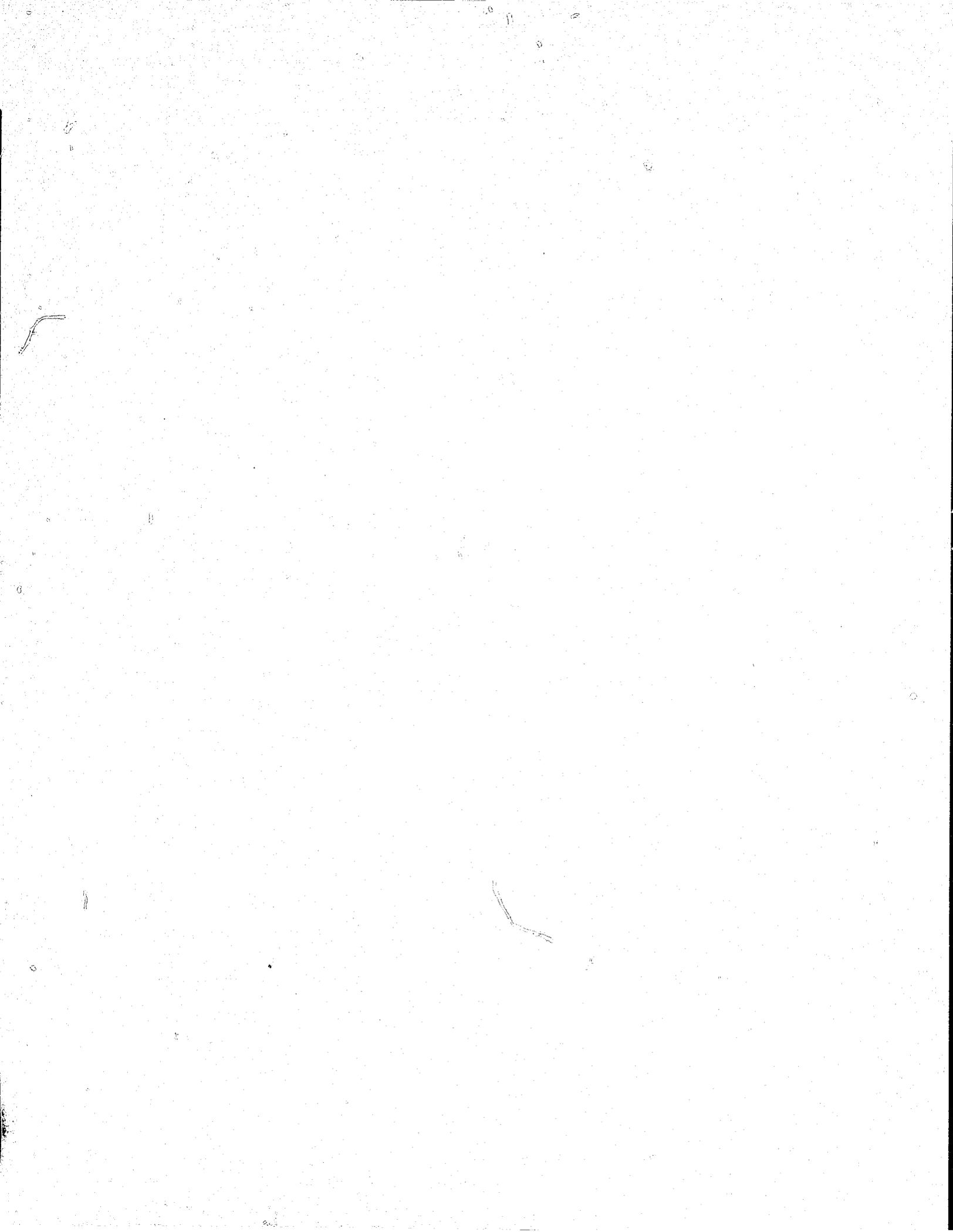
Labor savings projected from this acceptance, when balanced against the estimated future lease cost of the video telephone, suggested a net savings potential in Phoenix and Maricopa County of tens of thousands of dollars per month. This established that whatever advantage the use of the video telephone might offer, it would do so without burdening the budget.

The reactions of defendants and practitioners was mixed. Presumably, where the users had an option to use or not use the video telephone, some advantage was anticipated when it was used. Whether the advantage was realized, or even recognized, and whether the well-being of the defendant involved was invariably served, was not always clear. Key issues that surfaced included:

- o The defendant's perception of loss of privacy and personality of contact with attorney;
- o The practitioner's concern for the constitutionality of remote confrontation;
- o The community's concern about the further separation of the community from the reality of the defendant's world.

In not guilty arraignments of in-custody defendants, there was some complaint from defendants about the loss of opportunity to "tell my side to the judge," although this privilege had never been available.

The project was considered a success in exposing many of the advantages and problems that would probably accompany any widespread video telephone use. The system is still in use in Phoenix and Maricopa County two years after completion of the project, and may continue in use for several years more.



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