Interview Guide – Sample Consent and Release Forms

When interviewing young people about their experiences in solitary confinement, and particularly in custodial settings, it is vital to ensure that the interviewees give their informed consent. When planning to use information received in an interview in public education and advocacy materials, it is wise to record this consent and an accompanying release of liability permitting use of the information in the future. Note that this consent and release can be revoked during and after the interview.

One good practice, therefore, is to explain and discuss consent and release at the outset and throughout an interview, but wait to record the consent and release when the interview concludes.

It is sometimes also useful to write to young people to receive consent before an interview, as this may facilitate access to the facility (but this does not replace the need to get consent for and during the interview when you arrive). You should always call a juvenile justice facility to find out the required process for setting up interviews with youth in their custody well in advance of the date you wish to visit the facility.

As part of your investigation and advocacy with a youth, you may also need records related to their incarceration, or their education or medical or mental health status while in custody. If this is the case, you should check with the facility to find out what release forms are required and what process must be followed in order to obtain such records. Local advocacy groups and defense attorneys may also be able to advise you on the best way to obtain these records.

Two sample forms are included on the following pages.
SAMPLE CONSENT FORM

I understand that [organization], a non-governmental and private organization that [insert information about organization’s mission], is collecting information for [insert purpose, such as producing campaign materials] on the subject of [insert topic, such as solitary confinement]. I hereby agree /d to be interviewed for this purpose when representatives from [organization] visit / ed ________________________________ [insert location and date].

I further understand that I am not required to speak to a representative of [organization] if I do not wish to, or to answer any questions I do not wish to answer. I also understand that my interview with [organization] will be conducted privately, that is, between myself, [organization], and any necessary language interpreters except, if I desire, my legal representative.

Finally, I understand that [organization] will ask for my preference as to whether they use my real name or a pseudonym in their publications. I also understand that [organization] may be required in some cases to make public my real name and information from our discussions if required by administrative or judicial process. I understand that this could include court orders arising from litigation brought by [organization or it]’s partners on the subject of [topic, such as solitary confinement]. [Organization] will make efforts to prevent this from occurring.

I am _____ years of age and freely give my consent to be interviewed.

________________________________________
Signature

________________________________________
Date

________________________________________
Name
SAMPLE RELEASE FORM

I understand that [organization] is [insert purpose, such as producing campaign materials] on the subject of [insert topic, such as solitary confinement]. I hereby grant to you and any licensees permission to:

1) use and re-use in publication, online, and in other media, information about my criminal or delinquency case and any other information discussed in the interview on ______________ [insert date].

2) use and re-use in publication, online, and in other media, information about my medical history discussed in the interview on ______________ [insert date].

3) (where applicable) use and re-use in publication, online, and in other media, information received from my lawyer about my criminal or delinquency case.

4) use and re-use in publication, online, and in other media, pictures, videotape or audiotape of myself or my voice.

5) use my picture and likeness and / or voice, and biographical data in materials you prepare and in publicity and advertising concerning [organization].

6) I have discussed with _____________ [interviewer] whether I want my name used in any of [organization]’s publications, online, and in other media, and have decided that:

   Choose ONE:
   - ☐ I would like my name used
   - ☐ I would NOT like my name used.

   Please use the following FALSE NAME instead ______________________

I have received nothing of value from [organization] for my interview or for the use of photographs, videotape or audiotape of myself. I hold [organization] harmless from any liability resulting from use of my photograph, videotape or audiotape.

I am ____ years old and freely enter into this release.

________________________
Signature

________________________
Date

________________________
Name