



State of Indiana
Indiana Department of Correction

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00-03-101

**POLICY AND ADMINISTRATIVE
PROCEDURE**
Manual of Policies and Procedures

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Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Replaces:
IC 4-1-6 IC 5-14-1. IC 11-8-2-5(a)(8) IC 11-8-2-5(a)(10) IC 11-8-2-5(c) IC 11-8-5-1 IC 11-11-3-8 IC 11-11-3-9 IC 35-38-6-4 IC 5-14-3 210 IAC 1-6 210 IAC 1-8	00-03-201 00-04-102 01-04-104 02-01-102 02-03-101 02-03-102 04-03-102 04-03-103	00-03-101 Eff. Date 5/1/2022 / ED # 22-13)

I. PURPOSE:

The purpose of this policy and administrative procedure is to establish a process for providing a public information program and for the release of Department information to the public and the news media. This policy and administrative procedure establishes rules for the news media regarding the interviewing of incarcerated individuals and entering Department of Correction facilities.

II. POLICY STATEMENT:

It is the intent of the Department of Correction to comply with all laws regarding the release of information to the public and the news media. Staff of the Department shall maintain a cooperative and responsive attitude in responding to requests for information from all external parties.

In an effort to facilitate positive relations with the news media, designated staff from the Department shall respond to inquiries in an accurate and timely manner. Information shall not be released which involves a criminal investigation, which may breach the security of the Department or the safety of staff and incarcerated individuals, or which is deemed to be confidential by law.

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In order to maintain the security and orderly operation of the facilities, the Department shall establish procedures to be followed by members of the news media when interviews with incarcerated individuals or access to Department facilities are requested. The Department shall attempt to accommodate such requests while taking into consideration the needs of the facilities and the privacy of the incarcerated population.

The Department shall also establish procedures regarding staff interaction with news media and non-news media, as well as use of social media for distribution of Department information.

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **ACCESS TO PUBLIC RECORDS ACT (APRA):** Indiana Code 5-14-3, provides that a person has the right to access information regarding the government and the official acts of public officials and employees.
- B. **CREDENTIALS:** For purposes of identification, both photo identification, such as a valid driver's license, and an identification (ID) card issued by the reporter's place of employment shall be required. In the absence of employee ID cards, the Department reserves the right to verify all identification and to refuse admittance where such identification is found to be suspect.
- C. **CHIEF COMMUNICATIONS OFFICER (CCO):** The employee designated by the Commissioner to serve as the Central Office public information officer and manager of media and public relations Department-wide.
- D. **FACT SHEET:** A written summary of information pertaining to a specific subject (i.e., a fact sheet on a facility would contain information on history, capacity, mission, and facets of operation).
- E. **FREELANCE:** Work done by an employee for a business or organization other than the Department, especially one that may create a conflict of interest.
- F. **INCARCERATED INDIVIDUAL:** An adult or juvenile person committed to a department of correction (federal, state, or local) and housed or supervised in a facility either operated by the department of correction or with which the department of correction has a contract, including an adult or juvenile under parole supervision; under probation supervision following a commitment to a department of correction; in a minimum security assignment, including an assignment to a community transition program.

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- F. **IN-HOUSE PRODUCTION PROJECTS:** Any audio or video clips related to training, promotion of Department programs, staff, public service announcements (PSA), full or micro documentaries, or created using approved social media platforms.
- G. **LIVE STREAM (STREAM):** Any media, typically video, being broadcast at the time of recording, whether through social media, news media, or non-news media.
- H. **NEWS MEDIA:** Any media organization that gathers and reports “news of the day,” even if that news is not necessarily reported on the same days as gathered, for a general circulation newspaper, news magazine, national or international news service, news website, or radio or television news program holding a Federal Communications Commission license.
- I. **NON-NEWS MEDIA:** Any media organization that does not have as its principal function the gathering of the “news of the day.” Non-news media is broadly defined, but not necessarily limited to the following: entertainment or “infotainment” tabloid media, cable and network news and magazines, syndicated shows, entertainment cable networks, independent film makers and documentary makers.
- J. **NEWS RELEASE:** A written statement concerning an issue, event or situation for which the Department wishes to make a permanent record and wide area dissemination.
- K. **PUBLIC INFORMATION OFFICER (PIO):** The facility employee who has been designated to handle public information duties.
- L. **PUBLIC RECORD:** Any writing, paper, report, study, map, photograph, book, card, tape recording, or other material that is created, received, retained, maintained, or filed by or with a public agency and which is generated on paper, paper substitutes, photographic media, chemical based media, magnetic or machine readable media, electronically stored data, or any other material, regardless of form or characteristics.
- M. **SOCIAL MEDIA:** Interactive computer-mediated technologies that facilitate the creation and sharing of information, ideas, career interests, and other forms of expression via virtual communities and networks.
- N. **UNAUTHORIZED MEDIA PRODUCTION:** Any type of media or social media production conducted with Department equipment or on Department platforms or websites for the purpose of promoting the Department or its staff, its programs, or its facilities without authorized written permission from the CCO. Examples include, but are not limited to, podcasts, videos, live streaming, blogs, news articles, radio or television advertisements or public service announcements, and other mass media.

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IV. CHIEF COMMUNICATIONS OFFICER/MEDIA AND PUBLIC RELATIONS:

The Commissioner shall appoint an employee in the Department’s Central Office to serve as the Chief Communications Officer (CCO). The CCO shall report to the Commissioner.

The CCO shall be available to the public and the news media to respond to questions and requests for public information. The CCO shall ensure that the Department maintains a public information program that ensures that public information is made available to members of the general public, other agencies, government officials and the news media. The CCO shall serve as the Department’s spokesperson when responding to inquiries from the news media and shall ensure that good relations are maintained between the Department and the various news media throughout the State.

All news releases issued by the Department or its facilities shall be forwarded to the CCO prior to distribution to ensure that correct and appropriate information is provided. The CCO may enlist the assistance of other staff to prepare, review, and approve information to be released to the public or the news media.

The Commissioner may also appoint the CCO to act as the Department’s representative to various civic organizations in order to expand the Department’s community outreach efforts and foster positive public relations. The Commissioner may approve the use of the communications budget funds to pay reasonable membership fees.

V. GENERAL INFORMATION:

A. Public Records Requests

An online portal has been established for the purpose of requesting public documents. The public may send requests may send requests via the link designated as:

<https://in.accessgov.com/doc-apra>

This portal is monitored by the Chief Communications Officer (CCO) and the Chief Legal Counsel. This portal shall serve as the tracking mechanism for the Department’s public records request service.

Staff receiving a request for public records from a source other than the above portal account shall forward the request to the facility’s Public Information Officer (PIO). The PIO shall respond to the requestor with information about the online portal, including a link and directions for submitting requests. PIOs are responsible for responding to records

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requests from the incarcerated population at their facility and can request assistance from the CCO as needed.

If a request does not fall under APRA, a response shall be provided stating as such and asking for an information request to be submitted in an attempt to accommodate the requestor with information that is available.

Requests for public records and the Department’s responses shall be maintained in accordance with the State of Indiana’s Records Retention Schedule for “General Files-GRADM-4.”

B. Staff Speeches or Public Appearances

Employees are often contacted to make speeches or presentations to members of the public. These requests may be from schools, churches, or civic groups. Employees are encouraged to assist in presenting the Department in a positive manner and cooperating with the public. At the discretion of the Warden and based upon the operational needs of the facility, an employee may be permitted to give the speech or presentation during their regular duty hours. In these cases, staff shall not be authorized overtime to make presentations to the public.

Employees contacted to make a speech or presentation shall contact their immediate supervisor. If the supervisor approves the request, the employee shall contact the Warden or the PIO. The Warden or PIO may be able to provide the employee with additional information to assist in the delivery of the speech or presentation. Should the Warden or the employee have questions regarding the appropriateness of making the speech or presentation, they may contact the appropriate Central Office staff, including the CCO.

Authorized staff making speeches or presentations to the public should speak only to those matters in which they have personal knowledge. Additionally, staff shall ensure that they do not share confidential information. If questions are asked that the employee cannot adequately answer, the employee should defer the question to other appropriate staff. If the employee is asked to give an opinion, they shall state that their response is a personal opinion and that it is not necessarily the position of the Department.

After making a public speech or presentation, the employee shall advise their supervisor of the results of the speech or presentation. If something controversial or potentially damaging to the facility or Department occurred, the employee shall report such information to the Warden or the PIO as soon as possible. The Warden shall report the incident to the CCO.

C. Tours

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The Warden or designee shall be responsible for all aspects of facility tours. Approved tours may be canceled at any time if deemed necessary by the Warden.

Tours provided to the public shall be administered according to these guidelines:

1. Tours shall be conducted for educational and/or valid informational purposes only;
2. Tours shall be scheduled in accordance with the availability of appropriate staff and the security and safety of the facility and visitors;
3. The Warden or designee shall assign staff to coordinate the date, time, scope, and format of a tour;
4. The minimum age for a person to take a tour shall be 18 years of age. In special cases, the Warden may request that the assigned Executive Director of Adult Facilities or Executive Director of Youth Services approve including persons as young as fifteen (15) years of age to participate in a tour;
5. Tours shall not be conducted for individual members of the general public without the authorization of the assigned Executive Director of Adult Facilities or Executive Director of Youth Services;
6. The Warden shall have the discretion to determine what areas of the facility are appropriate for specific tours. The Warden shall take into consideration the security of the facility, the safety of the persons on the tour, the privacy of the incarcerated population, and the purpose of the tour in making this decision;
7. Staff shall stress to persons desiring to take a tour that the Department shall not be liable for any injuries or damage to or loss of property that might happen during the tour. Additionally, staff shall ensure that the individuals on the tour are aware that they must abide by facility procedures and any instructions provided by staff; and,
8. When officials, such as legislators, members of Congress, staff from the Governor's Office or other official visitors, request tours of the facility, the Warden or designee shall contact the CCO and advise who has requested the tour and any other pertinent information.

D. Website

The Department shall establish a website containing information for public dissemination. The website shall contain public information, such as the Department's annual report and

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other reports or information regarding operation of the Department and its facilities. The website may include a locator service and other public information regarding incarcerated individuals. The CCO shall oversee the content of the website.

Each facility shall have a page on the website where information regarding the facility's history, capacity, mission, operation, and the availability of services and programs for the incarcerated population.

The website may be accessed at: www.IN.gov/idoc.

E. Annual Report

The CCO shall ensure that an annual report of the Department's activities is prepared in accordance with the requirements of the Indiana Code. The annual report shall include narrative and statistical data on the Department's objectives, programs, and services. It shall be comprised of information from the annual reports prepared by the facilities and the divisions within the Department.

The annual report shall be prepared for the period July 1 through June 30 of each year and shall be completed following the completion of the reporting period and submitted to the Governor of Indiana by September 1 of each year.

The annual report shall be prepared electronically and placed on the Department's website and may be prepared in hard copy format at the discretion of the Commissioner. Copies of the annual report shall be made available to the public upon request either electronically or in hard-copy format.

Requests for information contained in the annual report or for copies of the annual report shall be forwarded to the CCO for response in accordance with Department procedures and statutes relating to the release of public information.

In conjunction with the preparation of the Department's annual report, the CCO shall review the Department's public information program annually and update it as needed to ensure that appropriate information is provided to the public as needed.

F. PIO

When a PIO assignment is vacant, the Warden or Division Director shall notify the CCO when an employee is under consideration in order for the CCO to provide additional executive input into the assignment.

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G. PIO Equipment

PIO's shall be permitted to use their personal or State cell phone inside the facility at the Warden's discretion. The CCO shall be contacted if the PIO requires equipment (camera, lights, etc.) for an event or to carry out day-to-day related duties.

VI. MEDIA INFORMATION:

A. Release of Information

1. The CCO, working in conjunction with the Warden and the PIO shall oversee the release of information pertaining to the Department and each facility to the news media.
2. The CCO shall work with Wardens and PIOs responding to a local reporter's inquiry.
3. Any contact from a national or international news media representative shall be directed to the CCO as soon as possible for referral to the Commissioner.
4. Staff shall refer all news media inquiries to the Warden/PIO or designee. Unless specifically authorized by the Warden, facility staff shall not make statements to the media on behalf of the facility or the Department.
5. Central Office staff shall discuss all inquiries from news media with the CCO prior to responding.
6. After normal duty hours, any news media calls to a facility shall be directed as designated by the Warden. If the call pertains to an issue that will affect the entire Department or will generate significant media coverage, the Facility Duty Officer shall contact staff designated by the Warden who in turn shall contact the CCO. If the media request is of a routine nature, the caller shall be instructed to call the facility during regular business hours.

B. News Releases

1. The Warden, PIO, or designee shall work with the CCO to notify local news media of events that will portray the facility or Department in a positive perspective, such as national accreditation and/or community projects. Additionally, the PIO shall report to the CCO newsworthy events, such as trafficking, escapes, incidents of serious violence, riots and other situations that result in fatalities, serious injuries, major property damage, or any other serious disruption of facility operations in order to

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determine the proper response to media inquiries. All news releases shall be forwarded to the CCO for review and approval prior to release.

2. Releases shall be distributed via *govDelivery* to the newspaper, radio, and television stations in the facility's local media market and to news media which regularly cover issues discussed in the release.
3. In matters of State-wide interest, releases shall be distributed via *govDelivery* by the CCO or designee to news organizations throughout the State, nation or internationally as appropriate.
4. The CCO and the PIOs shall each maintain an electronic *govDelivery* file of releases provided to the media and public within the past three hundred sixty-five (365) days.

C. Data for Release

1. The PIO shall work with the CCO to respond to all news media requests for general information, such as new policies or programs.
2. Upon request from a news media representative, certain information regarding incarcerated individuals may be provided in accordance with Policy and Administrative Procedure 01-04-104, "The Establishment, Maintenance and Disposition of Offender Records," including the following:
 - a. Name;
 - b. Age;
 - c. Birth Date (month/year only);
 - d. Physical description;
 - e. Sex;
 - f. Sentencing county;
 - g. Crime;
 - h. Sentence;
 - i. Past prison transfers (dates/locations only);
 - j. Outside court actions regarding confinement/release;
 - k. Facility work assignments;
 - l. Nature of injury;
 - m. Prior departmental incarceration;
 - n. Earliest Possible Release Date (EPRD);
 - o. Death (The identity of a deceased individual shall be withheld until next-of-kin has been notified or thirty-six (36) hours have elapsed since the time of death, whichever occurs first. The facility shall make every effort possible to

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contact the next-of-kin and shall document these attempts prior to releasing the identity of the individual). If asked about cause, the facility shall state that the coroner makes this determination; and,

p. Any official law enforcement photograph, commonly referred to as a “mug shot”, inclusive of an incarcerated individual’s primary identification photograph is a public record and shall be released, if requested. Images of incarcerated individuals other than a mugshot or identification photograph may only be released with the written permission of the incarcerated individual.

3. Information regarding psychiatric, medical, or juvenile criminal histories of incarcerated individuals shall not be released except in accordance with Policy and Administrative Procedure 01-04-104.

4. Department facilities shall release to the news media only the following personal information concerning an employee:

- a. Name;
- b. Gross compensation;
- c. Job title/classification;
- d. Business address;
- e. Business telephone number;
- f. Job description
- g. Dates of first and last employment of present and former employees;
- h. Education and training background;
- i. Previous Work experience;
- j. Information relating to the status of any formal charges against the employee; and,
- k. The factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted or discharged.

All other requests for employment information shall be referred to the State Personnel Department.

5. Additional information may be released to the news media at the discretion of the Commissioner or CCO.

D. Interviews with Incarcerated Individuals

1. News media wishing to interview an incarcerated individual shall contact the CCO or PIO. All such requests shall:

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- a. Be in the form of a written letter or email; and,
 - b. State the incarcerated individual's name, the reason for the interview, and a list of questions.
 - c. Include a description of the focus of the story and expected air or publication date.
2. Upon receipt of a request to interview an incarcerated individual, by the CCO or PIO, the Warden, the CCO and Central Office Administration shall determine if the incarcerated individual meets the following criteria for an interview:
- a. The incarcerated individual is in the general population or, if they are not in the general population:
 - (1) If the incarcerated individual is in protective custody or administrative restrictive status housing, the incarcerated individual's records shall be reviewed to determine why the incarcerated individual is being held in this status and whether it would appear that granting permission for an interview would present a threat to the safety and security of the facility, staff, other incarcerated individuals, or the persons involved in the interview.
 - (2) If the incarcerated individual is in an infirmary or is receiving Mental Health treatment, the attending Medical or Mental Health staff shall be contacted to ensure that approving the interview would not negatively impact the incarcerated individual's treatment and that staff, incarcerated individuals, or the public would not be endangered by contact with the incarcerated individual.
 - (3) If the incarcerated individual is in disciplinary restrictive status housing or being processed in an Intake Unit the request for the interview shall be denied, unless the request presents a compelling need and is approved by the Deputy Commissioner/Operations.
 - b. In all cases, the Warden, CCO, and Central Office Administration shall make a determination as to whether other good cause exists to deny the request for interview.
 - c. The incarcerated individual must sign a waiver consenting to and permitting release of their image and/or words (Attachment I) or the request shall be denied. The interview may take place in person, in writing, or by telephone

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with prior approval, in accordance with this policy and administrative procedure, and at the convenience of the facility. The written release or decision not to be interviewed shall be retained on file in the incarcerated individual's facility packet. No incarcerated individual shall be shown in video or photographs wearing khaki uniforms. Incarcerated individuals shall be dressed in the standard Department uniform, approved program clothing, or cap and gown.

- d. If the request is to interview a youth (juvenile), the Warden, as the legal guardian, shall approve or deny the request after consultation with the youth, and in accordance with this policy and administrative procedure. The Warden, youth, the youth's parent, or the youth's guardian shall sign the consent and waiver if the request is approved.
3. An incarcerated individual being interviewed shall be required to:
 - a. Follow the appropriate procedures for visits as established in Policy and Administrative Procedure 02-01-102, "Visitation," and/or 03-02-110, "Youth Visitation," if the interview will be in-person.
 - b. If the Warden has approved a telephone interview, follow the procedures for telephone calls as established in Policy and Administrative Procedure 02-01-105, "Telephone Privileges" if the interview will be conducted over the telephone.
 4. All interviews are voluntary. The incarcerated individual has a right to restrict the interview and to refuse to be photographed or recorded. Incarcerated individuals shall receive no compensation or anything of value in exchange or as a result of any interview.

All interviews shall be attended by the PIO or another designee of the CCO. The attendee shall draft a summary of all that was discussed and forward the summary to the CCO within twenty-four (24) hours of the interview.
 5. The facility PIO shall contact the Division of Registration and Victim Services in the Department's Central Office to provide information relative to the interview. Information provided shall include, but not be limited to:
 - a. Incarcerated individual's name;
 - b. Incarcerated individual's DOC number;
 - c. Topic of interview;
 - d. The anticipated airing or publication of the interview; and,

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- e. The format in which the content will be made public.
6. The Warden or designee shall make this policy and administrative procedure available to all members of the news media and convey oral instructions to ensure that they are aware of their responsibilities regarding custody and security during the interview. News media representatives shall be required to sign a statement indicating they are familiar with the rules and regulations of the facility (Attachment II).
 7. News media representatives shall abide by the following rules while in a correctional facility:
 - a. Approval shall be obtained before visiting the facility for the purpose of interviewing staff or incarcerated individuals in accordance with this policy and administrative procedures.
 - b. Interviews shall not be longer than four (4) hours and shall be conducted during the normal business hours of 8:00 a.m. to 4:00 p.m. Monday through Friday, or other times at the discretion of the Warden.
 - c. Interviews shall take place in an area designated by the Warden or designee outside of the incarcerated individual's living area.
 - d. Only one (1) incarcerated individual shall be interviewed at a time unless otherwise authorized prior to the interview.
 - e. Interviews shall take place in view of Department staff for the safety of media representatives and security of the facility.
 - f. During an emergency situation or breach of security, the Warden or designee may terminate and/or suspend any interview or media coverage in the facility to maintain facility safety and security.
 - g. Media representatives shall be escorted at all times while in the facility by staff designated by the Warden.
 - h. Interviews may be recorded by video, audio, notes, or other methods with the prior approval of the CCO, Warden, and the individual to be interviewed.
 - i. Live broadcasts by television, radio, social media or any other medium shall not be permitted unless authorized by the Commissioner.

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- j. Any photography or video recording at a Department facility shall be restricted to images which do not identify incarcerated individuals unless otherwise permitted in accordance with this policy and administrative procedure.
 - k. Any photography or video recording of the facility physical plant shall be restricted based upon the safety and security needs of the facility. Photographing or video recording the physical plant, such as exits, layouts of the facility or security areas, shall be prohibited without the prior written approval of the Warden and shall be permitted only if the Warden determines that to do so would not create a security breach.
 - l. Only one news media organization shall be allowed to interview an incarcerated individual at a given time. News conferences shall not be permitted for incarcerated individuals unless otherwise permitted in accordance with this policy and administrative procedure.
 - m. In cases where the number of requests for interviews with an incarcerated individual exceeds three (3) in one day, the incarcerated individual shall choose which three (3) interviews they wish to conduct. No more than five (5) in-person interviews shall be permitted within a seven (7) day period.
 - n. News media representatives shall abide by all applicable Department and facility procedures. Failure to abide by these procedures may constitute grounds for denying that representative permission to conduct an interview(s) within any Department facility for a 12-month period.
 - o. News media representatives shall present their credentials to staff upon arrival at the facility and shall advise staff that they are there to interview the incarcerated individual. Staff shall contact the facility PIO to advise that the news media representative is at the facility. The PIO shall ensure that all necessary arrangements for the interview are in place.
 - p. The Warden, CCO, and Central Office Administration reserve the right to impose restrictions not otherwise specified in this policy and administrative procedure in order to maintain the safety and security of the facility.
8. The Warden may deny any request to interview an incarcerated individual based on security, medical, or other administrative reasons including:

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- a. The news media representative or organization which they represent does not agree to the conditions established by the Department and the Warden or designee;
 - b. The news media representative failed to abide by required conditions and/or Department policy and procedure in the past twelve (12) months;
 - c. The incarcerated individual is physically or mentally unable to participate in an interview as verified by a medical professional's assessment. The medical statement shall be filed in the confidential section of the incarcerated individual's packet;
 - d. In the opinion of the Warden or designee, the interview would endanger the health or safety of the interviewer, news media crew, staff, incarcerated individual, or would cause a disruption in the operation of the facility;
 - e. The incarcerated individual is involved in a pending court action and the court having jurisdiction has issued an order forbidding such interviews;
9. Any requests from the news media shall be directed to the CCO.
- E. Death Row and Executions
1. Any news media wishing to visit Death Row and/or interview individuals on Death Row shall contact the CCO. All such requests shall:
 - a. Be in the form of a written letter or email;
 - b. State the incarcerated individual's name, the reason for the interview, and a list of questions; and,
 - c. Include a description of the focus of the story and expected air or publication date.
 2. The CCO in consultation with the Warden may deny news media requests for interviews with individuals on Death Row for safety, security, health, or administrative reasons in accordance with this policy and administrative procedure.
 3. An incarcerated individual on Death Row shall be permitted to conduct in-person one-on-one interviews with news media representatives or in the alternative hold one (1) press conference. News media access to incarcerated individuals on Death Row shall be limited in the following manner:

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- a. The press conference shall be held no later than 30 days prior to the incarcerated individual’s scheduled execution date.
- b. One-on-one in-person interviews may be scheduled and conducted up to seven (7) days prior to the incarcerated individual’s scheduled execution date as staffing and the security of the unit and facility permit as determined by the Warden in conjunction with the CCO.
- 4. Electronic and photographic recording equipment shall only be permitted in the Death Row living or recreation areas at the discretion of the Warden and CCO.
- 5. The Department shall prepare a media packet to be distributed with information including, but not limited to:
 - a. A general description of the execution process;
 - b. A brief history on the death penalty in Indiana;
 - c. The current population of condemned individuals;
 - d. Photos/videos of points of interest inside the Indiana State Prison to help convey the location and process; and,
 - e. A report regarding the condemned individual including, but not limited to:
 - 1) Convictions;
 - 2) Appeals; and,
 - 3) Public personal information.
- 6. The Department shall determine the level of interest from members of the media and designate who will be allowed into the Indiana State Prison’s administration building in the hours before, during, and after the execution.
- 7. The CCO or other designated staff person shall conduct news briefings with the media inside the facility and outside the gate as needed in the hours before, during, and after the execution.

F. News Media Coverage by Air

All news media coverage by air shall be in accordance with regulations established by the Federal Aviation Administration. Anyone found to be in violation of these regulations near a

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Department facility shall be reported to the appropriate authorities. Any news media representative or organization violating these regulations may be refused entry into a Department facility. Any unauthorized drones flying over the secured perimeter of a Department facility are subject to all applicable laws and regulations.

G. News Media Cooperation

News media representatives shall be required to observe all barricades and restricted areas. Any media representative failing to cooperate with the Department shall be escorted immediately from the grounds and denied re-admittance until deemed appropriate by the Commissioner. Law enforcement agencies shall be requested to assist as needed.

H. Emergency Situations

1. Facility Responsibilities:

- a. In emergency situations, all inquiries shall be directed to the CCO.
- b. Should representatives of the news media interview or attempt to interview other employees, they should advise the news media representative to wait until the CCO is available. No recourse shall be taken against news media representatives for attempting to interview staff.

2. Designated Locations:

The Warden shall designate a news media staging area for the news media to congregate. The CCO shall notify the news media by phone, email, or *govDelivery* of the location for the news media staging area as soon as possible. All news media representatives who arrive at the facility shall be directed to this area.

The Warden shall also designate a primary and a back-up area for the news media to use as a base during the emergency. These locations shall be posted at the news media staging area.

3. Emergency Information Release:

- a. Information about emergencies shall be released as quickly and as fully as is practical without compromising the security of the facility or Department or violating any laws. The CCO shall be the chief spokesperson during emergencies and shall disseminate information. The CCO shall communicate with the Central Office Media Center to coordinate news conferences and

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disseminate information, including sending a message from the ALERT Notification Service if needed to inform the public. When the duration of the emergency makes it necessary for a relief spokesperson, the Commissioner shall be consulted in selecting this designated spokesperson.

- b. Unless specifically authorized by the Commissioner or the CCO, the emergency commander or PIO shall not respond directly to media inquiries.
4. Release of Victim Information:

Information regarding victims of incidents in the Department shall not be released until family members have been notified or thirty-six (36) hours have elapsed since the incident, whichever occurs first. The Department shall make every effort possible to ensure that the next-of-kin or emergency contact person has been notified before releasing the victim's name. The facility shall document all efforts to notify the next-of-kin or emergency contact person.

I. Access to Facility by Non-News Media

Non-news media requesting formal, in person, recorded interviews with incarcerated individuals or requesting production projects within Department facilities or about Department operations shall, absent unusual circumstances, pay a daily location fee as determined by the Department, if the interview of production project will take longer than four (4) hours to complete. The purpose of the fee is to defer costs associated to the disruption of normal operations that require additional staffing of direct and indirect expenses associated with for profit productions.

The CCO shall represent the Department during negotiations of the terms of any media productions. Before any terms are finalized, the terms shall be approved by the affected Warden and the Commissioner.

Proceeds, if any, generated from a production shall be disbursed in the following manner:

- 1. Forty-five percent (45%) of the proceeds shall be reserved for the use of the facility to assist the Warden in meeting facility needs:
- 2. Forty-five percent (45%) shall be managed by Central Office to be used in a manner approved by the Commissioner to include, but not limited to:
 - a. Department-Wide Leadership training;
 - b. Supplemental State equipment purchases:

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- c. Cultural Competency Development; and,
- d. Support of other corrections related training events for Department staff.

3. Ten percent (10%) shall be placed in a fund used to assist victims of crime. This Victims' Assistance Fund shall be managed by a committee appointed by the Commissioner, which shall use an award process to identify best use of the fund.

J. In-House Production Projects

Any in-house production project affiliated with the Department must have written approval by the CCO and Commissioner prior to beginning production. Such projects shall be subject to all safety and security protocols as described throughout Section 02-03 of the Department's *Manual of Policies and Procedures* and shall take into consideration facility staffing and operational needs.

K. Staff Contact with Media

1. Unauthorized Media Production

For non-routine media interaction, staff shall consult with the CCO or the CCO's designee for input on appropriate responses.

2. Routine Pro-active releases

Production of routine releases inclusive of, but not limited to, promotion notifications, retirements, visitation updates, job postings and other similar releases may be authored by the facility PIO and published upon review by the facility Warden. The CCO or designee may review and provide edits that shall be incorporated on an as needed basis.

3. Freelance

Staff shall not freelance ("moonlight") or in any way work for news media or non-news media that reports, or could conceivably report, on the Department or otherwise create a conflict of interest without prior written permission from the CCO.

VII. VICTIMS' ASSISTANCE FUND:

The Victims' Assistance Fund shall be established from monies collected as a result of Procedure VI, K. The Victims' Assistance Fund is to serve as a resource for non-profit victim assistance

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organizations to provide direct services to victims, capacity-building, and training and education for their staff.

A. The Commissioner shall appoint five (5) Department personnel from various disciplines to the committee. One (1) Committee member shall serve as the Chair. The Committee shall meet as needed to operate the Victims’ Assistance Fund, but shall meet at least quarterly.

B. The Committee may make any of the following types of awards available:

1. Victims’ Assistance Award

The Victims’ Assistance Award will be awarded to a non-profit organization to provide direct services and projects for victims.

2. Training Award

The Training Award will be awarded to a non-profit organization to provide education and training that will improve the organization’s capacity and ability to serve victims.

3. Next Level Initiatives

The Next Level Initiatives Award will be awarded to a non-profit organization that supports the Governor’s agenda, especially in areas related to victim services, corrections, or recidivism reduction.

No award shall be used for capital projects, fundraising costs, or vehicle purchases or leases.

C. The Committee shall solicit applications for the Victims’ Assistance Award, the Training Award, and/or the Next Level Initiative Award from non-profit victim assistance organizations through notices, media releases, social media postings, and other approved media. The application shall consist of:

- a. Organization’s name;
- b. Organization’s mission/vision statement;
- c. Organizational summary; and,
- d. Plans for use of awarded funds

D. At each quarterly meeting, the Chair shall present the submitted applications for each award to the Committee for review and discussion.

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E. After review and discussion, the Committee shall vote whether to approve or deny the applications for the awards.

If approved, the Chair shall cause the payment of the award:

- a. In blocks of up to five thousand dollars (\$5000) for the Victims' Assistance awards;
- b. In blocks of up to five hundred dollars (\$500) for the Training awards; and
- c. In blocks of up to five hundred dollars (\$500) for the Next Level Initiatives awards.

F. If approved, the Chair shall consult with the Department's Fiscal office for distribution of awards.

VIII. EXCEPTIONS AND APPEALS:

The Commissioner or designee may authorize deviations from specific areas of this policy and administrative procedures whenever it is determined that such deviations are in the best interests of the Department and the State. Requests for deviations shall be sent to the CCO for the Commissioner's consideration.

In those cases where a representative of the news media has been denied access to a facility for a particular interview or where due to violations of Department policy or procedure the representative has been denied access in accordance with this policy and administrative procedure, the representative or the representative's news media organization may appeal the denial. The appeal shall be submitted in writing to the Commissioner. The Commissioner shall respond to the appeal in a timely manner after all of the facts of the situation have been reviewed.

IX. TRAINING:

All staff involved as a PIO shall be trained in this policy and administrative procedure. The CCO, in conjunction with the Division of Workforce Engagement may develop a specific training program for staff dealing with the news media.

X. APPLICABILITY:

This policy and administrative procedure shall be applicable to all Department staff and all media representatives wishing access to the Department and its facilities.

signature on file
Christina Reagle
Commissioner

Date