

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
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Authority/References	Subject	
KRS 196.035; 197.020, 197.110, 439.470 ACA 5-ACI-1A-22, 2-CO-1A-25, 2-CO-1A-26, 2-CO-1A-27, 2-CO-1A-27-1, 2-CO-3C-01 P & P ACA 4-APPFS-1C-01	NEWS MEDIA	

I. DEFINITIONS

“DOC” means the Department of Corrections.

“News media” means a form of mass media that focuses on delivering news to the general public, but does not include broadcast programs syndicated by independent producers, television stations, networks, or others for the primary purpose of entertainment.

“PIO” means public information officer.

“VSB” means the Victim Services Branch.

II. POLICY and PROCEDURE

This policy shall be followed when communicating with representatives of the news media regarding the operations of the Department of Corrections (DOC) by all Corrections personnel who come in contact with the media via personal interview or telephone while acting as a Corrections representative.

It shall be the policy of the Department to maintain positive working relations with the news media. All media requests/inquiries shall be forwarded to the Division of Public Affairs at Central Office as soon as they are received.

- A. A news media request or inquiry shall be handled by the Division of Public Affairs at the DOC headquarters in Frankfort, Kentucky.
- B. A request by a news media representative to visit an institution, probation and parole office, or other DOC office shall be reviewed on a case-by-case basis and a decision shall be rendered by the Division of Public Affairs in conjunction with the Warden, Director or Commissioner.

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C. Credentials

A state issued photo ID shall be required to verify the identity of a news media representative. An identification card issued by the reporter's place of employment may also be required if needed to verify the credentials of a media representative. In the absence of an employee identification card, the DOC may refuse admittance if the identification is suspect.

D. Live broadcasts including television, radio, phoe, and virtual communication from inside the perimeter of an institution shall not be permitted at any time.

E. Arrangements for interviews and visits by representatives of the media shall be made in advance to the Division of Public Affairs. A brief summary of the purpose of the visit or interview shall be provided and shall be subject to approval. Approved interviews shall primarily be conducted virtually. Private prison and community center administrators shall refer all news media inquiries concerning DOC policies, DOC inmates, or DOC clients to the Division of Public Affairs.

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G. The Division of Public Affairs staff shall make this administrative regulation available in advance of a media visit to ensure that members of the news media are aware of the requirements. Each news media representative shall sign a Corrections Media Release Form upon each visit to a DOC institution or office, indicating familiarity with this administrative regulation and agree to abide by it. Failure by a news media representative to comply with this administrative regulation may result in immediate removal from the institution or office and may constitute grounds for denying the representative or his or her agency permission to attend future media events within a DOC institution or office.

H. Inmate Interviews and Photographs

1. Media representatives may be permitted to interview an inmate if the inmate gives written consent to be interviewed. A news media representative wishing to interview an inmate shall submit to the Division of Public Affairs a brief summary of the purpose of the interview, which is subject to approval.

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2. An approved interview by a news media representative shall include only the news media representative, the inmate, and DOC staff. There shall not be anyone else present including family members, lawyers, or others.
3. The Division of Public Affairs may establish time limits for an interview or other media event coverage.
4. A news media interview shall not be permitted for an inmate in a high security unit, in protective custody, on watch, or other significant medical or mental health status. An inmate involved in an internal affairs investigation may also be prohibited from granting interviews until that case is closed.
5. The news media shall not interview an inmate away from institutional grounds except with direct authorization from the Commissioner.
6. An inmate shall not receive compensation or anything of value, in exchange for or as a result of participating in an interview. A media representative or entity who violates this stipulation may be restricted from further access to inmate interviews.
7. The Division of Public Affairs may grant or deny any interview request. The Division of Public Affairs may consider safety and security concerns in an interview denial. The Division of Public Affairs may terminate an interview or coverage within a DOC facility if a disruption of any type occurs.
8. A recording device may be used by a media representative during an interview with prior approval.
9. If an inmate interview is approved, the Victim Services Branch shall review the inmate's information to determine if the inmate has any registered victims. The VSB shall attempt to contact a registered victim to notify the victim of the interview in advance of the interview.
10. If a media visit has been approved, the media representative may take photographs of specific parts of the correctional institution or probation and parole office with approval of the appropriate warden or director.
 - a. Media shall be escorted at all times while on institutional or office grounds by the designated staff.
 - b. If news media films or photographs an inmate or an offender under supervision in which the inmate or offender may be identified, a signed copy of the Corrections Release Form shall be obtained from

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the inmate or offender to provide written consent before the video or photo may be shown or shared.

11. Parole Hearings

Because parole hearings are considered an open proceeding, an inmate who appears may be filmed, photographed or recorded without signing a consent form; however, the general provisions of this section shall still apply to any interview before or after the hearing. Interviews shall not be conducted outside the parole hearing without prior DOC approval and the inmate's written permission using the Corrections Release Form.

I. DOC Institutional Grounds

- a. News media wanting to video or photograph the exterior of a correctional institution shall notify the Division of Public Affairs. News media shall remain in the parking lot. Any video or photograph obtained shall not include an identifiable inmate.
- b. High security areas, control centers, control panels and any other area designated by the warden for safety or security reasons shall not be filmed or photographed.

J. Dissemination of Information

1. Dissemination of DOC information shall be the responsibility of the Division of Public Affairs including contact from a national or international news media representative.
2. Institutional PIO's shall assist with the announcement of an escape or other incident within an institution as needed. Every effort shall be made to notify the family of an inmate involved in the emergency prior to the release of information to the media. Names of involved staff shall not be released to the media until designated next of kin or family is notified.
3. Individual staff members, contractors, or volunteers shall not respond to media inquiries unless they have received prior approval from the Division of Public Affairs.
4. The Division of Public Affairs shall be informed of all correspondence sent to or received from a news media representative.

K. Release of Information

1. The following information about an inmate, parolee, probationer or other releasee may be provided to the news media:

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- a. Name;
- b. Age;
- c. Sex;
- d. Physical description;
- e. Photograph;
- f. County where crime was committed;
- g. Crime ;
- h. Sentence ;
- i. Disciplinary information incident and penalty;
- j. Institutional work assignments;
- k. Prior DOC incarceration; and
- l. Release eligibility.

2. Any information regarding an inmate beyond the items listed in subsection (1) of this section, including health, juvenile criminal history, or substance use disorder treatment shall not be released except with prior approval from the Commissioner or designee and in compliance with KRS 610.015, 610.320, 610.340 and 635.120.

L. Procedures During Emergency Situations

Admittance of a media representative to a correctional institution may be denied or limited during an emergency situation, including an escape, disturbance, fire, or natural disaster. However, with approval of the Deputy Commissioner of Adult Institutions and the Commissioner, the news media may be granted access to the institution once it is determined that access will not jeopardize the security or safety of any person.

1. **Media Staging Area** - A pre-designated area shall be established for the media to use as a staging area during an emergency situation. This area shall be as close to the emergency scene as possible without inhibiting the resolution of the situation. News media representatives shall be directed to the staging area upon their arrival.
2. **Press Briefings** - A briefing location for the media shall be established near the staging area. The news media shall be advised of developments by press releases. A final briefing shall be held or press release provided as soon as possible after the emergency situation is resolved.
3. **Media Pools** – With approval of the Deputy Commissioner of Adult Institutions and the Commissioner, a media pool may be formed to enter a correctional facility. Every effort shall be made to allow the media to use their equipment while serving as a pool reporter. The media pool shall be chosen from those media representatives assembled at the staging area with the selections made by DOC designated staff.

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4. Media Pool Agreement – Media selected for the media pool shall agree to ensure all news material generated by the media pool will be made available to all media without right of first publication or broadcast.

KENTUCKY DEPARTMENT OF CORRECTIONS

RELEASE FORM

I, the undersigned, consent to be photographed or interviewed by _____ for the exclusive purpose of _____

_____. I further understand the interview may be filmed or recorded, and both may be used either in whole or part related to the purpose set out above. I waive any rights that I may have to inspect or approve the finished product prior to its use or publication in connection with the stated purpose, including the right to collect any type of compensation.

I release, discharge, and agree to hold harmless the Kentucky Department of Corrections and its employees and agents from any and all claims, demands, or causes of action that I may have, including any claims based on the right of privacy, the right of publicity, copyright, libel, slander, defamation, or any other right or claim based on the interview or use of the resulting material.

I understand and acknowledge that I take full responsibility for my involvement in this interview and the risks that it may entail, whether legal, physical, or mental, and release the Department of Corrections and its employees and agents from any claims, demands, losses, damages, suits, and liabilities of any kind whatsoever in connection with the foregoing.

By signing this form, I acknowledge that I am over eighteen years old, am competent to contract in my own name concerning the contents of this release, have completely read and fully understand the release form, and agree to be bound by it. My consent is given freely and voluntarily and without promises, threats, coercion, or duress.

Signed: _____ Dated: _____

Printed Name: _____

Institution / Facility: _____

Witnessed by _____

Title _____

(A staff member of the Kentucky Department of Corrections shall witness all releases.)

KENTUCKY DEPARTMENT OF CORRECTIONS

MEDIA RELEASE FORM

The undersigned news media representative acknowledges that the he or she has received from the Department of Corrections a copy of CPP 1.2 that outlines the policies and procedures pertaining to admittance to any Department of Corrections facility or any facility holding state inmates. The undersigned further acknowledges that he or she has read and is familiar with the rules and regulations and agrees to abide by them. Failure by a news media representative to comply with the rules of this policy may result in his or her immediate removal from the facility and constitutes grounds for denying the representative or his or her agency permission to conduct the interview and attend future media events within a Department of Corrections facility.

The undersigned agrees to release, discharge, and hold harmless the Kentucky Department of Corrections and its employees and agents, from any and all claims, demands, or causes of action that may arise, including any claims based on the right of privacy, the right of publicity, copyright, libel, slander, defamation, or any other right or claim based on the interview or undersigned's use of the resulting material.

The undersigned understands and acknowledges that he or she takes full responsibility for the undersigned's involvement in the interview and the risks that it may entail (legal, physical, or mental) and releases the Department of Corrections and its employees and agents from any claims, demands, losses, damages, suits, and liabilities of any kind whatsoever in connection with the foregoing.

This release is given by the undersigned, freely and voluntarily, without promises, threats, coercion or duress.

Signed: _____ Dated: _____

Printed Name: _____

Media Outlet: _____

Institution / Facility Visited: _____

Witnessed by: _____

Title _____

(A staff member of the Kentucky Department of Corrections shall witness all releases.)