

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
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	June 10, 2014	August 1, 2014
Authority/References KRS 196.035, ACA 4-4020, 4-4021, 4-4022, 2-CO-1A-25, 2- CO-1A-26, 2-CO-1A-27, 2-CO-1A-27-1, 2- CO-3C-01 P & P ACA 1C-01	Subject NEWS MEDIA	

I. DEFINITIONS

None

II. POLICY and PROCEDURE

This policy shall be followed when communicating with representatives of the news media regarding the operations of Corrections 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 Corrections to maintain positive working relations with the news media. Each Warden and Parole District Supervisor shall designate a public information officer (PIO) for their respective institution or parole district, and provide the Communications Director with the name of the person so designated. All routine requests for information shall be directed to the designated PIO. All other non-routine requests for information shall be forwarded to the Communications Office. Any change in a PIO shall be reported to the Communications Office within ten (10) days of the change.

III. PROCEDURES

- A. Requests by representatives of the news media to visit an institution, probation and parole office or community center shall be permitted unless the Warden, District Supervisor or Community Center Coordinator determines that a visit constitutes a clear and present danger to the security of the facility, unreasonably interferes with the orderly administration of the facility, or endangers the safety of the reporter or reporters. For purposes of this policy, news media excludes broadcast programs syndicated by independent producers, television stations, or networks for the primary purpose of entertainment and syndicated television broadcast talk shows.
- B. Credentials – For purposes of identification, a state issued photo ID shall be required to verify the identity of a 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 employee

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identification cards, the DOC reserves the right to refuse admittance if such identification is found to be suspect.

- C. Live broadcasts (television, radio, telephone or other electronic or communicative method) from inside the perimeter of an institution shall not be permitted at any time.
- D. Arrangements for interviews and visits by representatives of the media shall be made in advance and have a specified goal in mind. The Director of Communications shall be notified prior to making these arrangements. Private prison and community center administrators shall refer all news media inquiries concerning Corrections policies to the Director of Communications.
- E. Interviews and Photographs
 - 1. Media representatives may be permitted to interview an inmate or someone under supervision of probation and parole if the individual gives his or her written consent to be interviewed. A news media representative wishing to interview an inmate shall submit a request in writing or by email to the Communications Office indicating who he wants to interview and the nature of the story.
 - 2. An inmate interview by a news media representative shall include only members of the news media crew, the inmate, and DOC staff. There shall not be anyone else present (i.e., family members, lawyers, etc.).
 - 3. The Director of Communications, or his or her designee, may establish time limits for all interviews or other media event coverage.
 - 4. News media interviews shall not be permitted for inmates in segregation or protective custody, on suicide watch or mental health seclusion. Inmates involved in an internal affairs investigation may also be prohibited from granting interviews until that case is closed.
 - 5. Inmates shall be separated from the interviewer(s) by a physical barrier (i.e., desk, table, etc.). In addition, inmates shall be restrained as noted below:
 - a. Death row and maximum security – full restraints along with direct supervision by a minimum of one correctional officer.
 - b. Close, medium, restricted, minimum and community custody – handcuffs, secured in front of the inmate.
 - 6. The news media shall not interview an offender away from institutional grounds except upon direct authorization of the Commissioner.

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7. Inmates shall not receive compensation, or anything of value, in exchange for, or as a result of, participating in an interview. Media representatives who violate this stipulation may be restricted from further access to inmate interviews.
8. The Director of Communications may grant or deny any interview request. The Director of Communications shall consider safety and security concerns in any interview denial. The Director of Communications or his or her designee may terminate any interview or coverage within a DOC facility if a disruption occurs.
9. Approval for staff interviews shall be obtained in advance from the Warden or District Supervisor for any interview conducted on state property or during the working hours of the employee. The Director of Communications or appropriate Deputy Commissioner shall be notified in advance of the date and time of the requested employee interview.
10. Portable tape or video recorders may be used by media representatives during an interview.
11. The Office of Victim Services (OVS) shall be notified of any inmate with a registered victim once the inmate has been approved and has agreed to participate in a media interview. This notification shall be made prior to the interview being conducted. The purpose of this notification is to allow OVS to notify the victim(s) that media coverage is possible.
12. With approval of the warden, probation and parole district supervisor, or the director of the facility, representatives of the media may take photographs of specific parts of the correctional facility or probation and parole office that directly relate to a particular news story; however, inmates or someone under supervision have the right not to be photographed.
 - a. If a news photographer wishes to photograph an inmate or someone under supervision in an identifiable manner, Corrections' Release Forms shall be signed by the inmate in order to obtain his written consent. (See Attachment I.)
 - b. News media wanting to videotape or photograph the exterior of a facility shall notify the PIO and Warden prior to their arrival at the facility and shall remain in the parking lot. If the PIO is not available, the Warden or his or her designee shall be notified. Any video obtained from the parking lot shall not include inmates.

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c. High security areas, control centers, control panels and any other area designated by the Warden for safety or security reasons shall not be photographed.

13. Because parole hearings are considered an open proceeding, inmates who appear may be videotaped, photographed or recorded without signing a consent form; however, the general provisions of this policy shall still apply to interviews before or after the hearing. Interviews shall not be conducted outside the parole hearing without prior approval and the inmate's written permission.

14. The institutional PIO or Communications Office staff shall make this policy available in advance of a media visit to ensure that members of the news media are aware of all aspects and requirements of this policy. News media representatives shall sign a Corrections Media Release Form upon each visit to a DOC facility, indicating they are familiar with the rules and regulations of the facility and agree to abide by them. (See Attachment II) Failure by a news media representative to comply with the rules of this policy may result in his immediate removal from the facility and shall constitute grounds for denying the representative or his or her agency permission to conduct the interview or any other interviews for a period of twelve (12) months.

F. Dissemination of Information

1. Responsibility for information dissemination shall be shared by Central Office, institutional and community services administrators throughout the system. The Director of Communications shall be responsible for disseminating news releases regarding Corrections policy, changes in executive personnel, or other policy or program decisions affecting statewide operations. A press release generated at the local office or institutional level shall be approved by the Director of Communications before it is disseminated, unless it pertains to an extraordinary incident that occurs outside normal working hours or is of a routine nature including employee of the month or promotion announcements. These releases shall be approved by the institutional Warden or district supervisor prior to release. In these instances, the press release shall be sent to the Director of Communications as soon as possible after being released to the media.

2. Institutional PIO's shall be responsible for the announcement of an escape, disturbance, accident and fatal or severe assault to the local news media as promptly as possible. Every effort shall be made to notify families of inmates that are involved in the emergency prior to 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. Prior to notifying the

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media, a telephone report shall be made to Adult Institutions. Adult Institutions shall then notify the Director of Communications.

3. Although trained PIO's shall normally serve as the media spokesperson, occasionally a PIO may request other Corrections employees to respond to media interview requests.
 - a. The respondent shall stay within the limits of his or her authority and area of expertise, and shall answer questions as honestly and concisely as possible. An administrator shall direct a reporter to the appropriate source or the Director of Communications if the subject matter shifts to a topic beyond his or her area of expertise.
 - b. Individual staff members shall not respond to media inquiries unless they have received prior approval from the Office of Communications.
 - c. Unless specifically assigned to do so by the Office of Communications, employees shall not make statements to the media on behalf of an Institution, Division, the Department or the Commissioner.
 - d. The Director of Communications shall respond to media inquiries directed to the Commissioner's Office.
4. Correctional employees shall notify the Director of Communications in advance if they have made arrangements for media coverage of a special event or if they have arranged for a personal interview. If advance notification is not possible, in the case of an on-the-spot interview with an employee or inmate, the employee shall notify the Director of Communications immediately following the interview. If the interview involved an inmate with a registered victim, the Office of Victim Services (OVS) shall be notified so that it can notify the registered victim(s) that media coverage is possible or has already occurred.
5. Any contact from a national or international news media representative shall be reported to the Director of Communications and be handled by the Central Office Communications Office.
6. The Director of Communications shall be made aware as soon as possible of any incidents involving offenders under the supervision of the Division of Probation and Parole which may receive media attention.
7. The Director of Communications shall be informed of all correspondence sent to, or received from, a representative of the news media.

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8. Clippings from area newspapers pertaining to Corrections, institutions or probation and parole activities shall be forwarded immediately to the central office PIO. If the article involves a breaking news event, the article shall be emailed to the public information office.
9. This CPP shall be made available to media representatives upon request, or if the employee dealing with the media representative determines that dissemination is beneficial.

G. Release of Information

1. The institutional PIO shall report to the news media, as soon as possible, an escape, incident of serious violence, riot, or other disturbance that results in fatalities, major injuries, major property damage or other serious disruption of prison operations.
2. The following information about an inmate, parolee, probationer or other releasee may be provided to the news media:
 - a. Name
 - b. Age
 - c. Date of birth
 - d. Sex
 - e. Physical description
 - f. Photograph
 - g. County where crime was committed
 - h. Crime
 - i. Sentence
 - j. Prison transfers (dates and locations only)
 - k. Disciplinary information (incident and penalty)
 - l. Institutional work assignments
 - m. Prior DOC incarceration
 - n. Release eligibility
3. Information regarding the psychiatric, medical or juvenile criminal histories of an inmate shall not be released except in compliance with KRS 610.015, 610.320, 610.340 and 635.120.
4. Media inquiries that involve sensitive issues such as litigation or personnel matters shall be referred to the Communications Office.

H. Procedures during Emergency Conditions

Admittance of media representatives to a correctional facility may be denied or limited during an emergency situation, including an escape, disturbance, fire, or natural disaster; however the news media may be granted access to the facility

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once it is determined that access will not jeopardize the security or safety of any person.

1. Media Staging Areas - A pre-designated area shall be established for the media to use as a staging area during an emergency condition. This area shall be as close to the emergency scene as possible without inhibiting the resolution of the situation. The institutional PIO shall fax or e-mail to the Associated Press and local media outlets, as soon as possible, the location of the media area. 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 frequent news briefings held in the designated briefing location. Fact sheets or printed briefing sheets shall be prepared and distributed at each briefing if possible. A final briefing shall be held as soon as possible after the emergency situation is resolved.
3. Media Pools - A media pool may be formed to enter the correctional facility if it is determined that doing so no longer jeopardizes the security or safety of any person. This pool shall be allowed to go as close to the scene of the disturbance as possible without unduly aggravating the situation. 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 those media representatives present. The media pool shall consist of not more than one (1) representative from each of the following groups:
 - a. A representative from the county where the news event occurred
 - b. A representative from the television broadcast media
 - c. A representative from the radio broadcast media
 - d. A representative from the print media
 - e. A still photographer
4. Media Agreement - Selected media 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

The undersigned consents to be photographed or interviewed by _____ for the exclusive purpose of _____.

_____ The undersigned further understands the photographs may include filming of any kind, and the interview may include a recording thereof, and both may be used either in whole or part for this purpose. The undersigned also waives any rights that he 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.

Furthermore, the undersigned releases, discharges and agrees to hold harmless the Kentucky Department of Corrections, its employees, agents and servants, from claims for damage for libel, slander, invasion of the right of privacy or other claim based on the use of the material.

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

Signed: _____ Dated: _____

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 acknowledges that he has received from the Department of Corrections a copy of CPP 1.2 which outlines the policies and procedures pertaining to his admittance to any Department of Corrections facility or any facility holding state inmates. The undersigned further acknowledges that he has read and is familiar with the rules and regulations and that he agrees to abide by them. Failure by a news media representative to comply with the rules of this policy may result in his immediate removal from the facility and constitutes grounds for denying the representative or his agency permission to conduct the interview or any other interviews for a period of twelve (12) months.

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

Signed: _____ Dated: _____

Media Outlet: _____

Institution / Facility Visited: _____

Witnessed by: _____

Title _____

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