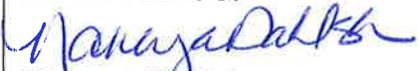


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	TITLE: Media Policy		
	APPROVED BY:  Nancy A Dahlstrom, Commissioner		DATE: 01/21/2020
ATTACHMENTS / FORMS: A. DOC Media Access Terms of Agreement B. Media Access to Offender Consent C. Employee Media Consent		AUTHORITY / REFERENCES: 22 AAC 05.155 22 AAC 05.525 AS 33.30.013 AS 40.25.110	

DISCUSSION:

The Department of Corrections (DOC) recognizes the media’s role in gathering and reporting news through communication with department officials and offenders; the public interest in obtaining this news; and an offender’s right to seek communication with the media. The Department will work with the media to provide relevant information while protecting the rights of crime victims, the privacy of offenders and Department employees, and promoting public safety and the rehabilitation of offenders.

POLICY:

- I. It is the policy of the Department of Corrections (DOC) to have in place procedures for media contact concerning the Department, its employees and offenders in DOC custody.
- II. It is the policy of the Department to make every effort to provide a timely response to any reasonable media requests for information or access to Department properties, employees or offenders. Please Note: A timely response may involve notification of victims, contacting multiple individuals within the Department as well as having to satisfy various logistical and safety / security needs before an appropriate response can be made.
- III. It is the policy of the Department to allow all reasonable media requests, except where the request is found to pose a risk to the safety / security of a Department property, employee or offender in the Department’s custody or where there is a safety / security risk to Departmental operations / programs.

APPLICATION:

This policy and procedure will apply to all Department employees, offenders, persons and organizations conducting business with the Department.

DEFINITIONS:

As used in this policy, the following definitions shall apply:

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Community News:

Information related to community activities or events reported on by local media which does not address policy or operations. Examples would include: community fund-raising activities; picnics; the Shelter Pet Obedience Training (SPOT) program; making toys for children in need; and mentoring programs.

DOC Public Information Officer (PIO):

A Department employee designated by the Commissioner to serve as the Department's liaison with media representatives or organizations. The PIO's duties may include receiving, researching and responding to requests for information, access to DOC properties or other accommodations by media representatives. The PIO may also be called upon to make Department information available to the public and media representatives.

Media:

A means of communication whether in physical form (i.e. books, magazines or newspapers), electronic form (i.e. websites, blogs, Twitter, Instagram, Facebook) or broadcast form (i.e. websites, radio or television) which reaches or influences people locally, nationally or globally.

Media Organization:

A business or non-profit whose job it is to gather and report news to the public or a special audience.

Media Representative:

A person whose occupation is to gather or report news. Media Representatives may be affiliated with a particular media organization, they may work independently to gather and provide news to a variety of organizations, or they may work independently to gather and publish the news themselves.

News:

A subject having sufficient relevance to the public or a special audience to warrant media reporting or coverage.

Prohibited Areas

Areas of a facility where media participants may not access including, but not limited to the armory, control room, any armed post, infirmary or mental health unit.

PROCEDURES:

I. DOC Public Information officer (PIO):

The DOC PIO shall fulfill the following duties and responsibilities for the Department:

- A. Act as the primary point of contact for the news media with the Department.
- B. Provide guidance and assistance in all matters relating to media relations and the release of information to the public.

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- C. Keep the Commissioner and Deputy Commissioner apprised of any developments in the Department's media relations.
- D. Provides assistance to Department employees and acts as a spokesperson for the Department in emergency situations.

II. General Procedures:

- A. All requests by qualified media representatives for information, visits to Department properties, interviews or public comment should be directed to the DOC PIO.
- B. Public records requests (AS 40.25.110, Alaska Public Records Act) shall be forwarded to the DOC PIO for appropriate action.
- C. Whenever there is a significant or major incident involving the Department, such incidents shall be immediately reported to the DOC PIO. A significant or major incident may include:
 - 1. Class A Incident related to an Institution or the Division of Probation & Parole under DOC P&P 104.01 (Special Incident Reporting).
 - 2. Class B Incident related to an Institution or the Division of Probation & Parole under DOC P&P 104.01 (Special Incident Reporting) that may draw media interest or scrutiny or that has a component that should be public information / knowledge.
 - 3. Any other incidents involving the Department (including DOC staff and / or property) that may draw media interest or scrutiny, or that has a significant public information / knowledge element.

Incidents will be dealt with on a case-by-case basis with the DOC PIO and information shall not be released to the media without first contacting the DOC PIO.

- D. Upon a request by a media representative for any of the following offender information, the DOC PIO shall be contacted before the information is released:
 - 1. Name;
 - 2. Age;
 - 3. Race;
 - 4. Place of incarceration;
 - 5. Past movements via transfer;
 - 6. Charges and bail information;

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7. Conviction date; and

8. Length of sentence.

Note: For reasons of security, an offender's imminent release date should not be given to the media.

- E. Booking photos of offenders are not subject to release to media representatives unless special circumstances exist, such as the escape of a prisoner or when releasing a booking photo will enhance public safety as determined by the Director of Institutions, Commissioner or Commissioner's designee.
- F. The DOC PIO may set reasonable conditions when approving a request for access to Department properties, staff or offenders. These conditions will only be set in legitimate circumstances to ensure the orderly, safe and secure running of a DOC property or program.
- G. If a media representative seeks to reuse footage (i.e. b-roll) or photographs previously obtained under this policy and it identifies an offender in DOC custody, they shall notify the Department at least 30 days in advance so that the Department may complete victim notification.
- H. In order to hold media representatives accountable for the conditions under which their access to Department properties, employees or offenders is granted, representatives will be required to sign a DOC Media Access Terms of Agreement (attachment A). Failure by media representatives to follow any conditions set forth in the DOC Media Access Terms of Agreement Form may result in termination of access and denial of any current or future requests.
- I. When information provided to a media representative may impact a particular division or section, the DOC PIO may provide a copy of the information to the appropriate Division Director or section supervisor(s).
- J. Other parties including but not limited to authors, educators and college students will be considered for access to DOC properties, employees and offenders on a case-by-case basis. The DOC PIO, along with other DOC officials, will consider all appropriate requests.

III. Media Access to DOC Properties:

- A. Requests for access to DOC properties for the purposes of news gathering and reporting shall be directed to the DOC PIO. Whenever possible, the media shall include an inventory of equipment that they are requesting to bring with them to the DOC property in order to make a security clearance determination.
- B. The DOC PIO will work with the appropriate Division Director and managers at the DOC property the media is requesting to access, to ensure that approval and proper arrangements are in place before the access is granted.
- C. In order to gain access to DOC properties, media representatives must: have current valid photo ID; have

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passed all security checks conducted by the Department; and must sign-in at the DOC property (if applicable).

- D. In the event of an emergency at a DOC property currently being accessed by media representatives, the representatives will be immediately escorted from the property in order to ensure their personal safety.
- E. Unannounced visits by media representatives to DOC properties will be denied. Media representatives are strongly advised to request access to a DOC property at least five (5) working days prior to the date of the requested access.
- F. In the event of breaking news stories or shorter deadlines, representatives must call the DOC PIO for access to DOC property. The Department will make every attempt to accommodate representatives in these situations. In emergency situations access to DOC property may be approved and granted by the Commissioner, Deputy Commissioner, or Division Director.
- G. Access to DOC Institutions:
 - 1. Access shall not be granted to prohibited areas of an institution.
 - 2. When the request is for access to a Department institution the Superintendent may suspend or cancel media access at any time (including during the actual access itself) for safety or security reasons.
 - 3. Following PIO notification and approval, the Superintendent may, at their discretion, provide access to secure areas and shall ensure:
 - a. Camera operators do not film locations which may compromise the safety / security of the institution.
 - b. Camera operators do not film Department employees or offenders in a way that would identify the person, unless specific permission to be filmed or identified has been obtained in advance (Media Access to Offender Consent, attachment B).
 - c. The victims of any offenders who sign a release and will be identified by the media, shall be notified as provided under DOC P&P 1000.01 (Victim Notification).
 - 4. While accessing an institution, media representatives shall abide by all institutional rules and regulations and the conditions under which the access was granted. Disregard of any rules, security safeguards or terms of the agreed visit will result in termination of the access and the possible denial of future requests for access.
- H. Special access or accommodation for media representatives of documentary television or film production companies, including 'reality TV,' may be considered on a case-by-case basis only when the request can show it will support the mission of the Department and with the approval of the appropriate Division Director and the Commissioner or their designee.

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1. Requests for special access shall be forwarded to the DOC PIO who shall obtain the following information for presentation to the Commissioner or their designee:
 - a. Name of the producer;
 - b. Written request for access, on official or company letterhead, addressed to the Commissioner requesting accommodation or special access and explaining the topic and purpose of the proposed documentary or program and explaining how the proposed film or program will support the mission of the Department;
 - c. Example of program or previous work in digital form (i.e. DVD); and
 - d. A detailed itinerary of dates, times and locations requested, proposed crew members, and list of DOC offenders or employees sought for on-camera interview(s).
 - e. Copies of any written consent from DOC employees or offenders who may be identified in the proposed film or documentary, if applicable.

2. The decision to grant special access or accommodation shall take the following into consideration:
 - a. Crime victims of any identifiable offender depicted in or featured in the proposed film or documentary will be contacted according to DOC P&P 1000.01 (Victim Notification).
 - b. Value in promoting the work of the Department to the public at large.
 - c. The level of disruption to the day-to-day operations of the institution, office or DOC property.
 - d. Purpose of the documentary.

IV. Media Access to DOC Employees and Information:

- A. Requests for access to DOC employees should be directed to the DOC PIO. Media representatives should include a brief explanation as to why the access is requested.
- B. The DOC PIO will then contact the employee's appropriate supervisors and Division Director to arrange approval and the access. If an employee agrees to be identified by the media, they shall complete an Employee Media Consent (attachment C).
- C. Department employees may act as Department spokespersons in their respective areas of responsibility on a case-by-case basis as determined by the DOC PIO, the Commissioner or the Deputy Commissioner.
- D. Any Department employee unexpectedly contacted by a media representative in a situation that has not been cleared by the DOC PIO, shall refuse to answer any questions or communicate with the media

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representative and refer the media to the PIO. Additionally, employees shall report the unexpected contact to their supervisor and the DOC PIO as soon as possible after the contact occurs.

- E. When Department employees are dealing with the media, they are responsible for protecting any confidential information that may not be authorized for release. If in doubt, employees shall withhold information until authority to release it can be verified and approved.
- F. Requests by media representatives to employees for information that is “off-the-record”, “in confidence” or “background information” shall be forwarded to the DOC PIO for response.
- G. Employees shall not provide information to media representatives when acting as an “anonymous source” or a “non-attributable” source. When providing information in a manner consistent with this policy there should be no need for any employee to specifically request the media representatives not identify them in the news story.

V. Media Access to DOC Offenders:

A. General Procedures:

1. Requests for access to DOC offenders for the purposes of interviews, news gathering, and reporting shall be directed to the DOC PIO, regardless of whether the request is for in-person, telephonic or written (mail) access.
2. In any situation where the identity of an offender may become apparent from the interview or published information that has been gathered, 22 AAC 05.525 requires the written consent of the prisoner (Media Access to Offender Consent, attachment B) before the interview.
 - a. The Department will not approve or grant any offender interviews until the consent is provided.
 - b. Failure to gain approval and consent before the identity of an offender is revealed in the media may result in the media representative / organization facing legal action from the offender or the Department / State.
3. To request access to a specific offender, the media representative must contact the DOC PIO before the offender is to be interviewed or photographed.
4. If an offender grants permission to be interviewed or photographed, he or she must state so in a written response to the DOC PIO and media representative.
5. Once approval is complete, the DOC PIO will arrange the access and notify the media representative. If offender access is arranged, the DOC PIO will advise the media representative of any conditions in place for the access. Media representatives should allow seven (7) to ten (10) working days for a response.

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6. Access to offenders may be restricted as to date and time, depending on the offender's visitation privileges.
7. Still or video photographs of groups of offenders are prohibited unless:
 - a. Each offender in the photograph / video **cannot** be identified; or
 - b. Each offender in the photograph / video has provided written consent (attachment B) agreeing to be identified by the media representative / organization per 22 AAC 05.525.
8. When corresponding with an offender, media representatives may provide a telephone number where an offender can call them at. It is up to the offender to initiate the call. Telephone calls may be limited and may be recorded under normal Department safety / security policies and procedures.

B. Physical Access (Face-To-Face Visits):

1. Media representatives may request physical access to a DOC offender through the DOC PIO as described in Section V., A. above. Restrictions may be placed on the access based on the offender's status. For example: access may be restricted to a particular area of the institution; the offender may have to wear restraints; or Correctional Officers may need to be present during the visit.
2. The institution's Superintendent, in consultation with the health care staff, may also limit media access to an offender if the offender's medical or mental health treatment plan makes visitation inappropriate to the health and treatment of the offender.
3. The institution's Superintendent may further limit media access to an offender who is considered to be a high safety / security risk if it is felt that there would be a risk of harm (to the media representative, the offender or DOC employees) by the access.
4. If an offender's behavior becomes negative, disruptive, non-compliant or threatening during access, the institution Superintendent or their designee may terminate the access.

VI. DOC Access to Media Representatives / Organizations:

- A. The DOC PIO shall be responsible for issuing press releases to media organizations whenever there is a situation within the Department that the public should know about. All DOC press releases will be approved by the Commissioner or Deputy Commissioner (or their designee) before publication.
- B. Press releases (or other various Department outreach avenues such as blogs and social media) shall be utilized by the DOC PIO for the purpose of enhancing the public's awareness of the services, goals and accomplishments, as well as the concerns of the Department. Where required, the DOC PIO will obtain releases of information from staff and/or inmates.
- C. The DOC PIO may also be called on to arrange press conferences. The PIO shall lead the planning,

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conducting and scheduling of the press conference and notification of media organizations.

- D. Institutional Superintendents may communicate with the media on topics of community news following approval by the DOC PIO.
- E. Department supervisors and Senior Managers may contact the DOC PIO at any time they wish to request a media presence for an occasion that may be of public interest. Such occasions may include staff awards, exemplary conduct during an emergency and service to the community that goes above and beyond that which is normally expected. Where possible the DOC PIO should be contacted at least five (5) working days in advance, in order to allow time to coordinate the media presence.

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