



STATE OF ALASKA DEPARTMENT OF CORRECTIONS  POLICIES & PROCEDURES	SECTION: Institutions		PAGE: Page 1 of 9
	CHAPTER: 808	NUMBER: 808.02	P&P TYPE: Public
	TITLE: Media Policy		
	APPROVED BY:  Dean R. Williams, Commissioner		DATE: 06/07/17
ATTACHMENTS / FORMS: (A.) DOC Media Access Terms Of Agreement Form.		AUTHORITY / REFERENCES: 22 AAC 05.155 AS 40.25.110 22 AAC 05.525 AS 44.28.030 AS 33.05.010 DOC P&P 104.01 AS 33.16.180 DOC P&P 810.02 AS 33.30.011 DOC P&P 1000.01 AS 33.30.021	

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 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 and persons / organizations conducting business with the Department.

DEFINITIONS:

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

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DOC Communications Coordinator or Public Information Officer (PIO):

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

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.

Media:

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

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.

PROCEDURES:

I. DOC Communications Coordinator:

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

- A. They shall act as the primary point of contact for the news media with the Department.
- B. They shall provide guidance and assistance in all matters relating to media relations and their release of information to the public.
- C. They shall keep the Commissioner and Deputy Commissioner apprised of any developments in the Department’s media relations.

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D. They shall provide assistance to Department employees and shall act as an on-the-scene 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 Communications Coordinator.
- B. Public records (AK Public Records Act) requests shall be forwarded to the DOC Communications Coordinator for appropriate action.
- C. Whenever there is a significant or major incident involving the Department, such incidents shall be immediately reported to the DOC Communications Coordinator. A significant or major incident may include:
 - 1. A Class A Incident related to an Institution or the Division Of Probation & Parole under DOC P&P 104.01, Special Incident Reporting.
 - 2. A 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-cases basis with the DOC Communications Coordinator and whenever possible information shall not be released to the media without first contacting the DOC Communications Coordinator.

D. Upon a request by a media representative for any of the following offender information, the DOC Communications Coordinator shall be notified 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;
- 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.

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- F. The DOC Communications Coordinator 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. 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 Form* (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 and / or future requests.
- H. When information provided to a media representative may impact a particular division or section, the DOC Communications Coordinator may provide a copy of the information to that Division Director or section supervisor(s).
- I. 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 Communications Coordinator, 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 should be directed to the DOC Communications Coordinator. Whenever possible, the media should also include an inventory of equipment that they wish to bring with them to the DOC property in order to make the security clearance process flow more smoothly.
- B. The DOC Communications Coordinator will then work with the appropriate Division Director and managers at the DOC property the media wish 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 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 are discouraged and 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 Communications Coordinator for access to DOC property. The Department will make every attempt to

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accommodate representatives in these situations. In emergency situations access to DOC property may be approved and granted by the Commissioner, Deputy Commissioner, a Division Director or any other designated official.

G. Access To DOC Institutions:

1. 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 / security reasons.
2. Within an institution, the Superintendent may (at his / her discretion) provide access to secure areas and shall ensure:
 - a. Camera operators do not film locations that if filmed might compromise the safety / security of the institution.
 - b. Camera operators do not film Department employees or offenders in a way that would identify their person, unless specific permission to be filmed / identified has been obtained in advance. (See Procedures section IV, A. below.)
 - c. When feasible and practicable the crime 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.
3. 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.

1. Requests for special access shall be forwarded to the DOC Communications Coordinator 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 (e.g. DVD); and

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- 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 will take the following points 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.

3. A response will be sent within 30 days of receipt of request.

IV. Media Access To DOC Employees And Information:

- A. Requests for access to DOC employees should be directed to the DOC Communications Coordinator. Media representatives should include a brief explanation as to why the access is requested.
- B. The DOC Communications Coordinator will then contact the employee's appropriate supervisors and Division Director to arrange approval and the access.
- 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 Communications Coordinator, 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 Communications Coordinator or their supervisor, should refuse to answer any questions or communicate with the media representative. In these circumstances employees should also report the unexpected contact to their supervisor and the DOC Communications Coordinator as soon as possible after the contact occurs.
- E. When Department employees are dealing with the media, they are reminded that they are responsible for protecting any confidential information that may not be authorized for release. If in doubt, employees should withhold information until authority to release it can be verified and approved.
- F. Employees shall never provide information to media representatives that is "off-the-record", "in

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confidence” or “background information”. Although information provided under these circumstances may not be meant for publication or broadcast, such actions can be easily misunderstood.

G. Employees shall never provide information to media representatives when acting as an “anonymous source” or a “non-attributable” source. When providing information in a proper manner consistent with this policy there should be no need for any employee to specifically request the media representative 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 should be directed to the DOC Communications Coordinator.
2. In any situation where the identity of an offender may become apparent from the interview or published information that has been gathered, 22 Alaska Administrative Code (AAC) 05.525 requires the media representative to “secure the written consent of the prisoner before the interview”.
 - a. Per Administrative Code (see above) it is the responsibility of the media representative to secure written consent before the interview and as such, the Department will not approve or grant any offender interviews until the consent is provided.
 - b. Failure to provide or obtain 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 and / or the Department / State.
3. To request access to a specific offender, the media representative must write directly to the offender at his / her assigned institution asking for the offender’s permission to be interviewed / photographed.
4. If an offender grants permission to be interviewed or photographed, he or she must state so in a written response to the media representative.
5. The media representative must then forward, by fax or mail, copies of both the original written request and the offender's written response to the DOC Communications Coordinator. Offenders agreeing to be identified, interviewed and / or photographed must provide written consent, per AAC. (See 2. above.)
6. Once this is complete, the DOC Communications Coordinator will arrange the access and notify the media representative. If offender access is arranged, the DOC Communications Coordinator will advise the media representative of any conditions place for the access. Media representatives should allow seven (7) to ten (10) working days for a response.
7. Access to offenders may be restricted as to date and time, depending on the offender’s visitation

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privileges.

8. 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 agreeing to be identified by the media representative / organization. (Per 22 AAC 05.525, above.)

B. Non-Physical Access By Mail / Telephone:

1. Media representatives may contact any offender by mail at an institution, while noting that incoming letters are opened, inspected for contraband, subject to be read, and then forwarded to the offender.
2. 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.

C. Physical Access (Telephonic And Face-To-Face Visits):

1. Media representatives may request physical access to a DOC offender through the DOC Communications Coordinator as described in 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 shackles; 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.
5. Media representatives may also visit an offender at the offender's request. Once placed on this list the media representative will be categorized as a regular visitor and in these situations the media representative will be treated like any other visitor and the institution's established visitation rules shall apply. More details regarding regular visits may be found in DOC P&P 810.02, Visitation.

VI. DOC Access To Media Representatives / Organizations:

A. The DOC Communications Coordinator shall be responsible for issuing press releases to media

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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 Communications Coordinator for the purpose of enhancing the public's awareness of the services, goals and accomplishments, as well as the concerns of the Department.
 - C. The DOC Communications Coordinator may also be called on to arrange press conferences from time-to-time. In these situations the Communications Coordinator shall take the lead in the planning, conducting and scheduling of the press conference and notification of the media organizations.
 - D. Institutional Superintendents may communicate with the media on topics of community news after informing the DOC Communications Coordinator.
 - E. Department supervisors and Senior Managers may contact the DOC Communications Coordinator 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 situation and service to the community that goes above and beyond that which is normally expected.
1. Where possible the DOC Communications Coordinator 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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