



DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

Program Statement

OPI:	OPA
Number:	1340.2C
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Supersedes:	1340.2B (6/30/07)
Subject:	Media/Public Relations

1. **PURPOSE AND SCOPE.** To establish standard and emergency procedures governing the DC Department of Corrections' (DOC) response to inquiries from the public and the media and requests for DOC participation in public speaking engagements.
2. **POLICY**
 - a. It is DOC policy to inform the public and the media of general information about agency programs and activities and specific commentary about newsworthy incidents. It is not the intent to provide publicity for an inmate or special privileges for the news media or other organizations, but rather to ensure a more informed public.
 - b. The DOC shall foster community relations and keep the public informed regarding its mission, goals and programs. This shall be accomplished making agency spokes persons available to the public upon request through various other forms of public communication.
 - c. Unless the Director specifically approves, DOC shall decline media requests for entertainment purposes (i.e., media requests unrelated to DOC issues, access to facility or permission to photograph or conduct interviews for amusement purposes only).
 - d. This policy shall not restrict the union's role in representing bargaining unit employees in their day-to-day, labor-management relations as outlined by law, the Hatch Act, and Federal Labor Relations Authority decisions. Union officials represent the Bargaining Unit in their official capacity (e.g., providing interviews with the print or broadcast media, placing advertisements in newspapers, appearing on public talk shows and radio stations, and speaking at conferences and conventions) without fear or reprisal from DOC. The Union representative shall be designated as outlined in the collective bargaining agreement.
 - e. DOC shall not approve monetary or any other type of compensation on behalf of the inmate or the agency when an inmate participates in a media interview.

- f. Employees are prohibited from receiving monetary compensation or gifts for interviews with the media concerning department matters.
- g. "Live" or satellite feed television and radio broadcasts from DOC operated and/or contract facilities are restricted. Unless the City Administrator approves, media coverage shall be limited to recorded reports.
- h. DOC has a responsibility to protect the privacy and other rights of inmates and members of the staff. Therefore, an interview in an institution shall be regulated to ensure the orderly and safe operation of the institution.

3. **APPLICABILITY**

- a. This directive applies to DOC employees, contractors, volunteers, inmates and media representatives and any person acting or serving as an agency spokesperson.
- b. DOC is the approving authority for media interviews with DC Code offenders housed at the Central Detention Facility (CDF) and the Corrections Corporation of America Correctional Treatment Facility (CCA/CTF).

4. **NOTICE OF NON-DISCRIMINATION.**

- a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.
- b. The Department of Corrections prohibits discrimination against inmates based on race, religion, national origin, sex, disability or political views in making administrative decisions and in providing access to programs.

5. **PROGRAM OBJECTIVES.** The expected results of this directive are:

- a. The public and the media are informed of newsworthy events within DOC.
- b. Representatives of the news media shall be informed of procedures through which they may request access to DOC facilities and conduct interviews with DOC inmates.

- c. The privacy and other rights of both inmates and staff shall be protected, including the right of an inmate or an employee not to be photographed or recorded.
- d. DOC employees shall be informed of procedures for interviews with media representatives on behalf of DOC.

6. DIRECTIVES AFFECTED

a. Directive Rescinded

- 1) DO 1340.2A Relationship With the Media (9/15/00)
- 2) DO 1340.3 News Releases (7/1/04)
- 3) DO 1310.2B Speaking Engagements

b. Directives Referenced

- 1) PM 1300.1 Freedom of Information Act and Privacy Act
- 2) PS 4080.1 Inmate Visiting Regulations
- 3) PS 4070.4 Inmate Correspondence
- 4) PS 5020.1 Entrance and Exit Procedures
- 5) PS 1300.2 Consent to Release Information

7. AUTHORITY. Mayor's Memorandum 79-110, District Government Radio and Television Public Service Announcements (PSA's), July 18, 1979.

8. STANDARDS REFERENCED

- a. American Correctional Association Standards for Administration of Correctional Agencies, 2nd Edition: 2-CO-1A-25, 2-CO-1A-26 and 2-CO-1A-27
- b. American Correctional Association Performance Based Standards for Adult Local Detention Facilities, 4th Edition: 4-ALDF-6A-04 and 4-ALDF-7F-01

9. ADMINISTRATION

- a. DOC Office of Public Affairs (OPA). The DOC Public Information Officer (PIO) shall serve as the primary point of contact for public information. The PIO shall perform liaison responsibilities and, when necessary, coordinate and consult with public information officers from other government agencies and law enforcement authorities regarding the release of official government information.

- b. Facility Media Coordinator. A correctional employee appointed by the Warden with support from the PIO, who is responsible for opening the media center, coordinating the logistics of media activities at the facility and assisting in coordinating the department's response to the media.
- c. The DOC Public Information Officer (PIO) shall be responsible for coordinating requests for DOC staff to serve as spokes persons at public forums.

10. MEDIA ISSUANCES

- a. This policy addresses release of information through news releases, press kits and other notices and announcements, news conferences, and media visits to DOC to observe programs and activities and through interviews with inmates.
- b. Media. For the purposes of this directive, the media shall include representatives employed in the business of gathering and communicating information for:
 - 1) A general circulation newspaper
 - 2) A news magazine having national, regional, or local circulation
 - 3) Broadcast radio and television stations licensed by the Federal Communications Commission (FCC)
 - 4) A news wire service
 - 5) A licensed cable television service
 - 6) A private or independent media company
 - 7) A freelance reporter
- c. Media Inquiries. All media inquiries about DOC including inmates housed at DOC operated contract facilities shall be submitted to the PIO.
- d. News Releases
 - 1) A news release is a formatted written announcement or official statement that promotes a news conference, addresses a specific issue, or gives detailed information about an incident (e.g., inmate escape, facility disturbance, or environmental threat by an institution). With a representative of the OPA listed as a contact, along with a telephone number, a news release is a concise summary with newsworthy facts: who, what, why, when, where and how. It is primarily distributed to the broadcast and print news media and news wire services.

- 2) The PIO shall prepare news releases and official statements for distribution to the media. The PIO shall submit a final draft of the news release to the Director for approval. The PIO shall forward a copy to the Mayor's Office of Communications for further action and record keeping purposes.
- 3) In some instances, the Mayor's Office of Communications may choose to issue the release.

e. News Conferences

- 1) The PIO shall coordinate and publicize news conferences unless otherwise directed by the Mayor's Office of Communications.
- 2) The news conference shall occur at the DOC Central Office, a DOC established media center or other designated location.
- 3) The PIO shall prepare and issue a press advisory announcing the news conference. The PIO shall coordinate and develop briefing logistics, prepare and disseminate press kits (or other pertinent support materials) to the media at news conferences. A press kit is a compilation of pertinent materials that support specific issues being addressed by DOC which is provided to media representatives at a news conference. Press kits shall contain a minimum of a news release on specific issues, background information on DOC, and contact information for further inquiries.
- 4) All inquiries regarding the department's news conferences shall be referred to the PIO.

f. Special Announcements. The PIO shall coordinate, review, and disseminate approved public service, community bulletin board announcements (video, photograph, film and print) and newsletters developed to promote programs, services and activities of the DOC.

g. Inmate Correspondence with the Media. Inmates may correspond with representatives of the media through the US Postal Service. Letters to and from media representatives shall be mailed through regular inmate mail procedures and shall be subject to the rules, regulations and policies governing inmate correspondence.

h. Media Institutional Facility Visits

- 1) Media representatives shall submit a written request to the PIO for facility visits to produce news reports (Attachment A). Media representatives shall sign the Media Agreement (Attachment B).
- 2) The media representative shall include any request to photograph, videotape, tape record or use any other electronic device.

- i. DOC may deny a facility visit and deny and/or limit recording devices for reasons including but not limited to the following. The PIO shall issue written notice of disapproval to the requestor.
 - 1) If it is determined the interview would significantly disrupt the orderly operations of the institution or pose a security risk.
 - 2) The media representative or his/her organization fails to comply with the established regulations and requirements of the DOC.
 - 3) Inmate refuses to give consent to be interviewed or parental/guardian/attorney approval is not given when the inmate is under the age of eighteen (18).
 - 4) If an interview is about a government-related personnel matter involving an employee, DOC is restricted from making a public comment, pursuant to D.C. Personnel Regulations, Chapter 31, governing employee privacy and protection rights.
- j. The PIO shall first consult with the DOC General Counsel if the subject of the interview is a matter of litigation and is undergoing or pending judicial review or decision.

10. **RELEASE OF RECORDS**

- a. In accordance with federal and local laws and regulations regarding security, privacy, confidentiality and governing public service and law enforcement agencies and DOC policy, DOC shall make every reasonable effort to promptly respond to media inquiries.
- b. *Public Record.* DOC shall, upon a media member's request, provide information that is determined to be public record to include but not be limited to the following:
 - 1) Full name (with aliases)
 - 2) DOC inmate number
 - 3) Date of birth
 - 4) Full description: sex, race, height, weight, complexion, hair color, eye color, build, and any identifying marks
 - 5) Inmate's institutional photograph ("mug shots") shall only be released upon the inmate's consent or the approval of the Director
 - 6) Place of incarceration (provided it is not confidential for protective measures)

- 7) Offenses for which convicted
 - 8) Sentencing court
 - 9) Sentence structure, including parole eligibility date of expiration of sentence
 - 10) Past movements due to transfer or writs
- c. *Non-public Records.* Non-public information about inmates shall not be released without the inmate's written consent pursuant to statute and provisions in DOC policy.
- 1) DOC shall, through the DOC FOIA/Privacy Officer and in conjunction with the PIO, provide information pursuant to FOIA regulations and DOC FOIA policy when a media representative makes a written request.
 - 2) DOC shall carefully maintain and process all records concerning individuals to ensure that information is accurate, relevant, and timely, and to ensure that no inadvertent disclosure of information is made.

11. MEDIA VISITS TO AN INSTITUTIONAL FACILITY

- a. An OPA representative, the media coordinator, or a Corrections employee as designated by the Director shall escort media representatives during facility visits.
- b. Media representatives shall be subject to search of their person and any approved equipment as set forth in PS 5020.1 *Entrance and Exit Procedures*.
- c. The media representative shall open each electronic device, including storage areas and cover, and remove all batteries for a security inspection. Refusal to disassemble equipment shall be grounds for denial of equipment access.
- d. The Shift Supervisor or designee shall escort the media representative who shall carry his/her own equipment to and from the designated area.
- e. The media representative shall not use the photographic, video, or electronic equipment in any area that is not specifically approved in the original written notice of approval.
- f. The Shift Supervisor or designee shall be present at all times including before the use of any equipment.
- g. The Shift Supervisor or designee may discontinue the use of the photographic, video, or electronic equipment at any time for security purposes.
- h. The media representative shall be permitted to resume the use of equipment when the Shift Supervisor determines that there is no longer a safety or security concern.

- i. The media representative may reschedule the recording or photographing with the Deputy Warden for Programs if he/she cannot complete it during the visit because of safety or security concerns.
- j. If the media representative believes the Shift Supervisor or designee stopped his/her use of the photographic, video, or other electronic equipment for reasons other than safety or security concerns, the media representative may request that the Major or designee be contacted for further consideration.
- k. Media representatives are prohibited from soliciting inmates or staff in a manner that is disruptive to orderly, safe, and secure correctional operations. The distribution of business cards and other printed material can only occur through authorized procedures as set forth by the DOC.
- l. Inmates and DOC employees are prohibited from operating the media representative's equipment.

12. INTERVIEWS

- a. Interviews shall be conducted Monday – Friday (except holidays) between the hours of 9 am and 5 pm. Only the Director or designee shall approve exceptions.
- b. “Person-on-the-street” or walk-up unannounced interviews inside or on the exterior property of a DOC facility are restricted. The PIO shall receive advance notice of such requests and shall facilitate the authorization of a request.
- c. The use of hidden cameras or concealed recording or broadcast devices is prohibited at all times.
- d. Interviews With Inmates
 - 1) Media interviews with inmates shall be conducted via telephone and are limited to thirty (30) minutes unless approved in advance or when extenuating security circumstances may arise. Only the Director or designee shall approve face-to-face interviews. Face-to-face interviews are limited to one (1) hour.
 - 2) Media representatives shall submit a written request through the PIO in order to interview inmates. The PIO shall promptly notify media representatives of the status of their interview requests.
 - 3) The PIO shall through the affected Warden forward the request to the inmate to determine if the inmate consents to an interview.
 - 4) If an inmate is a pretrial detainee or has a pending appeal, the case manager shall allow the inmate to contact the attorney of record for consultation.

- 5) Media interviews with an inmate under 18 years old require written parental/legal guardian or attorney consent.
- 6) The inmate shall sign the written consent form (Attachment C). The case manager shall file the original form in the inmate's official institutional record. OPA shall forward a copy to the media representative, to the pre-trial inmate's attorney and maintain one (1) copy on file in OPA for a period of no less than five (5) years.
- 7) In accordance with federal and local laws/regulations and DOC policy regarding security, privacy, and confidentiality, circumstances may dictate more restrictive media access to special status inmates.
- 8) The affected Warden shall ensure the availability of telephone access at the scheduled time or when approved a private interview area is established.

e. Interviews With Employees

- 1) No employee shall act as an official spokesperson for the DOC without the authorization of the Director through the PIO.
- 2) Employees are prohibited from releasing undisclosed department-related information to the public.
- 3) Employees approached by the media for an interview that has any bearing on DOC shall notify the PIO for appropriate review and authorization.
- 4) If the interview is of a private matter, it should not take place during official duty hours, while the employee is in uniform or on DOC property. In a private interview, reference to an employee's DOC affiliation is prohibited if it **is** presented in a manner that would lead a person to reasonably believe that the employee's statements or opinion are not of a private nature but those representing the DOC.
- 5) Unless the Director so authorizes, employees who testify before a legislative committee, the courts, or any other administrative or judicial body, shall not purport to speak on behalf of the Department, shall not wear the DOC uniform, and shall not testify during the employee's tour of duty.
- 6) Information provided to the media by a designated departmental spokesperson or employee shall not endanger or jeopardize investigative efforts of the DOC or other law enforcement agencies in cooperation with the department.

13. **EMERGENCIES.** The PIO shall have the following responsibilities during emergencies.

- a. Immediately consult with the Director regarding the authorized release of information to the media.

- b. Activate the news media notification systems.
- c. Consult with the Director and Security Administrator on engaging air traffic restrictions over an emergency site (i.e., news planes and helicopters).
- d. Serve as an official agency spokesperson.
- e. Manage the activities of the media center.
- f. Provide regular news briefings to update the media.
- g. Manage and oversee the functions of the media coordinator.
- h. When necessary, coordinate and consult with public information officers from other government agencies (e.g., Mayor's Command Center, Fire Department, Police Department and other law enforcement authorities) regarding the release of official government information.

14. **MEDIA CENTER LOGISTICS**

- a. **Security Support.** To ensure high security operations during emergencies, with support of Correctional Officers, media representatives shall be directed to the media center. Media representatives shall not be permitted into emergency areas without the approval of the Director through the PIO. All persons refusing to cooperate are subject to expulsion from the media center or other premises.
- b. **Designation of Media Pool.** During an emergency, when necessary, the PIO has the authority to require the media at the center to form a small pool of representatives to retrieve "first hand" information for reporting purposes. For example: No more than five (5) media representatives (i.e., 1 reporter, 1 video photographer, 1 still photographer, 1 radio reporter, and 1 wire service reporter) shall be escorted to an authorized location at or near the actual emergency site to retrieve information to be shared with the full news media/press corps.
- c. **Telephone Service.** A reasonable effort shall be made to make available telephone service for use in the media center.
- d. **Parking.** An area for news media parking shall be designated to ensure that vehicles do not interfere with access to CDF. Parking shall be as close to the media center as possible without jeopardizing safety or security efforts.
- e. **Media Identification.** All media representatives shall have proper identification ("Press I.D.") before being allowed admittance into the media center or on DOC property.

15. REQUESTS FOR DOC STAFF PARTICIPATION IN PUBLIC SPEAKING ENGAGEMENTS

- a. The DOC PIO shall be notified of all requests for the Department of Corrections staff to serve as spokes persons at meetings, conferences, seminars, community gatherings and other public forums.
- b. Employees designated to serve should have a working knowledge of the topics covered and/or be subject matter experts. Employees must also receive a recommendation from their immediate supervisor.
- c. Employees designated to serve as spokes persons for DOC must have final approval from the Director.
- d. The PIO shall coordinate or schedule guest speaking engagements for DOC employees.
- e. The PIO shall conduct briefings with guest speakers prior to the scheduled engagement and approve any materials to be disseminated at the program/event.
- f. Requests for DOC staff involvement in speaking engagements will be honored in accordance with the safety and interests of the DOC.
- g. Inmates shall not act as official spokespersons for DOC. Inmates are prohibited from participating in speaking engagements except as authorized by the Director or designee. During speaking engagements the opinions or viewpoints expressed by inmates do not necessarily reflect the opinions or official position of the DOC or District government.


Devon Brown
Director

Attachment A	Request for Interview Form
Attachment B	Media Agreement Form
Attachment C	Inmate Consent Form
Attachment D	DOC Employee Consent Form