

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
120**

**NEWS MEDIA CONTACTS
PRESS RELEASES
(TEMPORARY)**

Supersedes: AR 120 (08/13/10)
Effective Date: 07/27/11

AUTHORITY: NRS Chapter 179, 209.131, 217.265

RESPONSIBILITY:

All employees who receive requests from media groups mentioned in this Administrative Regulation are responsible to forward all such inquiries to the Public Information Officer (PIO).

The Warden/Division Head is responsible to ensure that media contacts are conducted so as not to disrupt institutional operations.

The Correctional Case Records Manager of the Offender Management Division is responsible to provide information from an inmate's record per the requirements of the Department's Administrative Regulation 569.

Institutional and Departmental staff are responsible to know what is public information and provide that information when requested.

120.01 NEWS MEDIA ACCESS TO INSTITUTIONS/FACILITIES

1. News media representatives consist of persons whose principal employment is gathering and reporting news for a:

A. Radio or television program, newspaper, news magazine, or national/international news service.

B. Website or web-based publication.

2. Pre-arranged news media visits to facilities are encouraged and will be coordinated through the PIO, subject to approval of time, manner and place restrictions as determined by the Director relating to safety, security, discipline and the orderly operation of the prison. News media representatives' requests for access to the facility must be in writing and include the following information:

- A. Full name, date of birth, race, and gender for the purpose of NCIC/WASIC background checks.
 - B. Purpose of visit.
 - C. Time and duration of visit.
 - D. Identity of staff/offender (s) to be seen, if applicable.
 - E. Proposed use of camera or other recording devices. The Director/Deputy Director or designee must approve possession of news media cameras and recording devices before being allowed into the facility.
- 3. News media representatives must provide positive identification. Foreign media, except for Canadians, must have an "I" Visa on their passport.
 - 4. The PIO or designee will ensure media representatives sign the completed DOC form 045 "News Media Agreement" prior to being allowed into the facility.
 - 5. News media representatives will be granted access to the facility subject to approval of time, manner and place restrictions as determined by the Director relating to safety, security, discipline and the orderly operation of the prison; and consistent with preserving offender rights to privacy. Media representatives must be escorted by the Associate Warden. Random access not specific to the purpose of the visit is prohibited.
 - 6. During an emergency, news media representatives will be restricted to a designated media center.
 - 7. The Parole Board has authority to determine if media representatives will be allowed to attend Board hearings held within DOC institutions/facilities. The Warden or Facility supervisor may limit the number of media representatives based on space availability. News media representatives will follow visiting procedures outlined in this section.

120.02 PUBLIC INFORMATION OFFICER/DESIGNEE DESIGNATION AND RESPONSIBILITIES

- 1. The Director of the Department of Corrections/Deputy Director shall designate a Public Information Officer (PIO)/designee for the Department who is authorized to speak with the media on behalf of the DOC about Departmental issues.
- 2. PIO will:
 - A. Serve as the principal point of contact for news media and stakeholders requesting information regarding prison operations.

(1) The PIO will either answer inquiries or direct the media to other staff members for a response.

(2) If members of the media are referred to a staff member by the PIO, the PIO will notify the staff member of that referral before contact, or request that the staff member contact the media representative.

(3) In the event that the designated PIO is unavailable, the Director or Deputy Director, as appropriate, will designate a staff member to perform the functions of the PIO.

(4) The PIO will not engage in extensive news media interviews without authorization from the Director of the Department of Corrections.

B. Consult with the Director and/or Deputy Directors, Wardens or other Department heads, engage in local public information activities, including news releases, special events coverage, interviews, and other efforts to inform the public about the work of the Department.

C. Identify areas in the institutions/facilities that are accessible to representatives of the news media consistent with preserving inmates' right to privacy and maintaining order and security.

D. Identify data and information protected by federal or state privacy laws or federal and state freedom of information laws.

E. Maintain lists of elected/public officials, community resource persons and location, and news media representatives.

F. Review and approve articles and other materials submitted by Department employees for internal and external publications.

G. Coordinate and respond to National PIO surveys in a timely manner.

H. Coordinate news releases with the Director and release all news stories related to the DOC, including reportable incidents.

3. Release of Information Regarding Incidents

A. News releases may be made on incidents only after notification is given to the Director, or Deputy Director. For additional information refer to the Department's Administrative Regulation 121.

B. Each news media representative shall be provided with the same basic facts, updating events as necessary.

C. Names of employees or inmates involved in incidents will not be released to the news media without the specific approval of the Director, or the Deputy Director, except in the instance of an inmate escape.

(1) In the event of an escape, the name of the fugitive inmate shall be released along with identifying information.

(2) In the event of an escape, press associations should be notified first, and individual media second.

(3) Inmate suspects will not be named, except in the case of an escape, until after they have been officially charged. Then, only background information, which is not relevant to the case, can be released.

(4) The name of an inmate victim can be released to the press after a member of the family, or the next of kin, is notified

120.03 OTHER MEDIA REPRESENTATIVES

1. Other media representatives consist of persons engaged in the production of documentary films, non-fiction books, or other freelance projects.

2. Requests by other media representatives for access to facilities, staff, or offenders will be submitted in writing to the PIO on company letterhead at least 2 weeks prior to commencement of the project. The following information is required:

A. A description of the media representative's project, including a proposed list of facilities, offenders, activities, or situations the representative wishes to include in the project.

B. An estimated project completion date and proposed schedule for completing each element involving the Department.

C. A list of major financial contributors to the project.

D. An estimate of time required to complete each element involving the Department.

3. The PIO may reject, in whole or in part, the other media representative's request.

4. Upon a recommendation from the PIO, the Director will approve or reject the request in whole or in part. If access is granted, it will be subject to approval of time, manner and place restrictions as determined by the Director relating to safety, security, discipline and the orderly operation of the prison.

5. Other media representatives whose projects have been approved by the Director will be regarded as news media representatives for purposes of granting access subject to approval of

time, manner and place restrictions as determined by the Director relating to safety, security, discipline and the orderly operation of the prison..

120.04 MEDIA CONTACTS

1. Authorized media spokespersons consist of the Director of the Department of Corrections/Deputy Director and the Department PIO. No other individual is authorized to speak to the media regarding Departmental issues without the approval of one of them.
2. To accommodate special media requests and to facilitate interest in sharing accurate and timely information with the public, additional staff may be designated as authorized media spokespersons. Staff will first obtain approval from the PIO before engaging in interviews.
3. Any employee contacted by a news media representative will prepare a Media Contact Report at the earliest opportunity, but no later than 24 hours from the time of contact. The Media Contact Report will consist of an e-mail message containing the following information:
 - A. Name of the news media organization.
 - B. Date and time of contact.
 - C. Brief description of the information or assistance requested.
 - D. Brief description of the information or assistance provided.
4. DOC employees will distribute the Media Contact Report to the PIO with a copy to the employee's immediate supervisor.
5. DOC employees will inform their supervisor and the PIO of any events that may attract public and/or news interest.
6. Visits from the news media will be coordinated with the PIO.
 - A. News media requests for access to the institution for non-incident related stories shall have the prior approval of the Warden.
 - B. The Warden may limit the use of video or sound recording devices in sensitive areas.
 - C. The news media may be allowed access to all program areas of the institution/facility consistent with the safe and orderly operation of the institution/facility. Media will be accompanied by the PIO and the Associate Warden must be present.
 - D. News media may be restricted from access to institutions/facilities during disruptions, for security purposes or when such visits would be a substantial disruption of operational activities.

120.05 USE OF PRISON FACILITIES

1. Use of institutions, facilities, personnel, inmates or records under the control of the Department, in conjunction with the making of motion pictures, radio or television programs (except for news of incidents), the writing of books, magazine articles or syndicated stories may be permitted only with the prior approval of the Director.
2. All movie companies, broadcasters, and writers, including news media who are permitted to enter an institution/facility, will be informed beforehand of institutional security requirements.
3. The security and operation of the institution/facility are paramount.
4. In the event of an unusual circumstance, the work of the news media, moviemakers, broadcasters, and writers may be suspended.

120.06 RESPONSE TO REQUESTS FOR PUBLIC INFORMATION

1. The following inmate information is public information:
 - A. Name
 - B. Identification number
 - C. Institutional location (except OSC and Boarder inmates)
 - D. Commitment offenses
 - E. Time serving
 - F. County of commitment
 - G. Projected dates of release on parole or discharge
2. The following staff information is public information
 - A. Name
 - B. Work station
 - C. Rank
 - D. Date of hire/promotion
 - E. Salary
3. Confidential information that shall not be revealed to the public includes, but is not limited to:

- A. Expected date/time of movement of inmates.
 - B. Specific illness, medical, or psychiatric diagnosis.
 - C. Location or acknowledgement of the presence of an inmate housed in the Department under the auspices of the Interstate Corrections Compact. These requests from media, private persons, or other law enforcement agencies should be referred to the OMD Administrator.
 - D. The specific location of a Nevada inmate transferred to another state. These requests from media, private persons, or other law enforcement agencies should be referred to the OMD Administrator.
 - E. Specifics of institutional misconduct.
 - F. Personal information:
 - (1) Date of birth
 - (2) Place of birth
 - (3) Social Security number
 - G. Any information not listed in 120.06, 1 and 2.
4. Requests for information contained in inmate records will be referred to the Correctional Case Records Manager of the OMD.
5. Photos of inmates are public information.
- A. Information on the back of the inmate photo ID is considered not to be public information except as noted in section 120.06.1 of this regulation.
 - B. The photo ID will not be retaken for the sole purpose of providing photos to the media.
 - C. A photo may be faxed or emailed to a member of the media.
6. News Media Inquiries Regarding Inmates
- A. Inquiries regarding inmates confined at an institution or facility of the Department, will be answered by institutional staff in a manner with the standards for confidentiality of inmate records as outlined in Administrative Regulation 569 and this regulation.
 - B. Correspondence regarding inmates who have been discharged and those on the out-of-state out count may be forwarded to the Offender Management Division for response

C. Correspondence regarding inmates on parole may be forwarded to the Department of Parole and Probation for response.

D. Copies of all correspondence pertaining to inmates shall be placed in the inmate's I-file

7. Correspondence Regarding Staff

A. Correspondence regarding staff will be handled in a manner consistent with the standards for Confidentiality of Employee Records as outlined in the Department's Administrative Regulation 308 and this regulation.

8. The Department will charge a fee for making copies of its documents.

A. Law Enforcement Agencies and other State Agencies are exempt from these charges.

B. For the purposes of counting pages, each side of a piece of paper is considered one page.

C. The Department will accept personal checks, cash, or money orders for the exact cost of the copying.

(1) Vendors established with the State of Nevada may request to be billed for the copy service.

D. The amount of the fee will depend on whether the document is comprised of mixed size papers; whether the document contains other media (such as overhead slides, etc); and whether the document is bound or unbound.

E. When determining the fee to charge, the person making the copies will examine the document and determine the fee based on the time necessary to make the copies considering the time required to disassemble a bound document and the approximate number of mixed paper sizes. Reasonable costs as allowed by law will be charged.

(1) The requester will be informed of the fees prior to the copies being made.

(2) Except for authorized vendors, as stated in section 120.06.8.C above, all fees will be paid in advance.

120.07 APPROVAL OF INMATE MEDIA CONTACTS

1. No member of the media, or public, has a right to a personal, face-to-face, interview or contact with an inmate. The Department reserves the right to determine all circumstances of any interview.

2. Persons authorized to visit the institution and/or inmates will be provided written visit instructions on the Media Visit Information Sheet (see attached DOC form-046). Members of

the media who request access to institutions or inmates for the purposes of interviews or photographs will be referred to the assigned PIO.

3. The PIO will provide the media requesting access to inmates with instructions on how to obtain approval for inmate contacts. These instructions will include direction to:

A. Write to the inmate requesting the interview.

(1) Faxes will not be delivered to the inmate.

(2) Telephone contact with the inmate will not be allowed to initiate the request.

B. If the inmate is pending prosecution or undertaking an appeal of his conviction or sentence, the media must obtain the approval of the inmate's attorney for the interview.

(1) The attorney for the inmate must provide to the Warden written approval for the interview.

(2) If the inmate does not have an attorney, then the media must obtain the written approval of the Director, in consultation with the Attorney General's Office.

4. The Warden of the institution where the inmate to be interviewed is housed shall provide for reasonable access between inmates and the communications media, subject only to the limitations necessary to maintain order and security and protect inmates' privacy.

A. The Warden may consult with the PIO, or other administrators of the Department in deciding whether to allow the interview.

B. Inmates who have been identified as being in need of mental health services shall not be allowed to be interviewed.

C. Inmates who are undergoing reception processing shall not be allowed to be interviewed.

D. Inmates who are serving sanctions of disciplinary detention or disciplinary segregation shall not be allowed to be interviewed.

E. Interviews shall not be allowed which would result in a significant disruption in operational activities of the institution or Department.

F. Wardens may limit the number of persons or amount of equipment entering the institution in support of the interview.

5. The Department is not responsible for the identification of specific inmate candidates for interviews on issues of interest to the media.

A. Staff shall not seek out inmates to be interviewed.

B. The media shall request to interview specific inmates.

6. Executions

A. Upon receiving notice that an execution has been scheduled, the PIO shall determine if the inmate wants to receive requests from the media for interviews.

B. The PIO shall contact the attorney for the inmate to determine whether he/she will approve media interviews for the inmate.

C. If the inmate and the attorney indicate that interviews will be considered, the PIO may make direct contact with the inmate when an interview is requested by a member of the media. This may be done without the required letters indicated in section 120.07.3 above.

D. The development of media witnesses for executions is the responsibility of the PIO for the Department of Corrections.

(1) All witnesses of executions must be approved by the Director.

(2) Courtroom artists will not be approved as media witnesses.

(3) Media witnesses will not be allowed to interview other witnesses to the execution on the prison grounds.

7. Media requests for access to the institution for the purpose of filming or photographing the facility will be forwarded to the Warden.

A. Photo opportunities shall not be approved which would result in an undue disruption of operational activities of the institution.

B. Wardens may limit the number of persons or amount of equipment entering the institution in support of the photo opportunity.

120.08 CONDUCT OF MEDIA CONTACTS

1. Prearranged media visits should occur during normal business hours.

2. An appropriate location shall be provided by the Warden, based on the nature of the contact.

3. Members of the media shall be accompanied by the Associate Warden of the institution to ensure compliance with this regulation, and to ensure the security of the media team.

4. Inmates with close or maximum custody will be interviewed in secure locations, and may be in restraints.

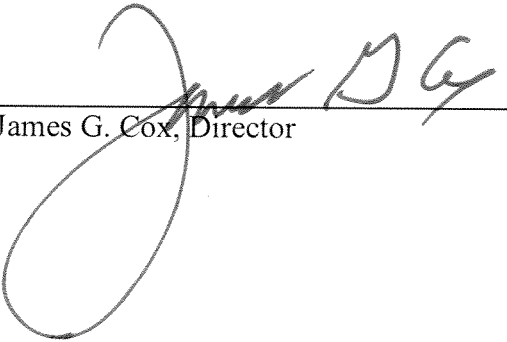
5. Interviews or photo opportunities where inmates will be recognized, will not commence until the inmate has signed a release Form DOC 3008. This form will be placed in the inmate's I-File.
6. Inmates who do not wish to be seen in the photo or film will be given an opportunity to withdraw from the area.
7. An inmate may terminate an interview at any time.
8. Media will not be taken to the scene of an ongoing incident in which there is violence or the potential for violence.
9. Wardens shall designate a location for media and the PIO to use during major incidents.
10. If inmate unrest or violence begins to develop or actually occurs during the media contact, then the media team is to be withdrawn from the area immediately.
11. Security activities or features used to contain, control, or recapture inmates will not be discussed with, or photographed by media. This includes but is not limited to:
 - A. Escape procedures
 - B. Transportation plans or procedures
 - C. Tactical plans
 - D. Control panels
12. Only staff authorized by the Director or the Deputy Director may represent the Department during a media event.
13. Impromptu contacts by media with line staff seeking their opinions, comments, or analysis are not permitted.
14. Staff who do not wish to appear in a photo or film will not be photographed.

APPLICABILITY

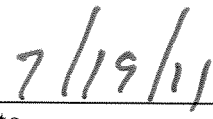
1. This procedure applies to all Department of Corrections staff.
2. This AR does not require an audit.

REFERENCES

ACA Standards 4-4021 and 4-4279



James G. Cox, Director



Date