


SUBJECT: <b>Media Policy</b>	PAGE <u> 1 </u> OF <u> 9 </u>
	NUMBER: <b>01-COM-09</b>
RULE/CODE REFERENCE:	SUPERSEDES: 01-COM-09 dated 6/22/15
RELATED ACA STANDARDS: 4-4021, 4-4279; 2-CO-1A-25, 1A-27; 2-1046, 2-1126, 2-1128, 2-1130; 4-APPFS-1C-01	EFFECTIVE DATE: <b>July 13, 2017</b>
	APPROVED: 

## I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

## II. PURPOSE

The purpose of this policy is to establish general guidelines for working with the media, rules for news media interviews with offenders, and a media notification system for all areas of the Ohio Department of Rehabilitation and Correction (DRC).

## III. APPLICABILITY

This policy applies to all civil service employees, volunteers, and independent contractors of the Ohio Department of Rehabilitation and Correction (DRC).

## IV. DEFINITIONS

**Credentials** - For purposes of identification, both state-issued photo identification and an identification card issued by the reporter's place of employment shall be required to validate the Credentials of a media representative. In the absence of employee ID cards, DRC reserves the right to verify all identification and to refuse admittance when such identification is found to be suspect.

**Designated Spokesperson** - An individual employee that has been given permission to speak to the media on behalf of the DRC, institution, or Division of Parole and Community Services (DPCS). These persons are granted permission to speak to the media by the Director or Communications chief.

**Fact Sheet** - A written summary of information pertaining to a specific subject (i.e., a Fact Sheet on an institution would contain information on history, capacity, mission and facets of operation).

**News Media** - Any accredited agency that gathers and reports news for a general circulation newspaper, news magazine, national or international news service, or radio/television news program. This includes newspapers, publications, television/radio stations, and internet news services. Authors or freelance journalists who are researching and/or writing articles about corrections or criminal justice topics must provide Credentials to verify their association with a legitimate news/media organization.

**News Release** - A written statement concerning an issue, event, or situation for which the DRC wishes to make a permanent record wide-area dissemination.

**Pool Interview** - Conducted by a reporter who has been selected through either a lottery or selected by their peers. The interview occurs with an inmate and once concluded, the reporter is responsible for distributing the interview to media outlets statewide. Typically the Pool Interview occurs with inmates who are scheduled for executions; however, there may be other instances where DRC allows inmates to participate in Pool Interviews.

**Public Information Officer (PIO)** - The employee who has been designated by the managing officer and approved by the Communications chief to handle public information duties for that facility.

## **V. POLICY**

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC), as a public agency, to maintain a cooperative and responsive posture to inform the public, media, and other agencies concerning DRC operations, accomplishments, challenges, and critical incidents. In an effort to facilitate positive relations with the public, media, and other public agencies, public information staff shall work diligently to answer all News Media inquiries in an accurate and timely manner providing there are no risks to the security of a DRC institution/operation or a criminal investigation.

## **VI. PROCEDURES**

### **A. Media Interaction with DRC**

1. All media inquiries received by DRC shall be directed to the Office of Communications or institution Public Information Officer (PIO) for handling.
2. Individual DRC employees, contractors or volunteers shall not respond to media inquiries or provide information to the media unless they have received prior approval from the Office of Communications. Unless specifically assigned to do so by the Office of Communications, DRC employees shall not make statements to the media on behalf of an institution, the DRC, or Director.
3. Institution staff shall refer all media inquiries to the PIO or his/her designee. Operation Support Center (OSC) and DRC employees not assigned to a prison shall refer all inquiries from News Media to the Office of Communications staff.
4. Institution PIOs shall record their daily media contact on the Daily Media Report form (DRC1786). A copy of this form shall be kept on file electronically. If the PIO did have media contact, a copy of the form shall also be submitted via email to the DRC Office of Communications by the end of each business day.

5. The Director/designee shall have discretion to grant or deny any interview request.
6. Information about non-restrictive DRC operations, policies, procedures, etc. shall be released to the media through the Office of Communications.
7. Managing officers or designees shall be responsible for releasing information pertaining to their respective institutions or operations based on the parameters in this policy and the advice and guidance of the Office of Communications. If a local reporter's inquiry involves an issue that is currently newsworthy and receiving media attention or effects the whole department, Office of Communications staff must be contacted prior to the release of information. Any contact from a national or international news representative must be reported to the Office of Communications prior to releasing any information. Office of Communications staff shall advise and assist managing officers in matters relating to national and international News Media requests.
8. The Office of Communications staff shall be made aware, as soon as possible, of any incidents involving offenders under the supervision of the Division of Parole and Community Services (DPCS) which may receive media attention.
9. After first informing the Office of Communications, the institution PIO shall proactively report to the News Media, as soon as possible, escapes, incidents of serious violence, riots, or other disturbances which result in fatalities, major injuries, major property damage or any other serious disruption of prison operations. The content of such notifications shall initially be communicated to the Office of Communications prior to release.
10. After normal duty hours, any media calls to an institution shall be directed to the institution PIO. If the call pertains to an issue that will affect the entire DRC or will generate significant media coverage, the shift supervisor shall contact the institution PIO immediately, who shall contact the Office of Communications staff if necessary.

## **B. Routine Data for Release**

1. Upon request from a News Media representative, the following information about an inmate, parolee, probationer, or other releasee shall be made available:
  - a. Name and inmate number;
  - b. Age and date of birth;
  - c. Race, gender, and available physical description;
  - d. County where crime was committed;
  - e. Crime and sentence;
  - f. Admission date;
  - g. Sentencing entry;
  - h. Prison transfers (dates and locations only);
  - i. Outside court actions regarding confinement and release, where known;
  - j. RIB actions (RIB dispositions only);

- k. Institutional work assignments;
  - l. Security level;
  - m. Prior DRC incarceration(s);
  - n. Release eligibility and supervision history (date and type only);
  - o. Time at Large (absconded or escaped);
  - p. Death (The identity of a deceased inmate shall be withheld until next-of-kin have been notified or twenty-four (24) hours following death, whichever occurs first). The cause of death shall not be released until made official.
2. Information regarding psychiatric, medical or juvenile criminal histories of DRC inmates cannot be released under law.
  3. Inmate photos can be accessed by the DRC internet site. If the photo is not available on the internet, the Office of Communications or institution PIO may provide the photo given there is not a threat to security.
  4. Release of certain information concerning staff is a matter of public record. This includes photographs if available. Where possible, the involved staff shall be notified when inquiries are made.
  5. Other information shall be released to the News Media at the discretion of the Director or designee.

### **C. News Releases**

1. Written News Releases shall be sent to appropriate media outlets when warranted as determined by the local PIO and approved by the Office of Communications.
2. All News Releases shall be approved by the Office of Communications prior to release.
3. In the case of critical incidents, News Releases shall be distributed from the Office of Communications to known news organizations throughout the state.
4. The Office of Communications and the institution PIO shall maintain a file of News Releases distributed to the media within the past year.

### **D. Rules for Media in Department Facilities**

The general rules for all media representatives inside a DRC facility include, but may not be limited to, the following:

1. A media representative must have advanced approval to visit an institution.
2. Media representatives shall be required to provide appropriate Credentials prior to entrance to a DRC facility.

3. The institution PIO or Office of Communications staff shall make this policy available in advance of a media visit to ensure members of the News Media are aware of their responsibility regarding security prior to their arrival at the institution. News Media representatives must sign a DRC Media Release Form (DRC1754) upon each visit to a DRC facility, indicating they are familiar with the rules and regulations of the facility and agree to abide by them.
4. Live broadcasts by television or radio are prohibited within correctional facilities.
5. The managing officer or his/her designee reserves the right to terminate any interview or coverage within the facility should a disruption or disturbance occur.
6. Media must be escorted at all times while in the institution by the staff designated by the managing officer.
7. Any photography or videography at a DRC facility must be restricted to shots which do not identify individual inmates, except with prior written consent of the inmate. If an inmate agrees to be photographed, a consent form must be signed prior to photographing.
8. A representative of the News Media is requested to give DRC an opportunity to respond to any allegation which might be published or broadcast prior to distribution.
9. The managing officer may suspend all media visits during an institution critical incident.
10. Media representatives shall be required to observe all barricades and restricted areas. Any media representative failing to cooperate with the DRC shall be promptly removed from the grounds and denied re-admittance until deemed appropriate by the Director. Law enforcement agencies will assist as needed.
11. Failure by a News Media representative to comply with the rules of this policy constitutes grounds for denying the representative or his/her agency permission to conduct the interview or any other interviews for a twelve (12) month period.

**E. General Population Inmate Interviews or Media Interaction**

1. News Media wishing to interview an inmate must submit a request in writing to the Office of Communications or institution PIO indicating whom they want to interview and the nature of the story. This request shall be submitted on official letterhead of the media outlet.
2. The Office of Communications shall be notified of any media request for an inmate interview on the day of the request.
3. Media representatives and journalists who are on an inmate's personal visitation list shall be denied media interviews with that offender.

4. Only one (1) media organization may be allowed to interview an inmate at any given time. News conferences are not permitted for inmates.
5. If the number of requests for interviews with an individual inmate exceed three (3) in one day, the inmate shall be asked to choose to whom he/she wants to talk. No more than five (5) in-person interviews shall be permitted within a seven (7) day period. When excessive media requests are received for one individual inmate, the DRC may consider allowing a Pool Interview of the inmate.
6. Interviews shall involve no more than one (1) inmate at any given time except with permission of the DRC Communications chief.
7. Telephone interviews of inmates are generally not permitted.
8. Inmates are not permitted to receive compensation or anything of value in exchange for, or as a result of, the interview. Media representatives or journalist organizations who violate this stipulation may be restricted from further access to inmate interviews.
9. Interviews may be no longer than one (1) hour and conducted during the normal business hours of 8:00 a.m. to 4:00 p.m., Monday through Friday, except with permission of the Office of Communications.
10. Inmates must not be in a restricted population to be eligible for a media interview. As the term is used in this policy, inmates in restricted population include inmates in:
  - a. Restrictive Housing (RH);
  - b. Extended Restrictive Housing (ERH);
  - c. Extended Restrictive Housing Transitional (ERH-T); and
  - d. Secure Adjustment Status (SAU).

Inmates in Limited Privilege Housing (LPH), Protective Custody (PC), initial reception, or a mental health residential setting are not eligible for media interviews unless there is a pressing need and the request is approved by the Director/designee. Inmates that would otherwise be in a restricted population but for their mental health status are also not eligible for media interviews.

11. In addition to population status, the following issues shall be reviewed in considering the inmate for eligibility for a media interview or other media interaction, including media day coverage:
  - a. Recent disciplinary history;
  - b. Medical and mental health status of the inmate, to include his/her physical and/or mental ability to participate;
  - c. Security Threat Group affiliation;
  - d. The inmate's involvement in pending court action; and
  - e. Any other issue that may present a security or safety concern if the interview were permitted.

12. In addition to the above issues, the Communications chief and/or managing officer may deny any inmate interview request based on security, medical, or other administrative reason including:
  - a. The News Media representative or news organization which he/she represents does not agree to the conditions established by DRC;
  - b. The News Media representative or news organization has, in the past twelve (12) months, failed to abide by any required conditions;
  - c. The interview, in the opinion of the managing officer, would endanger the health or safety of the interviewer, media crew, DRC staff, inmate, or could cause serious unrest or disrupt the operation of the institution.
13. Inmates under the age of eighteen (18) are not permitted to be interviewed by the media. Exceptional circumstances shall be reviewed by the managing officer and Office of Communications.
14. If the inmate is determined to be eligible, the institution PIO shall contact the inmate within a reasonable amount of time to determine his/her interest in participating.
15. The inmate shall be advised to notify his/her attorney before conducting a media interview in case there is a pending or anticipated legal action.
16. Family members, spiritual advisors, and other individuals are not permitted to be present during media interviews of an inmate, nor are media representatives able to accompany any of these individuals on a visit with the inmate.
17. Inmate interviews and other media interaction is voluntary. The inmate has the right not to be interviewed, photographed or recorded by the media. The inmate shall be asked to sign the Media Permission Grant/Refusal form (DRC1753) indicating their decision on participating in the media interview. The written release or decision not to be interviewed shall be retained on file in the institution.
18. An inmate's refusal to participate in a media interview with an association or specific outlet will not automatically render him/her ineligible for other media interviews.
19. The Office of Victim Services (OVS) shall be notified of any inmate with a registered victim who has been approved and has agreed to participate in a media interview, prior to the interview being conducted. In the event of other DRC-authorized media interaction with an inmate (i.e., media day), OVS shall be notified as soon as possible after the event if it appears that an inmate with a registered victim will appear in media coverage. The purpose of this notification is to allow OVS to notify the victim(s) that media coverage is possible.

20. The institution PIO shall make this policy available in advance of the interview to ensure members of the News Media are aware of their responsibility regarding security prior to their arrival at the institution. News Media representatives must sign a DRC Media Release form (DRC1754) indicating they are familiar with the rules and regulations of the institution.
21. Inmate interviews must take place in an area outside of the inmate living area; however, on the prison grounds.
22. Inmate interviews must take place in the presence of the PIO or designee. The managing officer or his/her designee reserves the right to terminate any inmate interview should a disruption or disturbance occur or should the media representative fail to adhere to the guidelines established for the interview.
23. Interviews may be recorded by video, audio, notes or other methods with prior approval of the managing officer and the person to be interviewed.

**F. Access to DRC Facilities by Non-News Media**

Access to institutions by independent filmmakers, writers for non-news magazines and others may be permitted by special advance arrangement and approval of the Communications chief and managing officer.

**G. Media Coverage by Air**

1. Federal Air Regulation 135.203 forbids the operation of a helicopter at an altitude of less than 500 feet over an area populated as a prison facility.
2. Federal Air Regulation 91.9 prohibits the operation of a helicopter in a careless and reckless manner which might endanger persons or property.

**H. Media Pools**

1. The Office of Communication and/or managing officer may establish a media pool whenever it is determined that the frequency of requests to cover a situation or event warrants limitations on the number of media representatives.
2. Whenever a media pool is established, the Communications chief/designee shall notify all News Media representatives who have requested permission to cover a given situation or event.
3. Members of the media pool shall be selected by their peers and may consist of no more than one (1) representative from each of the following groups:
  - a. All media in the county where the news event occurred;
  - b. Ohio Legislative Correspondents Association (OLCA);
  - c. Ohio Radio TV Correspondents Association;
  - d. Ohio Association of Broadcasters;



- e. Ohio Newspaper Publishers Association;
  - f. Society of Professional Journalists;
  - g. An Associated Press staff photographer or member photographer.
4. Selected media shall sign an agreement to ensure all news material generated by such a media pool is made available to all media without right of first publication or broadcast. As a courtesy, broadcast media shall be asked to present the material without reference to origin, or a clean feed.

**I. News Coverage**

- 1. The institution PIO or other person designated by the managing officer shall immediately forward any news articles from area newspapers pertaining to DRC, institution, or parole/probation activities to the Office of Communications.
- 2. When possible, DRC staff should record news coverage involving the Department and send a copy to the Office of Communications.

**J. Exceptions**

At times, the Director or his designee may make exceptions to specific sections of this policy. Requests for exceptions are to be directed to the Communications chief for consideration.

**Related Department Forms:**

Media Permission Grant/Refusal	DRC1753
Media Release	DRC1754
Daily Media Report	DRC1786