

NEVADA DEPARTMENT OF CORRECTIONS	SERIES 100 GENERAL ADMINISTRATION	SUPERCEDES: AR 120 (09/06/03)
ADMINISTRATIVE REGULATIONS MANUAL	ADMINISTRATIVE REGULATION 120 NEWS MEDIA CONTACTS PRESS RELEASES	EFFECTIVE DATE 09/06/04

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PURPOSE

To establish a process to inform the community of incidents and activities within the Department.

To direct staff on the issue of media access to inmates and institutions, and public access to inmate information consistent with preserving inmate’s right to privacy and maintaining order and security.

To ensure that correspondence regarding inmates and staff is answered by appropriate officials in keeping with the requirements for confidentiality of needs.

To establish a standard for copies of documents that are made to be released.

AUTHORITY

NRS 179
NRS 209.131
NRS 217.265

RESPONSIBILITY

All employees who receive requests for official information from groups mentioned in this Administrative Regulation are responsible to forward all such inquiries to the Warden/Division Head.

The Warden/Division Head is responsible to ensure that media contacts are conducted so as not to disrupt institutional operations and so as not to endanger inmates or members of the media.

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. Further, staff is responsible to refer inquiries for information that is not public to the Offender Management Administrator.

DEFINITIONS

DEPARTMENT – The Nevada Department of Corrections.

DIRECTOR – The Director of the Department of Corrections.

DIVISION HEAD – Those individuals responsible for the major divisions of the Department; such as Personnel, EEO/Employee Development and Employee Relations, Inmate Services, Fiscal, Inspector General's Office, Procurement, Accounting, Offender Management, Stores, Medical, and Prison Industries.

MEDIA – Any bona fide representative of print, wire service, television or radio news or production organization. Freelance writers are considered media, but can be required to verify their assignment with a letter from the organization they purport to represent.

PHOTO ID – For the purposes of this regulation, refers to the photo(s) taken by the Department of persons incarcerated.

PUBLIC INFORMATION OFFICER (PIO) – A person who has been specifically designated by the Director to communicate with the media.

INSTITUTIONAL REPRESENTATIVE – A Departmental or institutional staff member designated by the Director, Assistant Director of Operations or Warden, to assist in media

management.

APPLICABILITY

This procedure applies to all Department of Corrections staff.

PROCEDURES

120.01 NEWS MEDIA ACCESS TO INSTITUTIONS/FACILITIES

1.1 Visits from the news media will be coordinated through the responsible PIO.

1.1.1 News media requests for access to the institution for non-incident related stories shall have the prior approval of the Warden.

1.1.2 The Warden may limit the use of video or sound recording devices in sensitive areas.

1.1.3 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 or institutional management staff.

1.1.4 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.

1.2 Clearance of Press Releases

1.2.1 The Director will designate Public Information Officers (PIO) for each region of the Department.

1.2.1.1 The PIO for the Northern Region will be responsible for all institutions and facilities north of Tonopah including TCC, ESP, ECC and Central Office.

1.2.1.2 The PIO for the Southern Region is responsible for all institutions/facilities in Clark County, Southern Administration and PCC.

1.2.2 The PIO shall be the first point of contact for the members of the media requesting information regarding prison operations.

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

1.2.2.2 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.

1.2.2.3 In the event that the designated PIO is unavailable, the Director or Assistant

Director of Operations will designate a staff member to perform the functions of the PIO.

1.2.3 In the course of incidents, Wardens/Managers are to indicate to the Director or Assistant Director whether they have contacted the PIO. This will ensure that media notice is made in a timely fashion.

1.3 Release of Information Regarding Incidents

1.3.1 News releases may be made on incidents only after notification is given to the Director, or Assistant Director of Operations. For additional information refer to the Department's Administrative Regulations 113 and 121.

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

1.3.3 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 Assistant Director of Operations, except in the instance of an inmate escape.

1.3.3.1 In the event of an escape, the name of the fugitive inmate shall be released along with identifying information as deemed appropriate by the Warden.

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

1.3.3.3 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.

1.3.3.4 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.

120.02 USE OF PRISON FACILITIES

1.1 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.

1.2 Media who are requesting the use of prison facilities will be required to reimburse the Department for all personnel, on an overtime basis, used to provide security and escort.

1.3 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.

1.4 The security and operation of the institution/facility are paramount.

1.5 In the event of an unusual circumstance, the work of the news media, moviemakers, broadcasters, and writers may be suspended.

120.03 RESPONSE TO REQUESTS FOR PUBLIC INFORMATION

1.1 The following inmate information, is public information:

- Name;
- Identification number;
- Institutional location (except OSC and Boarder inmates);
- Commitment offenses;
- Time serving;
- County of commitment; and
- Projected dates of release on parole or discharge;

1.2 The following staff information is public information:

- Name;
- Work station;
- Rank;
- Date of hire/promotion; and
- Salary.

1.3 Confidential information that shall not be revealed to the public includes, but is not limited to:

1.3.1 Expected date/time of movement of inmates;

1.3.2 Specific illness, medical, or psychiatric diagnosis;

1.3.3 The 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 Offender Management Administrator.

1.3.4 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

Offender Management Administrator.

1.3.5 Specifics of institutional misconduct.

1.3.6 Personal Information.

- Date of birth;
- Place of birth; and
- Social security number.

1.3.7 Any information not listed in 120.03, 1.1 and 1.2.

1.4 Requests for information contained in inmate records will be referred to the Correctional Case Records Manager of the Offender Management Division.

1.5 Photo ID's of inmates are public information:

1.5.1 Information on the back of the inmate Photo ID is considered not to be public information except as noted in 120.03, Sec. 1.1 of this regulation.

1.5.2 The photo ID will not be retaken for the sole purpose of providing photos to the media.

1.5.3 A photo ID may be faxed to a member of the media.

1.5.4 A photocopy of the inmate's photo ID may be given to a member of the media.

1.5.5 Members of the media may report to an institution or central office during normal business hours to photograph, video, or scan a photo ID.

1.5.6 Photo ID's will not be given to private persons without the approval of the Offender Management Administrator, based upon the presentation of substantial need.

1.6 Inquiries Regarding Inmates

1.6.1 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. **(3-4022)**

1.6.2 Correspondence regarding inmates who have been discharged and those on the out of state outcount may be forwarded to the Offender Management Division for response.

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

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

1.7 Correspondence Regarding Staff

1.1 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.

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

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

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

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

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

1.8.4 For documents that are comprised of the same size paper, i.e., 8 1/2 X 11 or 11 X 14, and which is unbound; the fee will be \$0.10 per page.

1.8.5 For documents that are comprised of mixed size paper and those that contain other media such as overhead slides, etc., and those that are bound into books or volumes, the fee will be \$0.25 per page.

1.8.6 Copies of medical records are \$0.60 per page. There is no charge for copies of medical records sent to medical doctors on behalf of an inmate.

1.8.7 Copies of legal documents made for inmates, regardless of size, are \$0.10 per page.

1.8.8 When determining which fee to charge, the person making the copies will examine the document and determine which fee should apply 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.

1.8.8.1 The person making the copies will inform the person requesting the copies which fee applies before making copies.

120.04 APPROVAL OF INMATE MEDIA CONTACTS

1.1 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.

1.2 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.

1.3 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:

1.3.1 Write to the inmate requesting the interview;

1.3.1.1 Faxes will not be delivered to the inmate.

1.3.1.2 Telephone contact with the inmate will not be allowed to initiate the request.

1.3.2 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.

1.3.2.1 The attorney for the inmate must provide to the Warden written approval for the interview.

1.3.2.2 If the inmate does not have an attorney, then the media must obtain the written approval of the Chief of the Criminal Division of the Attorney General's Office.

1.4 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. **(3-4267)**

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

1.4.2 Inmates who are being treated by psychiatric staff shall not be allowed to be interviewed.

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

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

1.4.5 Inmates shall not be allowed to be interviewed when a discussion of their notorious crime or gang activities would increase their potential to be attacked or subjected to retaliation.

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

1.4.7 Wardens may limit the number of persons or amount of equipment entering the

institution in support of the interview.

1.4.8 Wardens shall not allow interviews that would require overtime for staff, even if the media offers to pay for this overtime.

1.4.9 Interviews shall not be allowed which involve the presence in the institution, or which involve electronic communication with victims, relatives of victims, or family members of the inmate.

1.4.10 Interviews shall not be approved where the issues are not contemporaneous to events currently affecting the subject inmate.

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

1.5.1 Staff shall not seek out inmates to be interviewed.

1.5.2 The media shall request to interview specific inmates.

1.6 Executions.

1.6.1 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.

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

1.6.3 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 120.04, 1.3.

1.6.4 The development of media witnesses for executions is the responsibility of the PIO for the Nevada State Prison.

1.6.4.1 All witnesses of executions must be approved by the Director.

1.6.4.2 Courtroom artists will not be approved as media witnesses.

1.6.4.3 Media witnesses will not be allowed to interview other witnesses to the execution in the execution chamber.

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

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

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

1.7.3 Wardens shall not allow photo opportunities, which would require overtime for staff, even if the media offers to pay for this overtime.

120.05 CONDUCT OF MEDIA CONTACTS

1.1 Media contacts should occur during normal business hours.

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

1.3 Members of the media shall be accompanied by management staff of the institution to ensure compliance with this regulation, and to ensure the security of the media team.

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

1.5 Interviews or photo opportunities where inmates will be recognized, and will not commence until the inmate has signed a release Form DOC-3008. This form will be placed in the inmate's I-File.

1.6 Inmates who do not wish to be seen in the photo or film will be given an opportunity to withdraw from the area.

1.7 An inmate may terminate an interview at any time.

1.8 Media will not be taken to the scene of an ongoing incident in which there is violence or the potential for violence.

1.9 Wardens shall have prearranged secured locations for media and PIO staff to use during major incidents.

1.10 If inmate unrest or violence begins to develop or actually occur during the media contact, then the media team is to be withdrawn from the area immediately.

1.11 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:

- Escape procedures;
- Transportation plans or procedures;
- Tactical plans; and
- Control panels.

1.12 Only staff authorized by the Director may represent the Department during a media event.

1.13 Impromptu contacts by media with line staff seeking their opinions, comments, or analysis are not permitted.

1.14 Staff who does not wish to appear in a photo or film will not be photographed.

REFERENCES

ACA Standards 3-4022 and 3-4267

ATTACHMENTS

Media Letter Example
DOC-3008 Inmate Authorization For Photograph/Voice Recording

Jackie Crawford, Director

Date

CONFIDENTIAL

Yes

XX
No

THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT

S A M P L E

NEVADA DEPARTMENT OF CORRECTIONS
OFFICE OF THE DIRECTOR

TO: XXXXXX
OF: XXXXXX
FAX: 555-1212

FROM: Public Information Officer
PHONE: (XXX) XXX-XXXX
FAX: (XXX) XXX-XXXX

REF: Doe, John, #88888

The inmate you wish to interview is located at the (Institution) in Carson City, Nevada. You must write to the inmate, obtaining his or her approval for your interview. The inmate should be directed in your communication to contact his or her Caseworker to indicate acceptance of the interview. If the inmate has pending litigation regarding his or her current offense, or is pending prosecution or sentencing on other charges, you must communicate with his or her attorney and obtain that person's approval for the interview. The attorney will need to write or fax the Warden, indicating acceptance of the interview. The inmate's identification number should be used after his or her name in any correspondence addressed to the inmate.

You must write or fax the Warden of the institution, indicating the nature of the story you are working on, who will be present, and the date of the intended interview. You should also indicate whether you intend to obtain an audio or video recording of the interview. No interview will be approved which involves the presence of other persons involved in your story. The Warden of the institution is _____. the address of the Warden and inmate is:

PO Box 0000
Carson City, NV 89702

The phone number of the institution is _____. The fax number of the institution is _____. A faxed message will not be delivered to the inmate, nor will institutional staff solicit the inmate or his attorney on your behalf. The Department of Corrections will not facilitate an interview if at some later time the inmate decides not to be interviewed, or desires to terminate an interview after it has commenced.

If your contact with the inmate will involve the use of audio or video production staff and your organization is either not incorporated in the State of Nevada, nor registered with the Nevada Labor Commission, you must contact the Labor Commission at (775) 687-4850 to ensure compliance with

Nevada Labor Law. If you are not incorporated in Nevada, you must provide evidence to the Warden of compliance with the Labor Commission's requirements before your requested interview can be conducted.