

CHAPTER:	1	Administrative and Management	1. 1. 18
SECTION:	1	General Administration	EFFECTIVE DATE: 7 / 10 / 2020
SUBJECT:	18	News Media Access and Public Information	
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APPROVED:	<hr/> Dale Glass COMMISSIONER OF CORRECTIONS		REVISION DATE: 7 / 13 / 20
Rescind: 1.1.18 dated 8/1/05 Cancel:			

I. POLICY

It is the policy of the St. Louis City Division of Corrections to maintain ongoing communications with the public, news media, governmental officials, and other interested groups and individuals.

II. RESPONSIBILITIES

All Division of Corrections staff, contracted staff, volunteers and student interns are responsible for adhering to the following procedures.

III. DEFINITIONS

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

IV. PROCEDURES

A. General Information

The Division will, subject to certain limitations, produce, maintain, and disseminate information to interested parties concerning its operations, programs

and services. Limitations of access will be to minimize the risk to security, protect the safety of individuals, assure privacy objectives by law, observe the rights of victims and maintain legitimate penological interests.

B. Contact with News Media, General

1. The Correctional Center Superintendent, hereafter referred to as the Deputy Commissioner, will serve as the Division's liaison with the news media. The Detention Center Superintendent or designee, will keep the Commissioner of Corrections-hereafter referred to as the Commissioner- and the Deputy Commissioner informed of significant incidents and issues which might be expected to result in inquiries from the news media.
2. The Commissioner or designee will brief the Director of Public Safety on incidents and issues that are likely to generate news media coverage, and serve as Department spokesperson with respect to these incidents and issues.
3. All Divisional employees and persons providing services under contract or by agreement with the Division, volunteers, and student interns will refer all news media inquiries to the Deputy Commissioner.

C. Release of Information About Major Incident to News Media

1. Only the Commissioner, or designee with the Commissioner's approval may issue a press release.
2. Information that has potential for criminal investigation or is under criminal investigation or litigation or could lead to potential litigation will not be released.
3. Information that relates to facility security practices which may compromise institutional security will not be released.
4. The Commissioner or designee will determine the information that may be disseminated in relation to institutional operations and programs.
5. The names of employees or inmates involved in incidents will not be released to the news media unless the Commissioner has first determine that such release is not in contravene to federal and state laws pertaining to certain confidentiality.
6. In the event of an escape, the name of the fugitive inmate will be released along with identifying information as deemed appropriate by the Commissioner, (see DOC Policy # 3.2.11: Inmate Escape).

7. 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, (see Sec. F, of this policy).
8. There is a designated area for media representatives where the Commissioner or the Deputy Commissioner may provide a prepared statement providing general information. Information will be released only at a time deemed appropriate by the Commissioner or the Deputy Commissioner. (See DOC Policy #3.1.29: Emergency Situations; and DOC Policy #3.2.4: Emergency Evacuation Plan).
9. Information regarding Divisional employees will only be released in accordance with applicable Federal, State and /or City laws. (see City of St. Louis Civil Service Rule XIV, sec. 4) regarding employee confidentiality.

D. Media Access to Facility for Video Documentary or Filming

1. Use of facilities, personnel, inmates or records under the control of the Division, in conjunction with the making of motion pictures, radio or television programs (except for news of incidents), the writing of books, magazine articles and syndicated stories; or social media publications may be permitted only with the prior approval of the Commissioner or Deputy Commissioner.
2. A representative of the news media desiring to make a documentary video, audio recording or filming will make a written request to the Commissioner, through the Deputy Commissioner, using the Documentary Request Form. (see DOC Form #1.1.18 – C).
3. The request will state the subject of the documentary, the times requested for access on site, the type of activities to be videoed, audio recorded or filmed, any person or persons to be interviewed, and the amount and type of equipment that will be used.
4. If approved, the Commissioner / designee, will execute an agreement with the creator of the documentary (see DOC Form #1.1.18-E) setting forth the conditions for video or audio recording of the documentary. Among the conditions will be that:
 - a. the Commissioner, or designee, is entitled to view or listen to the documentary before it is broadcast publicly to ensure all conditions have been complied with and all required consents have been obtained and that,
 - b. if not, the documentary will be edited or not broadcast, as appropriate.

- c. The Media who are requesting the use of facility will be required to reimburse the City for all personnel, on an overtime basis, used to provide security and escort.
5. All movie companies, broadcasters, and writers, including news media permitted to enter the facility, will be informed beforehand of facility security requirements.
6. The news media representative will be required to comply with all facility security practices including, but not limited to, a scan or search of the person and of any items brought into the facility, (see DOC Policy # 3.1.16: Facility Entrance Procedure).

E. Denied of Access to Media

1. Permission for news media access may be denied or rescinded if there is reasonable suspicion that the access or publication or broadcast might:
 - (1) Facilitate criminal activity or violation of the facility's rules;
 - (2) Create a risk to safety, security, or orderly management of the facility;
 - (3) The impact on the victim would be excessive;
 - (4) The access might adversely impact a criminal investigation or prosecution;
 - (5) The access might harm the welfare of inmate(s), including by a violation of a right to confidentiality;
 - (6) The inmate is unavailable or unwilling or unable to participate; or
 - (7) It is determined to be an excessive demand on staff resources.
2. The Detention Center Superintendent may limit the number of persons or amount of equipment entering the facility.
3. The Detention Center Superintendent will not allow photo opportunities or other activities which would require overtime for staff, even if the media offers to pay for this overtime.
10. The Detention Center Superintendent will assign an employee(s) to accompany the person(s) creating the documentary to ensure any person in custody or under supervision who is filmed in an identifiable manner or whose voice has been recorded in such a way as to identify the person has signed or signs a consent form to appear in the audio/video recording.

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

F. Media Inquiries Regarding Inmates

1. Inquiries regarding inmates confined at a Divisional facility will be answered by facility staff in a manner with the standards for Confidentiality of inmate records as outlined in DOC Policy #1.5.1 – Inmate Records, and this policy and procedures:
 - a. Correspondence regarding inmates who have been discharged may be forwarded to the Unit Manager at the City Justice Center for a response.
 - b. Correspondence regarding inmate on probation/parole or Community Service may be forwarded to the City Parole and Probation Office for response.
 - c. Copies of all correspondence pertaining to inmates will be placed in the inmate’s file.
2. Inmate Confidential information that will not be revealed to the public under this policy includes, but is not limited to:
 - a. Expected date/time of movement of inmates;
 - b. Specific illness, medical, or psychiatric diagnosis;
 - c. Specifics of facility misconduct.
 - d. Personal Information.
 - (1). Date of birth;
 - (2). Place of birth; and
 - (3). Social security number, and
 - (4). Any information not listed in item #3 below.
3. The following inmate information is public information and may be revealed unless otherwise excluded by the Commissioner of Corrections:
 - a. Name;

- b. Identification number (except as specified in item #5, sub. sec. a, below);
 - c. Facility location;
 - d. Commitment offense(s);
 - e. Time serving;
 - f. Projected dates of release on parole or discharge;
4. Requests for information contained in inmate records will be referred to the Divisional Records Retention Supervisor, (see DOC policy #1.1.21: Records Retention and Release of Public Records).
5. Photo ID's of inmates are public information:
- a. Except, information on the back of the inmate Photo ID is considered not to be public information and will not be released to media.
 - b. The photo ID will not be retaken for the sole purpose of providing photos to the media.
 - c. A photo ID may be faxed to a member of the media but not with the information on the back of the photo ID.
 - d. A photocopy of the inmate's photo ID (excluding information on the back of the ID) may be given to a member of the media.
 - e. Members of the media may report to City Justice Center during normal business hours to obtain a photograph.
 - f. Photo ID's will not be given to private persons.
- 6 The Division will charge a fixed fee for making copies of its documents. (See DOC policy #1.1.21: Records Retention and Release of Public Records):
- a. Law Enforcement Agencies and other State/City/Federal 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. Document copying will be made in compliance with Missouri Statutes.

- d. Vendors established with the City of St. Louis may request to be billed for the copy service.
- e. 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 the same per page.
- f. 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 higher than the charge in item #e, per page. The Records Retention Supervisor will provide appropriate charges at the time of request.
- g. Copies of medical records are charged on prevailing rate stipulated in RSMO 191.227 or as amended. There is no charge for copies of medical records sent to medical doctors on behalf of an inmate.
- h. The Records Retention Supervisors determines appropriate fees to be charged for making photo copies. Person requesting the copies will be informed which fee applies before making copies.

G. Correspondence Between Inmates and News Media Representatives

- 1. Inmate may correspond with or have telephone contact with a representative of the news media, unless the contact is prohibited or is restricted pursuant to DOC policies #5.7.1: Inmate Mail, and/or DOC policy #5.7.2: Inmate Telephone.
- 2. Any request for other access to an inmate will be forwarded to the Deputy Commissioner, or designee.

H. Media Request to Contact or Interview Inmate

- 1. No member of the media, or public, has legal right to a personal, face-to-face, interview or contact with an inmate. The Division reserves the right to determine all circumstances of any interview and/or visit. (See DOC policy #5.7.3: Inmate Visits).
- 2. Members of the media who request access to the facility or inmates for the purposes of interviews or photographs will be referred to the Deputy Commissioner.
- 3. No member of media representative will be approved and added on Inmate Contact list for the purposes of gaining access to inmate.

4. The Deputy Commissioner will provide the media requesting access to inmates with instructions on how to obtain approval for inmate contacts. These instructions will include
 - a. A faxed copy of DOC Form # 1.1.18 - B: Media Inmate Interview Request Form, to the member of the media; and a direction to:
 - b. Write to the inmate requesting the interview;
 - c. Faxes will not be delivered to the inmate.
 - d. Telephone contact with the inmate will not be allowed to initiate the request.
 - e. If the inmate is a certified juvenile, the media must obtain the written approval of the inmate's attorney of record for the interview:
 - (1). The attorney of record for the inmate must provide to the Commissioner / designee written approval for the interview.
 - (2). If the inmate does not have an attorney, the media must obtain the written approval of an attorney from the City Counselor's Office, and provide a copy to the Commissioner/designee.
5. If the inmate agrees to the interview, the inmate will complete a Request to Staff Form and requests an Inmate Consent to Contact with News Media Form, (DOC Form # 1.1.18-A. The consent form will be completed by the inmate and return to the caseworker. The consent form will be forwarded by the caseworker to the Deputy Commissioner/ designee for review.
6. Prior to granting approval of a news media request for access to an inmate, notification will be made by the Deputy Commissioner to the Commissioner of Corrections who will determine if consulting with the inmate victim(s) is appropriate. If the Commissioner determines consulting with the victims(s) is appropriate, approval of the news media request may be granted subject to following:
 - a. Inmates who are being treated by psychiatric staff will not be allowed to be interviewed.
 - b. Inmates who are undergoing processing/orientation will not be allowed to be interviewed.

- c. Inmates who are serving sanctions of disciplinary detention or disciplinary segregation will not be allowed to be interviewed.
 - d. Inmates will 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 by other inmates.
 - e. Interviews will not be allowed which would result in a significant disruption in operational activities of the facility.
 - h. Interviews will not be allowed which involve the presence in the facility, or which involve electronic communication with victims, relatives of victims, or family members of the inmate.
 - i. Interviews will not be approved where the issues are not contemporaneous to events currently affecting the subject inmate.
 - j. The Division is not responsible for the identification and selection of specific inmate candidates likely to be interviewed by the media.
 - k. Staff will not seek out inmates to be interviewed.
 - l. The media will request to interview specific inmate whose name the media representative must have known.
7. The Deputy Commissioner /designee will review the consent form and either approve the request or deny it. Reason for denial must be stated. Inmate will be given a copy of the response. The approved or denied consent request will be placed in the inmate's file.
8. The news media representative may appeal to the Commissioner of Corrections any denial or rescinding of permission for access to an inmate or to the facility except as provided in Sec. K, item #12 above.

I. Supervision of Media Activities

- 1. Media contacts will occur during normal business hours.
- 2. Members of the media may be accompanied by a member of the management staff of the facility to ensure compliance with this regulation, and to ensure the security of the media team.

3. The Detention Center Superintendent will provide for reasonable access between inmates and the media, subject only to limitations necessary to maintain order and security and protect inmates' privacy.
4. The Detention Center Superintendent may limit the number of persons or amount of equipment entering the facility in support of the interview.
5. The Detention Center Superintendents will not permit interviews that would require overtime for staff, even if the media offers to pay for this overtime.
6. Inmates classified as maximum security will be interviewed in secure locations, and in restraints, (see DOC policy #3.1.7: Inmate Movement).
7. Inmate who does not wish to appear in a photo or film will not be photographed or filmed.
8. Media will not be taken to the scene of an ongoing incident in which there is violence or the potential for violence.
9. 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. Media contact may be rescheduled for a later date if necessary.
10. 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; and
 - d. Control panels.
11. Impromptu contacts by media with line staff seeking their opinions, comments, or analysis are not permitted.
12. Staff who does not wish to appear in a photo or film will not be photographed or filmed.

J: Termination of News Media Access to Inmate

1. Staff may terminate news media access to an inmate for any of the following reasons:
 - a. Any reason for which permission may be rescinded under Procedure D. and E of this policy.
 - b. refusal or failure to abide by any condition set by the Deputy Commissioner, or designee, any facility rule, or any staff instructions;
 - c. the inmate or the news media representative is exhibiting behavior which is inappropriate, including inappropriate physical contact or communication such as the use of verbal and abusive language or gesture;
 - d. an emergency or critical incident occurs; or
 - e. the information or material being sought or obtained is beyond that for which the Commissioner/designee gave authorization.
2. If staff other than the Commissioner, Deputy commissioner or the Detention Center Superintendent, terminates news media access to an inmate or facility, the inmate will be separated from the news media representative pending approval of the termination from the Shift Supervisor, or higher-ranking security supervisor.
3. Any termination by staff as indicated in item #2, whether approved or not, will be documented in an incident report, (see DOC Policy # 3.1.10: Incident Report).
4. The inmate may rescind consent for or terminate the access of the news media at any time for any reason. Staff will submit Informative Report whenever inmate terminate their approved access by the news media.

K. News Media Access to Staff at the Work Site

1. Correspondence Regarding Staff

Correspondence regarding staff will be handled in a manner consistent with the standards for Confidentiality applicable to release of Employee Records. The following information will not be release to media:

- (1). Employee date of birth;
- (2). Employee place of birth; and

- (3). Employee Social security number.
 - (4). Any personal information which when released will violate protected confidentiality of the employee.
2. The following is public information and may be released to media:
 - a. Employee name;
 - b. Work station;
 - c. Rank;
 - d. Date of hire/promotion; and
 - e. Salary.
 3. A news media representative who wishes to conduct an interview of, audio/video record, or photograph Divisional staff at a Divisional facility, office or other staff work site will make a written request to the Deputy Commissioner or designee, setting out:
 - a. the name of the staff,
 - b. the type of access,
 - c. the purpose of the access, and
 - e. where and when the publication or broadcast will be made public.
 4. A request for news media access to staff at the work site may be granted only with the approval of the Deputy Commissioner in coordination with the Detention Center Superintendent.
 5. Prior to deciding whether to approve the news media access, the Deputy Commissioner or designee, will ask the staff if the staff wishes to participate.
 6. Permission for the news media access may be denied or rescinded if there is reasonable suspicion that the access or the publication or broadcast might:
 - a. Facilitate criminal activity or violation of the facility's rules or create a risk to safety, security, or orderly management of the facility;

- b. Might harm the welfare of staff or a client or, including by violation of a right to confidentiality;
 - c. The staff is unavailable or unwilling or unable to participate;
 - d. The access is determined to be an excessive demand on staff resources or not central to the Division's mission, or
 - e. For any other reason in the discretion of the Commissioner, the Deputy Commissioner or the Detention Center Superintendent.
7. The news media representative may appeal to the Commissioner any denial or rescinding of permission for access to staff.
 8. If the staff agrees to participate, the staff will sign a completed DOC Form # 1.1.18 – D: Staff Consent for News Media Access form (Attachment C), which will be forwarded to the Deputy Commissioner or designee.
 9. Staff participating in any news media interview, audio/video recording, or photographing will not receive any compensation for participation or use of material or information.
 10. The news media representative will be required to agree, in writing, to abide by all conditions set by the Deputy Commissioner or designee, by signing the DOC Form #1.1.18: Authorization for News Media Access to Staff, Inmate or the Facility form, and return the completed form to the Deputy Commissioner or designee.
 11. The news media representative will be required to comply with all facility security practices, including, but not limited to, a scan or search of the person and search of any item(s) to be brought into the facility or security area of the facility.
 9. Any material or information obtained including, but not limited to, the interview, audio/video recording, or photograph, will not be used other than for the intended purpose set out in the written request to the Deputy Commissioner, or designee, and for which authorization was given.
 10. Arrangements for news media access will be made by the Detention Center Superintendent or designee, taking into consideration the staff's responsibilities and operational needs.
 11. The Commissioner, or the Deputy Commissioner, or the Detention Center Superintendent may rescind permission for or terminate the access by the news media at any time for any reason.

12. The staff to whom the news media is seeking access may rescind consent for or terminate the access at any time for any reason. This action cannot be appealed.

L. News Media Request for Tour of the Facility

1. A news media representative who wishes to tour all or part of a facility will make a request in accordance with the provisions of DOC policy #1.1.16: Facility Tours. No special privilege will be accorded on the basis of being a media representative.
2. A news media representative given permission for a tour will be required to comply with all facility security practices, including, but not limited to, a scan or search of the person and of any items to be brought into the facility.

V. FORMS

The following forms are referenced and/or attached with this procedure and work rule:

DOC Form #1.1.18 – A
DOC Form #1.1.18 – B
DOC Form #1.1.18 – C
DOC Form #1.1.18 – D
DOC Form #1.1.18 – E

VI. SEVERABILITY CLAUSE

If any part of this procedure and work rule is, for any reason, held to be in excess of the authority of the appointing authority, such decision will not affect any other part of this procedure and work rule.

VII. TRAINING

This procedure and work rule will be included in the First-Year Training and subsequent In-Service Training for all custody staff.