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GOVERNOR

# State of Alabama Alabama Department of Corrections

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DONAL CAMPBELL  
COMMISSIONER

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October 29, 2004

ADMINISTRATIVE REGULATION  
NUMBER 005

OPR: PUBLIC INFORMATION

## **PUBLIC INFORMATION**

### **I. GENERAL**

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures implementing and coordinating Public and Community Relations programs. Its purpose is to establish guidelines for the provision of information to the public and for staff and offender contacts with the media.

### **II. POLICY**

It is the policy of the ADOC to maintain positive, informative relationships with the public, the media, and other agencies with related functions, consistent with the security and privacy interests of the Department, its staff, and the inmates confined in the ADOC institutions.

### **III. DEFINITION(S) AND ACRONYM(S)**

- A. Departmental Public Information Officer (PIO): An individual designated to coordinate dissemination of information and statements concerning departmental activities.
- B. Institutional PIO/Spokesperson: An individual designated by the Warden to coordinate dissemination of information and statements concerning institutional activities as coordinated through the Departmental Public Information Officer.
- C. News Media: News Publications, accredited news services such as the Associated Press, licensed radio and television broadcast stations or networks, and government franchised community cable television systems that originate scheduled news programming. This includes newspapers and magazines, published at least weekly or monthly and containing news and featured articles appealing to a broad spectrum of interest. News media excludes broadcast programs syndicated by independent producers, television stations, or networks for the primary purpose of entertainment, and syndicated television broadcast talk shows.

- D. Institutional SOP: The standard operating procedures for the institution.

#### IV. RESPONSIBILITIES

- A. The Alabama Department of Corrections Public Information Officer (PIO) is responsible for:
  - 1. Disseminating information about the Department in an accurate and timely manner to the public, the media, and other state agencies.
  - 2. Representing the Department as official spokesperson on matters or policies regarding the agency.
- B. The Institutional PIO, designated to perform basic public information duties, shall be responsible for using this regulation as a guideline and being available by telephone to the media at all times.
- C. All ADOC and contracted employees are responsible for adhering to this regulation.
- D. Wardens/Directors are responsible for developing their institutional/divisional Standard Operating Procedures (SOPs), as necessary, for the implementation of AR 005, Public Information.

#### V. PROCEDURES

- A. The Alabama Department of Corrections, as a public agency, shall manage contacts with the public and media in such a manner as to ensure accurate dissemination of information and appropriate access to the institutions without disruption of security or operations routines.
- B. Media Contact:
  - 1. Release of information to the news media or public, concerning ADOC, shall be authorized by the Commissioner or a designee through the Public Information Office.
    - a. The Departmental PIO will coordinate all departmental media releases throughout the State.
    - b. Wardens or Institutional PIO's will notify the Departmental PIO or his/her designee at once of any incident that may generate media interest.
    - c. Incidents that may generate media interest may include but are not limited to:
      - 1) Escapes

- 2) Fatal Incidents
  - 3) Incidents involving high profile inmates
  - 4) Mass disturbances
  - 5) Fights where hospitalization is required
  - 6) Suicides
  - 7) Fires
  - 8) Major damage to State property
  - 9) All civilian (free-world) arrests for any reason while on institution property
- d. Each institution will designate an appropriate Institutional PIO for coordinating the public information and community relations programs.
  - e. Field personnel in institutions, centers, and offices, including Institutional PIOs, shall notify the Departmental PIO of any contact with the news media as soon as possible and no later than the next business day.
  - f. The Departmental PIO or designee is on call and should be reasonably available to the media at all times through office, residential, or cellular telephone.
2. If a reporter or news media representative contacts an employee of ADOC for an interview, that employee or their supervisor shall notify the ADOC Departmental PIO and gain approval before speaking with the news media.
  3. To ensure accurate news media coverage, once an interview has been granted, employees will limit their comments to the area of their immediate responsibilities and avoid speculative comments.
  4. In institutional matters, Wardens or the Institutional PIO may release certain information of an immediate nature when requested by the news media.
    - a. This information should only include:
      - 1) Names
      - 2) Vital statistics
      - 3) Sentencing information of the person(s) involved
    - b. The Departmental PIO should be notified prior to the release of any information.
    - c. If an incident is under investigation it is inappropriate and/or premature to make additional comments or releases. Extreme caution must be exercised so as not to release anything that would

jeopardize the investigation process.

- d. The Departmental PIO will be contacted as soon as possible and given a verbal report on the action taken. This will be followed by a written report of the information released.
5. In the event of a negative incident that has attracted the attention of the news media, or has the potential to attract, the Warden, or other designated duty officer shall contact the Departmental PIO or designee immediately, supplying all details.
  - a. After regular business hours, the Departmental PIO or designee should be contacted through the ADOC communications center.
  - b. The Departmental PIO will offer appropriate assistance and guidance, and will be prepared to take over spokesperson responsibilities where appropriate.
6. Employees shall not initiate contact with the news media to report critical incidents without the authorization of the Commissioner, designee, or the Departmental PIO.
7. When an investigation and/or litigation is anticipated or pending, contracted or ADOC employees shall make no comment about matters under investigation or litigation unless authorized to do so by the Commissioner, designee, or the Departmental PIO and after consultation with the Legal Division concerning the release of any information regarding such cases.
8. Contracted or ADOC employees who are interviewed shall not endanger the lives of staff or inmates or compromise the security of any institution, center, or office by revealing classified information.
9. Upon request from the news media representative, the following information about an inmate, or others released, shall be made available:
  - a. Name
  - b. DOB
  - c. Sex
  - d. Race
  - e. County of conviction
  - f. Crime and sentence

- g. Prior incarcerations
- h. Release eligibility
- i. Inmate photograph when available

C. Interviews with Employees

1. The ADOC will provide accurate information in response to media inquiries regarding employees. Incidents within institutions involving staff are often newsworthy including acts of heroism, volunteerism, or community involvement that merit attention.
2. Employees on duty may be interviewed by the news media with their consent, provided the interview does not interfere with institution security. The Institutional PIO will be notified in advance of any employee interview, with approval obtained through the necessary authority.

D. Data on Employees

1. Employee information will **not** be released if the information would endanger the employee or the employee is a victim of a crime. The following information about an employee **may be released** to the media:
  - a. Full name
  - b. Current assignment
  - c. Length of service with the ADOC
  - d. Past assignments
  - e. Salary
2. Information about employees, or inmates, that may **NOT** be released:
  - a. Psychiatric or medical
  - b. Juvenile crimes
  - c. Information about prior arrests if not considered public record (Prior convictions can be released)
  - d. Information concerning victims of a crime unless on the indictment
  - e. Names and addresses of an inmate's or employee's family
  - f. Employee's address, social security number, and/or medical and

beneficiary information.

E. Institutional Visits/Interviews

1. Grade school and high school student tours of institutions not classified as maximum security may be arranged at the discretion of the Commissioner, designee, or the Departmental PIO. Tours of adult institutions are typically arranged only for adult groups.
2. Visitors who do not abide by the institutional regulations and/or by the instructions of the employee conducting the tour will be immediately escorted from the grounds.
3. A tour shall not begin until the visitor(s) have signed an ADOC Form 005-A, Visitor Release, as appropriate. Relatives and/or friends of inmates will not be permitted to tour the institution under any circumstances without the prior approval of the Commissioner.
4. All persons visiting any institution are subject to search before entering.
5. News media representatives **DO NOT** have the automatic right to access to visit any institution. ADOC policy permits such access when approved.
  - a. News media representatives will have the same access to the institutions as members of the general public. (Refer to AR 303, Visitation and Correspondence Procedures)
  - b. Additional access will be granted at the discretion of the Commissioner, Departmental PIO, Warden, or designee and coordinated in a manner that will ensure the safety and security of the inmates, employees, institutions, and community, and the protection of the individuals right to privacy.
6. News media request for interviews (and other requests for information or other contact with inmates, staff, or officials of the Department, or for institutional visits) shall be communicated to the Departmental and/or Institutional PIO immediately. At least 24 hours advance notice is required for visits to institutions or centers, except in emergency situations as determined by the Departmental and/or Institutional PIO and/or Commissioner or designee.
7. The Departmental and/or Institutional PIO and one or more of the institution's correctional staff will accompany news media representatives visiting institutions or centers for interviews or other purposes.
  - a. News media escorts shall be fully briefed by the Institutional PIO and/or a designee as to the nature of the visit and the location(s) to which the news media is to be escorted.

- b. Escorts shall be in the room with the news media representatives while interviews are being conducted.
  - c. News media representatives will visit only those locations of the institution previously approved.
- 8. All news media representatives must present proper identification and wear proper attire as determined by the institution or center. Short pants, skort skirts, and suggestive or revealing clothing will **NOT** be worn and when necessary, an institution or center may require an appropriate change of clothes.
  - 9. All cameras, video, and audio recording equipment will be subject to normal search procedure and will only be allowed by permission of the Departmental and/or Institutional PIO or designee. Some items, such as knives, keys, and certain tools, are not allowed inside the institutions.
  - 10. Disregard of ADOC policy or procedures, institutional standard operations procedures (SOPs), and security safeguards will result in the immediate termination of the visit and may result in refusal of future access to the institution or center for that particular news media representative.
  - 11. Media access to any institution, center, or office may be suspended during a critical incident or emergency and for a reasonable time thereafter.

F. Interviewing and Photographing Inmates

- 1. News media representatives may be permitted to interview a specific inmate if he/she agrees to the interview and under the following conditions:
  - a. All institutions and centers shall maintain adequate copies of the ADOC Form 005-B, Inmate Consent, which inmates give permission to be photographed or videotaped by the news media in such a way, as they will be identified.
  - b. Upon an interview request, inmates will be required to sign the ADOC Form 005-B, Inmate Consent form, if he/she agrees voluntarily to be photographed or videotaped in such a way that the inmate will be identified
  - c. The Commissioner, Departmental PIO, or designee must approve the interview before it is granted.
- 2. The inmate must sign the ADOC Form 005-B, Inmate Consent, before such pictures may be taken.

- a. The original will be forwarded to central records for the inmate's file.
  - b. One copy placed in the institutional file.
  - c. A second copy retained by the Institutional PIO.
3. Inmates may not receive any compensation for interviews with the news media, nor profit from their crime either materially or through enhanced status as a result of media coverage.
  4. Except in emergency situations, inmate and detainee interviews must be arranged at least 24 hours in advance through the Departmental Public Information Office. News media representatives must submit such requests in writing via fax or email.
  5. Interviews with inmate may be prohibited when such interviews would jeopardize the security of the institution, center, or the well being of the inmate.
  6. Interviews with juvenile inmates and/or inmates in isolation, segregation, or diagnostic status will **NOT** be allowed without prior approval from the Commissioner of the ADOC. Interviews with inmates under sentence of death are **NOT** permitted by Statutory Code 15-18-81.
  7. The Commissioner and/or Departmental PIO, Warden, or a designee will determine the length of the inmate interviews. Any interview may be terminated if it is imposing a serious drain on the staff and use of the institutions, or if the interviewer and/or his or her crew behave in such a way as to endanger the security of the institution or community.
  8. Inmates will **NOT** be allowed to hold news conferences.
  9. Inmates may be photographed or videotaped without their signed consent if they are in public location or in a group shot which does not single out any individual, such as yard or dining hall activity.
    - a. Photographs, which do not reveal an inmate's identity, may be taken without authorization of the inmate.
    - b. Photographers or reporters may be asked to desist and leave the premises if the staff feels security measures may be threatened.
  10. When any situation has attracted the attention of numerous media outlets, an informative press conference may be held at the initiation and discretion of the Commissioner and/or the Departmental PIO.
    - a. Such press conferences will be held at an appropriate location at an

institution or Central Office.

- b. Media will receive at least one-hour's notice, and as much as 24 hour's notice when possible.
- c. Media representatives will be notified by email, fax, and/or telephone as appropriate.

G. Executions

- 1. News media witnesses will be determined as follows:
  - a. One reporter from associated press.
  - b. Two newspaper reporters, including one reporter from within the county or closest to the county of conviction. If more than one agency from this county is present, witness privileges will be determined by draw.
  - c. Two broadcast reporters, including one reporter from within the county or closest to the county of conviction. If more than one agency from this county is present, witness privileges will be determined by draw.
- 2. All news media representatives shall present valid identification upon admission to the pressroom or institution, including names, phone numbers, and agency contacts.
- 3. Electronic, photographic, mechanical, or artistic paraphernalia will **NOT** be permitted in the execution witness room.
- 4. News media representatives will be escorted as a group to the witness room where they will be cleared for security purposes.
- 5. Interviews **ABSOLUTELY WILL NOT** be conducted immediately prior to or after the execution in the witness viewing area or on the grounds of Holman Correctional Facility. Interviews may be done at the media center following an execution.
- 6. Failure to comply with ADOC regulation regarding the witnessing of an execution or any behavior that may endanger the security of the institution or community will be grounds to refuse access.

VI. **DISPOSITION**

Any forms will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

**VII. FORMS**

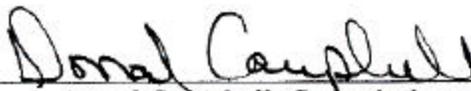
- A. ADOC Form 005-A, Visitor Release
- B. ADOC Form 005-B, Inmate Consent

**VIII. SUPERCEDES**

This regulation supercedes Administrative Regulation 005, dated May 18, 1987.

**IX. PERFORMANCE**

- A. Code of Alabama 1975, 14-1-1
- B. Code of Alabama 1975, 14-1-2
- C. Code of Alabama, 1975, 15-18-81

  
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Donal Campbell, Commissioner



# INMATE CONSENT

The undersigned does hereby consent to be photographed and/or interviewed by news media representatives. The interviews may also include a recording thereof.

The undersigned consents and authorizes that any such photographs or interview material may be utilized by the news media through their normal sources.

Furthermore, the undersigned does hereby release and does save harmless the Alabama Department of Corrections, its agents and servants, from any and all claims for damage for libel, slander, invasion of the right of privacy, or any other claim based on the use of said material. I give the above consent freely and voluntarily without promises, threats, or duress.

Date \_\_\_\_\_ Signature \_\_\_\_\_

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Address \_\_\_\_\_

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Witnessed By \_\_\_\_\_

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