

	DEPARTMENT OF PUBLIC SAFETY	EFFECTIVE DATE: JUN 20 2008	POLICY NO.: ADM.01.04
	DEPARTMENT ADMINISTRATION POLICY AND PROCEDURES	SUPERSEDES (Policy No. & Date): ADM.01.04 of 5/2/96	
SUBJECT: MEDIA RELATIONS AND ACCESS TO DEPARTMENT INFORMATION			Page 1 of 11

1.0 PURPOSE

To delineate general policy pertaining to media relations and media access to information from the Department of Public Safety (PSD).

2.0 REFERENCES AND DEFINITIONS

.1 References

- a. Hawaii Revised Statutes (HRS), §92F.
- b. HRS, §846.
- c. Rules and Regulations, Section 17/205, Subchapter 1, Information or Publicity on Inmates, or Parolees.
- d. PSD Director's Memorandum 90-9.
- e. PSD Director's Memorandum 90-3.

.2 Definitions

- a. "Administrator" means an administrator of a division, facility, or a staff officer.
- b. "Criminal History Record Information" shall be as defined in HRS, §846.
- c. "Employee" means all employees of PSD, except employees of the agencies administratively attached to PSD.
- d. "Inmate" means sentenced or non-sentenced (pre-trial detainees and those awaiting sentence) adults placed within the jurisdiction of PSD.
- e. "Media" or "Mass Media" refers to all representatives of newspaper, radio, television, magazine, and similar organizations, which publish, produce, and/or disseminate information to the public.
- f. "Personnel Record" shall be defined in HRS, §92F-3.
- g. "Public" includes all groups of people in the community.

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- h. "CONFIDENTIAL Information" is information, the unauthorized release of which could endanger or frustrate employees engaged in the Department's operations or affect the security of a correctional facility.
- i. "Visitor" means a relative or friend of an inmate whose visit the Corrections Facility Administrator has approved and whose visits are subject to Rules and Regulations, Section 17-203, Subchapter 2, Visits.

3.0 **POLICY**

The public has a right and a need to be informed about what the Department is doing and about how, why, and with what results its resources are being used.

The Department has the responsibility of providing information concerning its activities and programs to the public and should communicate such information in as fair, direct, and honest a manner as possible to the media.

The Department recognizes and supports the responsibilities of the media to report objectively and accurately on the performance of the Department and to provide a forum for public discussion of the Department's programs and performance, as well as the media's special need for timeliness, availability of spokespersons, and photography and filming opportunities.

The Department shall provide timely and factual information to the public, via the media, on the happenings within the Department and/or the operations of the State correctional and law enforcement systems. Such information is, however, subject to control under conditions which might threaten the security of a State building or facility or the welfare of its employees and inmates.

4.0 **PROCEDURES**

.1 Responsibility

a. All Employees

Whenever there is a significant or major incident involving the Department, administrators or their designated representatives shall immediately report such incidents to the Director or Deputy Director.

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b. Director/Deputy Director

1. Shall provide guidelines and policy direction to Division Administrators and Staff Officers in the administration and management of media relations.
2. Shall be the sole spokespersons on matters relating to interdepartmental policy and administration.
3. Shall keep the Governor's Office informed of all critical developments on a timely basis.

c. Public Information Officer (PIO) or designee

PIO or designed shall be responsible for:

1. Acting as the primary point of contact for the news media with the Department.
2. Providing guidance and assistance in all matters relating to medial relations and their release of information to the public.
3. Keeping the Director and Deputy Director apprised of the development in the Department's media relations.
4. Providing assistance to administrators and acting as an on-the-scene spokesperson for the Department in emergency situations.
5. Issuing departmental news releases.
6. Assisting and advising in the planning and conduct of news conferences.
7. Maintaining liaison with the news media, other government information offices, and community organizations.

d. Division Administrators and Staff Offices

1. Division Administrators and Staff Officers are responsible for administering this policy and developing such further procedures as may be necessary to meet the specific needs of this chapter, including the protection of confidential information.

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2. Division and Staff Office procedures shall assure that the Director, through the PIO, is kept informed of all communications with the media as promptly as possible.
 3. Division Administrators and Staff Officers may act as Department spokespersons in their respective areas of responsibility.
- e. Corrections Facility Administrators
1. Corrections Facility Administrators are responsible for establishing clear procedures, consistent with this policy and procedure statement, in accordance with which communications with the news media and access by the media to personnel, facilities, and information are to be handled.
 2. Corrections Facility Administrators may act as Department spokespersons in their respective areas of responsibility.
- f. Employees
1. Employees are responsible for complying with this policy and procedure statement and amplifying instructions provided at their division and facility levels.
 2. Employees are responsible for protecting confidential information that is not authorized for release.
 3. Employees are responsible for promptly notifying their superiors whenever there has been communication with the media.
 4. Section heads and supervisors shall act as Department spokespersons when properly designated and authorized by the Administrator.
- .2 Media Inquiry for Information
- a. Upon receipt of a request for information (other than government records) pertaining to the Department from a medial representative, the employee contacted shall log: the date and time of the communication; the inquirer's name and the media organization the individual represents; the specific information being asked for and the time by which the departmental response is needed. If the information requested is of a routine, factual, and

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non-confidential nature, and the release of information is permitted under this policy and procedures, the employee shall release such information. Upon release, the employee shall report such release immediately to the employee's immediate supervisor.

- b. All media requests, if not already released, shall be reviewed by the employee's immediate supervisor, who shall determine when, by whom, and to what extent the request can be fulfilled. If the information has already been released, the supervisor shall report such release to the supervisor's immediate supervisor.
- c. The appropriate Administrator and PIO, or designee, shall be informed as soon as possible of the request and the nature of the response that has been or is to be made.
- d. If there is likelihood that the information requested may relate to a topic of controversy or could reflect negatively on the Department, the appropriate Administrator and PIO, or designee, shall be consulted prior to the release of any information or statement.

.3 Release of Information (other than government records)

a. Public Information and Education Programs

- 1. Public information and education programs shall be conducted for the purpose of enhancing the public's awareness of the services, goals, and accomplishments, as well as the concerns of the Department.
- 2. Public information and education programs shall be approved by the appropriate Administrator, including the Director's Office, as to their content and methods of implementation.
- 3. PIO, or designee, shall be kept apprised of planned public information and education programs involving the news media.

b. Ongoing Programs

- 1. Any information relating to ongoing departmental programs shall be reviewed and released by the Administrator or authorized representative. This action shall be preceded by a telephone clearance with the Director's Office.

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2. A copy of any material given to the media shall be routed to the Department's PIO, or designee, and the Director unless specifically directed otherwise.

c. Confidential Information

1. Any requests received for the release of information that is Confidential pursuant to HRS, §92F and §846, or rules and therefore, inappropriate for release, shall be denied with an explanation giving the reason why the request cannot be met. (Refer to references a and e.)
2. Appropriate Administrators and PIO, or designee, shall be advised of such requests and the actions taken.
3. When in doubt, the appropriate Administrator, Director's Office or Attorney General's Office shall be consulted prior to the release of any information or statement.

d. Off-the-Record Information

1. Information shall not be provided by any employee to media representatives as "off-the-record", "in confidence", or "background" information, which are caveats indicating that the information is not for publication or broadcast (but which are frequently misunderstood and not adhered to by the media).
2. Information shall not be provided by any employee to media representatives with the caveat "non-attribution", which is used to indicate that the source of the information is not to be identified in the news story (i.e., and anonymous source).
3. News reporters shall not be asked for editing rights or advance copy approval of news stories based upon information provided by departmental representatives.

e. News Releases

1. All formal news releases shall be coordinated with the PIO, or designee.

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2. Following review and approval of proposed news releases by the appropriate division or staff administrators, news release requests will be submitted to the PIO, or designee, for final editing, preparation in news release format, and distribution to the news media.
3. PIO, or designee, shall assure appropriate review and approval of the news release by the Director or Deputy Director.

f. News Conferences

1. All formal news conferences initiated by the division or staff offices shall be coordinated with the PIO, or designee, who shall also assist in the planning, conducting, and scheduling of the news conference and notification of the news media.
2. Any informational materials for release and distribution at the news conference will also be coordinated with the PIO, or designee.

g. News Interviews

1. All requests by media representatives for interviews with division and staff personnel shall be granted only upon approval of the appropriate Administrator.
2. Interviews requiring such prior approval include departmental representatives making public appearances on radio and television "talk shows", as well as "in-the-office" interviews with individual news reporters.
3. PIO, or designee, shall be informed of all interview requests and the topics to be discussed.

4. Media Inquiry Relating to Inmates

- a. PIO, or designee, may disclose to the media/public, criminal history record information relating to the offense for which an individual is currently within the Criminal Justice System, including the individual's place of incarceration.
- b. The PIO may confirm prior Criminal history record information to members of the news media or any other person upon specific inquiry.

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- c. Upon specific inquiry the PIO shall release information as to whether a named individual was arrested, detained, indicted, or other formal charges were filed.
 - 1. Dissemination of nonconviction data shall be limited to individuals and agencies specified in HRS, §846-10.
- d. Criminal history information may be disseminated for purposes of international travel, such as issuing visas and granting citizenship.
- e. In the event of escaped inmates, information such as physical description (including photo), name, place of incarceration, current offense, whether considered dangerous, and place and time of escape may be released.
- f. On non-sentenced persons, information related to bail, length of detention, and condition of release may be released.
- g. Release of any other criminal history information shall be in accordance with established Department Rules and HRS, §846.
- h. Inmate media contacts relating to the following situations are prohibited:
 - 1. Interviews with any pretrial, non-sentenced, or sentenced individuals relating to the trial, alleged crime, or any related matter.
 - 2. Interviews which might establish or enhance the notoriety of the inmate or the crime.
 - 3. Interviews which might reflect negatively on inmates or their family.
 - 4. Interviews which might interfere with security and orderly administration of the facility.
 - 5. "Posing" or presenting an inmate for photographing or filming for the convenience of media representatives.
- i. The media shall not be allowed to interview an inmate without the Director's or his designee's approval.
- j. The media shall not be allowed to interview an inmate involved in an investigation by the facility, the Department, or any law enforcement agency.

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- k. The media shall not be allowed to interview an inmate unless the inmate waives, in writing, the inmate's right to confidentiality prior to the interview.
- l. The media shall not be allowed to photograph or film any inmate in such a manner that the inmate can be identified unless the inmate waives, in writing, his right to confidentiality.
- m. Except as provided herein, the media has no right to access to inmates within the perimeter of any correctional facility.

.5 Media Relations in Emergency Situations

Department headquarters and correctional facility procedures for emergency situations shall include provisions for maintaining effective communications with, and accommodations for, the news media. These provisions shall include:

a. Designation of a News Media Relations Officer

A news media relations officer shall be designated for the on-site spokesperson during the emergency. When the PIO, or designee, is present, the media relations officer's functions may be assumed by the PIO, or designee. The spokesperson shall hold regular briefings for on-site media representatives and shall be accessible to the media. Upon request, the spokesperson shall also communicate by telephone with other news media who are not represented on-site.

The on-site release of information by correctional facilities shall be governed by the provisions of the Corrections Administrative Rules, section 17-203-11(d).

b. Establishing a News Media Staging Area

A staging area for the news media shall be identified in advance. This area shall include:

- 1. Provisions for a news media briefing room. The room should be large enough to accommodate the media and permit photographing and filming. A Department media relations officer shall be available in this location to permit media representatives physical access to the Department spokesperson for interviews.

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2. A designated parking area for news media vehicles with night illumination, if possible.
3. Provisions for restroom facilities, if possible.
4. Provisions for signage and personnel which will guide and control the news media to the designated parking areas, briefing room, and restrooms. Signs and personnel shall also be posted where necessary; to keep unauthorized persons out of secured areas.

c. **Establishing a Staging Area for Families**

Similar staging areas for families of inmates and staff shall be identified in advance. These areas shall include a parking lot, restrooms, telephones, and a waiting room. If possible, these areas, including the news media staging area, should be in separate locations. Adequate signage shall be provided to guide family members to these areas.

d. **Establishing a News Media Room**

A room shall be designated in advance where Department authorities may gather to monitor news medial broadcasts.

.6 **Public Information During a Disaster**

During statewide emergencies, primary responsibility for keeping the public informed is assumed by Civil Defense. The Department shall adhere to the guidelines prescribed in Annex F, Disaster Public Information, contained in the State Plan for Emergency Preparation.

5.0 SCOPE

This policy applies to all divisions, branches, and staff offices within the Department.

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APPROVAL RECOMMENDED:



 Deputy Director for Administration

6/6/08

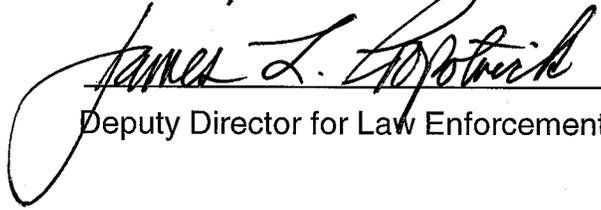
 Date



 Deputy Director for Corrections

6/18/08

 Date



 Deputy Director for Law Enforcement

6-19-08

 Date

APPROVED:



 Director

6/20/08

 Date