



---

**POLICY & PROCEDURES**

---

**.0501 GENERAL**

- (a) North Carolina correctional facilities are operated at public expense. The public has a right and a duty to know about conditions and operations at these facilities. The Division of Prisons desires to promote interest in and knowledge of our correctional facilities and the care and treatment of incarcerated offenders. Our general policy is to facilitate access of the general public and media representatives to such knowledge by every practical means. In doing so, however, due consideration will be given to factors which might threaten security, disrupt orderly administration, damage morale, or mitigate against the effectiveness of correctional treatment.

**.0502 MATTERS OF PUBLIC RECORD**

- (a) Employee Information - Under NCGS 126-23, the release of employee information to the media and public is limited.

- (1) Name.
- (2) Age.
- (3) Date of original employment or appointment to State service.
- (4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the agency has the written contract or a record of the oral contract in its possession.
- (5) Current position.
- (6) Title.
- (7) Current salary.
- (8) Date and amount of each increase or decrease in salary with that department, agency, institution, commission, or bureau.
- (9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that department, agency, institution, commission, or bureau.
- (10) Date and general description of the reasons for each promotion with that department, agency, institution, commission, or bureau.
- (11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the department, agency, institution, commission, or bureau. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the head of the department setting forth the specific acts or omissions that are the basis of the dismissal.
- (12) The office or station to which the employee is currently assigned.

Request for release of personnel information should be referred to Department of Correction Personnel section or the Department's Public Information Office.

No other information in an employee file may be released without the written permission of the Secretary of Correction. General Statute 126-24 provides additional information regarding the release of confidential information from an employee's personnel file. This information is also detailed in the State Personnel Manual section 3 (Employment and Records) in a subsection titled Personnel Records.

- (b) Inmate Information – Please refer to the Division's D.0600 policy entitled Access to Information/Inmate Records, section .0601(b) to see what inmate information can be released to the media and public.
- (c) Inmate Photographs - Photographs of active inmates are available to the public and the news media through the Public Access Information System on the department's web site. (www.doc.state.nc.us/offenders) Photographs of inactive inmates, probationers and parolees are not to be released without the approval of the Secretary of Correction.

### **.0503 ROLE OF THE PUBLIC AFFAIRS OFFICE**

- (a) General Responsibilities - The Public Affairs Office (PAO) in Raleigh, a section of the office of the Secretary of Correction, will be the primary point of contact for news media on issues of departmental or division policy and budgetary matters. The Public Affairs Office will also serve as the point of contact for national and international media. The public affairs staff is available to advise and consult with facility staff and managers on media or public relations issues and will conduct periodic training in media relations for facility managers and selected staff. Responses to media and public inquiries will be made in a timely manner. Statements or news releases are issued as soon as all information is cleared for accuracy. Responses to inquiries from the public are made via phone, email or mail as soon as issues are researched and information is confirmed.

The Public Affairs Office may be contacted as follows:

Telephone: Main Line	(919) 716-3700
Director	(919) 716-3727
PAO	(919) 716-3733
PAO	(919) 716-3713
FAX:	(919) 716-3795
Email:	<a href="mailto:info@doc.state.nc.us">info@doc.state.nc.us</a>

- (b) Call Center – The Public Affairs Director will oversee the call center to respond to inquiries from the general public, crime victims and from families and friends of offenders. Public Affairs employees provide information and make appropriate referrals to the Office of Victim Services, Offender Family Services and other DOC sections.

- (c) Local vs. PAO response – Generally, media inquiries should be addressed by the person most appropriate to respond to the particular question. Facility Heads will serve as the primary media contacts for operational issues at their facilities. The PAO staff will respond to issues of departmental policy and all state budget related inquiries. The PAO staff will also be available to respond in situations where local staff is uncomfortable handling media inquiries or in emergency situations where local staff is occupied handling operational issues. When in doubt the Public Affairs Office should be contacted.

#### **.0504 ROLE OF FACILITY MANAGEMENT**

- (a) General - The administrative head of each program of the Division of Prisons is responsible for developing devices and producing materials to help inform the people of North Carolina about each facility and each program. Administrators shall respond to requests for information about prison conditions and operations so far as possible with available resources and without violating law or policy. Employees of the Department of Correction are encouraged to accept speaking engagements and public appearances that will help to inform the people of North Carolina about the state prison system. Compensation for participating in public information programs related to the prison system shall not be accepted by employees of the Department of Correction, but they may accept donations to the Inmate Welfare Fund. Facility Heads are encouraged to develop positive working relationships with their local news media representatives and with civic organizations in their local communities.
- (b) Reporting of Incidents - Unusual incidents occurring at any prison facility should be reported to local news media and the Public Affairs Office by the administrative head of the facility or by a member of the staff in accordance with the administrator's instructions. The report to news media should be made after the Director of Prisons or his representative has been notified unless meeting this requirement would prevent reasonably prompt disclosure of newsworthy developments. Examples of unusual incidents include, but are not limited to the following:
- (1) Death of any personnel on the job
  - (2) Death of inmates from suspicious or unusual circumstances
  - (3) Any escapes (Note: DOP Security Manual policy [.0200 Reporting Procedures] requires that only level II escapes be immediately reported through the chain of command. This policy allows for delayed reporting through the chain of command of level I escapes until regular office hours. These guidelines do not apply to notification to the Public Affairs Office. The Public Affairs Office is to be immediately notified for all escapes both level I and level II.)
- (c) Notification of media contact -When an employee has completed an interview with a media representative, the employee must notify the Public Information Office by fax at (919) 716-3795 within 24-hours on the appropriate form. The following information

should be provided:

- (1) Date & time of media contact
  - (2) Name of media outlet
  - (3) Reporter's name
  - (4) Summary of questions asked
  - (5) Name and title of employee who responded
  - (6) Summary of response
- (d) Providing access to facilities, inmates and employees - Visits to prison facilities by interested individuals, groups, and media representatives should be permitted and encouraged to the maximum extent possible without jeopardizing security, disrupting operations, and unduly burdening personnel. Arrangements should be made in advance, but the officer in charge may allow visits without prior arrangements if there are sufficient personnel present and conditions are otherwise appropriate for the requested visit. All visitors are to be treated courteously, but they shall be required to agree to abide by facility rules and the instructions of staff as a condition for entry. Visits are to be conducted in such manner as to assure protection and control of the visitor. Each visitor shall be properly identified and registered before admission.
- (e) Inmate Phone Interviews – Members of the media wishing to interview an inmate by telephone must submit a written request to the Director of the Division of Prisons or his/her designee. Arrangements should be made in advance to avoid disrupting prison operations, unduly burdening personnel and jeopardizing security.

#### **.0505 NEWS MEDIA REQUESTS**

- (a) General - A person seeking admittance as a media representative must be able to show identification as a representative of one of the following: a national or international news service; a newspaper, magazine, or periodical; a radio or television network or station licensed by the Federal Communications Commission; an online news publication. Facility Heads who are unsure of the credentials of a person requesting access as a member of the media should consult the Public Information Office. Freelancers must be able to provide verification from the news organization they are representing. Students who request access as members of the media are to be referred to the Public Information Office. Students may be granted media access if they are reporting for a student or campus newspaper, radio or TV station. Students working on class assignments and projects will be considered on a case-by-case basis.
- (b) Access to Employees – All employees of the Division of Prisons should recognize that it is their duty and privilege to inform the people of North Carolina about their prison system. In discharging this duty and exercising this privilege, honesty and accuracy are essential. While employees should not be reluctant to state their views about prison conditions and events, they should stay within the limits of their knowledge and authority

when purporting to speak for the Division of Prisons.

- (c) Access to Inmates – Media representatives may be permitted to interview inmates of the state prison system who consent in writing to be interviewed for a stated purpose and without compensation. Media representatives should submit their interview request in writing to the prison facility head or his/her designee. When an inmate is known to be represented by a particular attorney in pending litigation, the written consent of that attorney shall be required before an interview is granted. If the inmate desires to do the interview but his/her attorney objects, as a general rule, the interview will not be granted. The time, place, and manner of interviews shall be subject to restrictions appropriate to the parties and circumstances. No greater restrictions shall be imposed than are required by applicable security and correctional considerations.
- (d) Photographs of Inmates - Photographers on prison property shall not photograph inmates within the confines of the state prison property in a manner which will permit identification, except for official departmental purposes, unless the inmate to be photographed signs a consent form before such photographs are taken. Photographers have the right to photograph inmates working in the public domain; however, correctional staff can request the photographers to remain a safe distance from inmate workers. This request is to be made in furtherance of sound security practices, to preclude disruption of the work project, and to ensure public safety in the work area. Correctional staff may remove inmates from the work area if media presence is disruptive to the inmates in work area.
- (e) Access to Death Row Inmates – Interviews with inmates under a sentence of death require the consent of the inmate, the consent of the inmate’s counsel and the consent of the prison warden. Media representatives who wish to interview inmates on Death Row should submit a written request to the prison warden or warden’s designee. The media representative must also obtain and present to the warden or warden’s designee written consent from the inmate’s counsel. With the inmate’s consent in writing, the warden may permit the interview. Interviews will be conducted in a non-contact setting unless otherwise directed by the warden.
- (f) Access to Juvenile Inmates – Interviews with inmates 17 years of age or younger may be permitted with the consent of the prison superintendent, the inmate’s parent or legal guardian and the inmate’s attorney, if he/she is represented by one.
- (g) Requests from National and International Media – When staff of the Division of Prisons is contacted by a representative of a national or international news organization, they are to refer the inquiry to the Public Information Office. The Public Information Office will require the media representative to submit the request in writing. The Public Information Office will be responsible for obtaining references from the news organization, and shall consult with appropriate staff of the Secretary’s Office, Division of Prisons director and the Governor’s Press Office to determine

whether the request shall be granted. The Public Information Office is responsible for notifying appropriate staff within the department of the decision.

- (h) Requests for Documents - Requests for information regarding inmate records, official correspondence and other public records generated in the course of conducting state business shall be made in writing to the Public Information Office. Such requests shall be granted in accordance with Division of Prisons policy D.0600 (Access to Information/Inmate Records) and NCGS Chapter 132 (Public Records). Fees for copies of documents shall be charged in accordance with NCGS 132-6.2 (Provisions for copies of public records; fees)
- (i) Other media requests - Requests for access from filmmakers, documentary producers, authors and representatives from other types of media shall be referred to the Public Information Office. A copy of the project script, outline or other document detailing the proposed project must be submitted with a written request. Such requests shall be reviewed by the Secretary of Correction and may be granted if they are not detrimental to the mission and public image of the department. Inmates who agree to take part in a documentary, film or book project must be presented with an Informed Consent Statement detailing the inmate's involvement in the project and the risks and consequences of such involvement. Guidance on preparing an Informed Consent Statement is available from the Department of Correction Human Subjects Review Committee.

#### **.0506 TOURS**

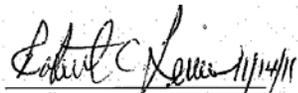
Requests for Tours – Facility Heads may authorize educational tours for schools and other groups. A parental consent form must be completed for any minor (under the age of 18) and submitted to the correctional facility, by the individual requesting the tour, prior to the tour taking place. The correctional facility will allow no minor to tour a correctional facility without such form being submitted. While Facility Heads may approve groups of minors to tour their facility, tours for individual minors will not be approved unless this is a court ordered probationer visit. (Refer to DOP policy (G.0400) for more detail regarding Court Ordered Probationer Visits). Individual adults, such as legislators or judges, may be allowed to tour facilities. Refer to DOP policy F.1200 (Inspections) for details governing Grand Jury inspections. The focus of any tour will be educational and informative and will not use emotional and intentionally intimidating approaches. No individual being provided a tour will be locked in segregation or in any way treated as an inmate. The use of profane language, physical contact and harassing or intimidating behavior is strictly prohibited. No individual will be subjected to either a routine or complete search as part of a tour. If staff have reason to believe an individual may be bringing contraband in during a tour they will be denied access. The only inmates who should be allowed to speak to groups are those who have received training. Inmate speeches must be delivered in accordance with the guidelines set forth in section (G.0406) of the Court Ordered Probationer Visits policy.

**.0507 RELEASE OF INFORMATION IN CRISIS SITUATIONS**

- (a) PIO response during crisis situations – The Public Information Office will be available to advise facility heads and can respond to the scene of an emergency if needed to assist with media and public relations. Facility Heads should have a media plan in place and a designated spokesperson to deal with media inquiries in the first few hours of a crisis situation, until a member of the PIO staff can reach the scene.
- (b) Media Access During Crisis Situations - Admittance of media representatives to a prison or other correctional facility may be denied or limited during a disturbance or crisis situation but such restrictions shall be lifted as soon as this may be done without jeopardizing security or the safety of any person. The news media shall be kept advised of developments by news briefings in an area designated by the administrator at the unit where the disturbance occurs. As soon as is practicable in light of security and correctional considerations, media representatives will be allowed access to the prison in a manner determined by the facility administrator. When operations have returned to normal, the standard policies regarding access will apply.

**.0508 ANNUAL REVIEW AND UPDATE**

This policy will be reviewed annually by the Department of Correction Public Affairs Director or designee and updated as necessary.

  
Director of Prisons      Date

D.0500\_11\_14\_2011.doc