

WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Stephanie Hove

Name of Individual Certifying this Document/Proposed Document

Division Assistant Administrator

Title


[Handwritten Signature]

Signature

June 25, 2019

Date Signed

Department of Corrections – Wisconsin
Office of the Secretary
Wis. Stat. § 227.112(6)
DOC-2910 (6/2019)

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 300.00.79	Page 1 of 8
	Original Effective Date: 02/01/17	New Effective Date: 02/01/17
	Supersedes: N/A	Dated: N/A
	Administrator's Approval: Jim Schwochert, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 300 Administrative		
Subject: Media		

POLICY

It is the goal of the Department of Corrections to make staff, inmates, visitors, volunteers, and others available for interviews with members of the media to further public understanding of operations and to open correctional facilities to media access whenever possible.

REFERENCES

Wisconsin Statutes s. 302.25 – Interstate corrections compact

Wisconsin Statutes s. 949.165 – Escrow accounts; moneys received as a result of the commission of a serious crime

Wisconsin Administrative Code s. DOC 309.03 – News media access to inmates

DEFINITIONS, ACRONYMS, AND FORMS

BOCM – Bureau of Offender Classification and Movement

BPHR – Bureau of Personnel and Human Resources

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-1927 – Inmate Media Consent and Liability Waiver

DOC-1927B – Staff Media Consent and Liability Waiver

DOC Communications Office – The unit within the DOC Secretary's Office responsible for managing internal and external communications, including media relations. The Communications Office includes the DOC Communications Director, Deputy Communications Director, and any other DOC employees designated by the Communications Director to act as a member of the Communications Office.

Inmate – For the purposes of this policy, "inmate" refers only to an inmate convicted of a crime who is confined in a DOC facility. This policy does not apply to youth who have been adjudicated delinquent, DOC inmates who are in a Department of Health Services facility, or inmates in a DOC facility who are not in DOC custody.

Interview – Any interaction between a member of the media and DAI staff, inmates, visitors, volunteers, or others that will be referred to, reproduced, recorded, or broadcast

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in any form in a DOC facility or under the auspices of DOC operations. This does not include interactions between members of the media and DAI staff which occur outside of work hours where DAI staff are not wearing their uniform and do not speak for the DOC.

Media – An individual employed, contracted, or otherwise acting on behalf of a newspaper, radio station, television station, website, production company, or other organization whose primary purpose is reporting news or producing programming or content which will be broadcast or published in any form. The DOC Communications Office may require a member of the media to provide proof of their status under this definition.

Media Advisory – Communication to the media regarding an event that will take place in the future.

OVSP – Office of Victim Services and Programs

Press Release – Statement or other communication sent to the media giving information on a particular issue or issues. This includes information provided in person, by phone, email, or any other medium.

PROCEDURE

I. General Guidelines

- A. Members of the media shall have at least the same access as members of the public to inmates, including but not limited to inmate mail, the inmate phone system, or in-person visitation.
- B. Consent to be Interviewed
 1. DAI staff, inmates, volunteers, visitors, and others must consent to an interview while inside a DOC facility or under the auspices of DOC operations, which includes any audio or visual depiction or other information that identifies an individual.
 - a. Before participating in an interview conducted pursuant to Section VI of this policy, inmates shall provide consent by completing DOC-1927.
 - b. Before participating in an interview with media, DAI staff (other than staff listed by title in Section I.C.1 of this policy) shall provide consent by completing DOC-1927B.
 2. Consent is not required for crowd shots or other visual or audio depictions where one individual cannot be clearly identified.
 3. DOC shall not facilitate or assist members of the media who wish to interview DAI staff, inmates, volunteers, visitors, or others who have declined to consent to an interview inside a correctional facility or under the auspices of DOC operations.
- C. Staff Speaking on Behalf of the DOC
 1. The following staff are authorized to speak on behalf of the DOC after notifying the DOC Communications Office:

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- a. DAI Administrator.
 - b. DAI Assistant Administrator(s).
 - c. Bureau Director(s)
 - d. Warden(s) of DOC correctional facilities.
2. Other DAI staff may participate in media interviews with the approval of the DOC Communications Office after they consent by completing DOC-1927B.
 3. This section does not prevent DAI staff from speaking to members of the media outside work hours while not in uniform as long as they do not speak on behalf of the DOC.
- D. Media Contacts
1. Each facility shall establish an internal process to report all media contacts to the DOC Communications Office by phone or email to the contact information provided in this section.
 2. Pursuant to the institutional process, DAI staff shall report the media contact and refer members of the media to the DOC Communications Office by providing the following contact information:
 - a. Phone number: 608-240-5060.
 - b. Email address: DOCMedia@wisconsin.gov.
 3. When reporting a media contact, DAI staff shall provide the following information to the DOC Communications Office:
 - a. Time and date of contact.
 - b. Full name and organization of contact.
 - c. Contact information, including phone number or email address.
 - d. Deadline (if known).
 - e. Subject matter of the inquiry.

II. Media Advisories and Press Releases

The DOC Communications Office shall issue all press releases and media advisories on behalf of DAI, including correctional facilities.

- A. Wardens/designees shall submit all necessary information to the DOC Communications Office for consideration.
- B. Exceptions to this section may be made by the DOC Deputy Secretary, DOC Assistant Deputy Secretary or DOC Communications Office.

III. Media Interviews Not Facilitated by the DOC

- A. Members of the media may conduct interviews with inmates without the involvement or approval of the DOC Communications Office or the Warden of the facility where the inmate is being held pursuant to relevant policies, administrative code, and statutes. Members of the media seeking interviews under this section are acting as members of the public and shall not be reported as a media contact under Section 1.D.
- B. DOC staff shall not provide any accommodation or exception to DOC policies not otherwise available to members of the public for interviews conducted under this section.

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IV. Review Process for Media Interviews Involving Specific Inmates

- A. Members of the media who wish to have the DOC facilitate an interview with an inmate shall seek approval to do so under the process outlined in Wisconsin Administrative Code s. DOC 309.03.
- B. Members of the media who wish to conduct an interview under this section shall first contact the DOC Communications Office and provide all necessary information.
- C. Once the information has been received, the DOC Communications Office shall provide the appropriate Warden with the information provided by the media.
- D. The Warden may approve the interview unless one or more of the following conditions exist:
 - 1. The interview shall jeopardize or be detrimental to:
 - a. The safety or order of the facility.
 - b. The welfare of the inmate.
 - c. The welfare of the victim, the victim's family, or the community.
 - d. Legitimate correctional objectives, including resources.
 - 2. The inmate is confined in Restrictive Housing.
 - 3. The inmate refuses to be interviewed.
- E. In deciding whether to approve the interview, the Warden shall review all relevant information and may consult with OVSP to determine the effect of a media interview on any victims.
- F. The Warden shall convey his/her decision to the DOC Communications Office, who shall contact the member of the media making the request.
- G. The Warden's decision is final; however, the member of the media may renew their request after one month, or at any time if they provide additional information for consideration.

V. Review Process for Media Interviews Not Involving Specific Inmates

- A. Members of the media who wish to conduct an interview not involving specific inmates or with DOC staff, volunteers, visitors, or others shall first contact the DOC Communications Office and provide all necessary information.
- B. Interview requests shall be routed accordingly:
 - 1. Requests involving a specific correctional facility or facilities shall be routed to the appropriate Warden(s).
 - 2. Requests not listing a specific correctional facility or involving DAI staff not at a correctional facility shall be routed to the DAI Administrator and DAI Assistant Administrator(s).
 - 3. Requests involving the DOC Pre-Service Academy shall be routed to the DAI Administrator and the DOC's BPHR Director.

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- C. In determining whether to grant the interview, the following factors may be considered:
 - 1. The impact on DOC operations.
 - 2. The impact on the security and order of DOC facilities.
 - 3. The impact on any victims, victims' families, or the community.
 - 4. The impact on the safety and welfare of staff, inmates, volunteers, visitors, or others.
 - 5. The advancement of legitimate correctional objectives.
- D. The Administrator, DOC BPHR Director or Warden shall convey his/her decision to the DOC Communications Office, who shall contact the member of the media making the request.
- E. The decision is final; however, the member of the media may renew their request after one month, or at any time if they provide additional information for consideration.

VI. Media Interviews at Correctional Facilities

- A. Once an interview has been approved, the requester shall provide the following in writing to the DOC Communications Office at least one week prior to the date of the interview:
 - 1. The full legal names and other requested identifying information for all individuals who wish to conduct an interview inside the facility.
 - 2. A full list of equipment to be brought into the facility.
- B. The DOC Communications Office shall inform the requester in writing whether any individuals have not passed a background check or any equipment shall not be allowed into the facility.
- C. The conditions of the interview shall be communicated in writing to the requester at least 24 hours in advance of the interview and must be accepted in writing by all individuals participating in the interview before the interview can take place.
- D. Only the Warden/designee or the DOC Communications Office may modify the conditions of the interview.
- E. The Warden shall require members of the media to complete a background check and comply with security screening procedures for the facility.
 - 1. Failure by a member of the media to successfully complete security screening procedures, including a background check, shall result in that member of the media not being allowed into the facility.
 - 2. Members of the media must follow all relevant policies, administrative codes, and statutes while inside the facility.
 - 3. Participation in the interview constitutes acceptance of the conditions for the interview.

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- F. Members of the media shall follow the directions of DOC staff and shall be escorted at all times by DOC staff while on facility grounds.
- G. Members of the media shall only take pictures or audio or visual recordings or conduct interviews inside the room where the interview will take place and shall not take pictures or audio or visual recordings or conduct interviews in any other area of the facility while on facility grounds without the express approval of the Warden/designee or the DOC Communications Office.
 - 1. This includes any pictures, visual or audio recordings, or interviews occurring outside the secure perimeter of the facility on facility grounds.
 - 2. This section does not apply to members of the media who are not on facility grounds.
- H. Members of the media shall only interview, record, or otherwise identify inmates who have been approved by the Warden/designee and have given consent to be interviewed by completing DOC-1927.
- I. Members of the media shall only interview, record, or otherwise identify staff, volunteers or visitors who have given consent to be interviewed. DAI staff (other than staff listed by title in Section I.C.1 of this policy) shall provide consent by completing DOC-1927B.
- J. Failure by a member of the media to follow the directions of DOC staff, abide by the conditions of the interview, or follow relevant policies, administrative code, or statutes while inside the facility may result in the immediate termination of the interview and all individuals participating in the interview being escorted from the facility.
- K. The DOC Communications Office may make exceptions to this section in consultation with the Warden/designee of the facility.

VII. Media Interactions Regarding Inmates Confined under the Interstate Corrections Compact

- A. All media interactions shall be in compliance with the Interstate Corrections Compact.
- B. Media interactions regarding inmates committed under the Interstate Corrections Compact shall be resolved by the DOC Communications Office following consultation with BOCM and the appropriate correctional agency.

VIII. Money Received as a Result of the Commission of a Serious Crime

- A. Inmates shall notify the Warden prior to entering into any contract under Wisconsin Statutes s. 949.165.
- B. The Warden shall communicate that notification to the DOC Communications Office and Office of Legal Counsel.

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C. Inmate conduct and activity shall be in compliance with Wisconsin Statutes s. 949.165.

Administrator's Approval: _____ **Date Signed:** _____
Jim Schwochert, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number: 300.00.79	Page 8 of 8
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Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

FACILITY PROCEDURE

- I.
 - A.
 - 1.
 - a.
 - B.
 - C.
- II.
 - A.
 - B.
 - C.