

State of Maryland
Department of Public Safety
and Correctional Services
PUBLIC INFORMATION MANUAL

DPSCSM.010.0013

PURPOSE

The purpose of this manual is to facilitate communication within the Department concerning incidents or issues that may initiate inquiries from the media, the public, labor organizations, the Office of the Governor, and/or other State or local government agencies. The Public Information Manual shall be used by Public Information Officers (PIOs), both full- and part-time, in the performance of their duties as PIOs for the Maryland Department of Public Safety and Correctional Services.

MEDIA POLICY

- I. The Department shall promptly respond to media with accurate information that will not jeopardize safety, security, or investigative efforts of the Department and comports with all legal requirements.
- II. All employees of the Department shall support effective communication with the media and affected parties, within and outside the Department, concerning incidents and issues addressed by the Department.
- III. The Department, when communicating with media representatives, shall be sensitive to the concerns of crime victims and shall respect and protect their legal rights.

AUTHORITY/REFERENCE

- I. Under Correctional Services Article, §2-103, Annotated Code of Maryland, the Secretary of Public Safety and Correctional Services shall develop and adopt policy and procedures for the operation and maintenance of the Department.
- II. Secretary's Department Directive 04-2003, *Communications Office*, dated July 23, 2003 establishes the Communications Office within the Office of the Secretary and authorizes a Public Information Manual.
- III. Code of Maryland Regulations (COMAR) 12.02.04.03 and 12.12.23.03.
- IV. Criminal Law Article, §§3-601 and 3-602, Annotated Code of Maryland.

- V. Criminal Procedure Article, §§5-201 and 11-104, Annotated Code of Maryland.
- VI. The Public Information Act, found under State Government Article (“SG”), §§10-611 through 10-630, Annotated Code of Maryland.
- VII. Maryland Public Information Act Manual (11th edition) (October 2008), produced by the Maryland Attorney General’s Office.
- VIII. Press Visitors Policy, Public Relations Program, Pre-Trial Detention and Services Directive Number 60-2 (Effective April 30, 2007).
- IX. Information Requests and Notifications, Division of Parole and Probation Operations Manual.
- X. Public Information and Media Policy, Internal Investigative Unit Directive Number IIU.020.0003 (Effective August 22, 2007).

DEFINITIONS

- I. In this Manual, the following terms have the meanings indicated.
- II. Terms Defined.
 - A. “Agency” means an organization, institution, division, or unit established by statute or created by the Secretary within the Department of Public Safety and Correctional Services.
 - B. “Agency head” means the person who is the highest authority in an agency or Division.
 - C. “Arranged Interview”
 - 1. “Arranged interview” means that the Department receives a media request for an interview and arranges a time location and other accommodations for the interview to take place.
 - 2. “Arranged interview” does not include situations when a media representative is on the inmate’s visiting or telephone list and a Warden permits a media representative to use an attorney’s booth or office phone to speak with the inmate.
 - D. “Communications Office” means the Department’s Communications Office.

- E. “Department” means the Department of Public Safety and Correctional Services.
- F. “DOC” means Division of Correction.
- G. “DPDS” means Division of Pretrial and Detention Services.
- H. “DPP” means Division of Parole and Probation
- I. “Executive Director of Communications” means the Department’s highest authority on all forms of internal and external communications and media relations.
- J. “Director of Public Information” (DPI) means the Director of Public Information in the Department’s Communications Office.
- K. “Field/Monitor Supervisor II” means
1. An intermediate supervisor whose position in the chain of command falls between Field/Monitor Supervisor I and Regional Administrator.
- L. “Inmate” means:
1. An individual placed in the physical or constructive custody, of the Department; and
 2. An individual sentenced to the Department.
- M. “Detainee” means an individual detained by the Department pending a legal proceeding, bail review or other temporary purpose.
- N. “Media” means radio, television, news wire services, newspapers, and Internet versions of these entities and representatives of these various news outlets.
- O. “Newsworthy event” means an occurrence or an issue of interest to the public in general and includes serious incidents/issues.
- P. “Offender” means an individual placed under the supervision of the Department as a parolee, probationer or mandatory supervisee as defined in the Division of Parole and Probation Operations Manual.

- Q. “Public Information Officer (PIO)”:
1. “Division Public Information Officer (PIO)” means a full-time Department employee with primary responsibility for responding to, or notification of, newsworthy incidents or issues by:
 - (a) Preparing press releases for the approval of agency heads and the Director of Public Information (DPI);
 - (b) Handling on-scene media inquiries with the assistance of Part- Time PIO(s) under the direction of the DPI;
 - (c) Preparing briefing papers; or
 - (d) Researching and preparing other types of requests for information concerning newsworthy incidents or issues being addressed by an agency or the Department.
 2. “Part-Time Public Information Officer (PIO)” means a person with part-time public affairs responsibilities working within a correctional institution, parole and probation field office, or commission or agency under the auspices of the Department. Duties include, but are not limited to:
 - a) Immediately forwarding any requests from media for information, interviews, documentaries, any type of filming or photography, or requests by elected officials for tours or information, to the Division PIO or DPSCS Communications Office;
 - (b) Collecting background information on inmates as part of the vetting process/victim notification process prior to media events and interviews. This responsibility includes having inmates sign consent forms, after an inmate has been cleared in consultation with Division PIO or the Communications Office;
 - (c) Maintaining informational materials for the institution (brochures, handouts, etc.). These materials may be provided by the Division PIO, but the institutional PIO will ensure the materials are available to visitors and are up-to-date;
 - (d) Notifying the Division PIO and Communications Office of upcoming events that may be of interest to the public/media

two weeks prior to the event, or as soon as the part-time PIO learns of such an event.

(e) Working with institutional/office staff to stay aware of and informed about all priorities/topics important to the facility (such as institutional programming, awards, employee achievements and other positive news) which may be of interest to the public/media or used in outreach materials such as newsletters, website content and social media. Part-time PIO should notify the Division PIO and Communications Office as soon as they are aware of such topics;

(f) Organizing tours in conjunction with Division PIOs; or

(g) Providing other assistance or support to the Division PIO and/or Communications Office as needed.

R. “Serious incidents or issues” include, but are not limited to, the following examples:

1. Riots;
2. Hostage situations;
3. Escapes;
4. Injuries to departmental personnel (involving medical treatment);
5. Duty-related death of a Department employee;
6. Activities that affect public safety;
7. Disturbances;
8. Policy/procedural issues with potential for notoriety;
9. Injuries to detainees, inmates or offenders resulting from application of force;
10. Detainee, inmate or offender deaths, especially those from other than natural causes;
11. Occurrences that generate an inquiry from the Office of the Governor, Lt. Governor, or the Governor’s Press Office;

12. Incidents initiating an internal investigation; or
13. Major occurrences disrupting daily operations, e.g., water main breaks, flooding, fires, evacuations, electrical outages, security breaches, etc.

S. “Victim” means, under Criminal Procedure Article, §11-11-801(f), a person:

1. Who suffers physical injury or death because of a crime or delinquent act;
2. Who suffers psychological injury as a direct result of:
 - (a) A fourth degree sexual offense or a delinquent act that would be a fourth degree sexual offense if committed by an adult;
 - (b) A felony or a delinquent act that would be a felony if committed by an adult; or
 - (c) Physical injury or death directly resulting from a crime or delinquent act; or
3. Who suffers physical injury or death as a direct result of:
 - (a) Trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the person's presence;
 - (b) Trying to apprehend an offender who had committed a crime or delinquent act in the person's presence or had committed a felony or a delinquent act that would be a felony if committed by an adult; or
 - (c) Helping a law enforcement officer in the performance of the officer's duties or helping a member of a fire department who is being obstructed from performing the member's duties.
4. “Victim” also means a victim of child abuse under Criminal Law Article, §§3-601 and 3-602;

T. “Victim Services Coordinator” means the person responsible for notifying victims of activities related to a detainee’s or inmate’s case.

U. “Warden” means the chief administrative person charged with the

management of a correctional facility.

- V. “Public Information Act (PIA) Request” means any written communication requesting access to the Department’s records.

RESPONSIBILITY/PROCEDURES

I. Responsibilities.

- A. Unless the Secretary directs otherwise, the Executive Director of Communications shall:
1. Be responsible for all internal and external communications policies for the Department;
 2. Develop a system to support notification of media events within the Department in concert with the DPI, agency heads and the website coordinators as indicated in this manual; and
 3. Oversee all public information functions, including:
 - (a) Media related functions:
 - (i) Media Relations;
 - (ii) Press releases;
 - (iii) Media advisories; and
 - (iv) Media interviews.
 - (b) External and internal publications, including:
 - (i) Reports to any public audience;
 - (ii) Internal newsletter; and
 - (iii) External publications, such as brochures and newsletters; and Web content, both Internet and Intranet.
 4. Notify the Governor’s, Lt. Governor’s, or other State organization’s public information representatives of incidents or issues that have statewide implications.

5. Assist agency heads with the selection of full- or part-time PIOs as a member of a selection committee;
6. Be notified of public information activities for all agencies within the Department;
7. Designate a Communications Office staff member to act in the absence of the Executive Director of Communications;
8. Coordinate continuous coverage by PIOs at the Maryland Emergency Management Agency's Operations Center, when it is in operation;
9. Establish a schedule for the Communications Office to support 24-hour, seven-day notification. Ensure that this schedule is communicated to the Secretary, agency heads and all PIOs;

B. Unless the Executive Director of Communications directs otherwise, the DPI shall address public information issues that involve serious incidents or issues, as well as routine issues affecting the Department or any of its agencies, and shall:

1. Consult with agency heads or Division PIOs to decide the best course of action to address media issues which may include delegating media-related assignments to the agency head or, if available, a Division PIO;
2. Coordinate all public information-related activities for the Department;
3. Notify the Executive Director of Communications of inquiries and events taking place within the Department as reported by an agency head or Division PIO;
4. Be notified of public information activities for all agencies within the Department;
5. Assist agency heads with the selection of full- or part-time PIOs as a member of a selection committee;
6. Assist agency heads with training, evaluations and other personnel issues concerning PIOs as requested;

7. After consulting with the Executive Director of Communications, notify the Governor's, Lt. Governor's, or other State organization's public information representatives of incidents or issues that have statewide implications.

C. Agency Heads or Designees shall:

1. Immediately notify the Executive Director of Communications of any serious issues or incident;
2. Consult with the Executive Director of Communications and the Division PIO to develop an appropriate response to the media regarding serious issues or incidents;
3. Assign public information or notification responsibilities when scheduling personnel;
4. Establish local procedures for agency public information responsibilities to support 24-hour, seven-day notification and provide a copy to the DPI;
5. Prepare media relations and notification procedures for their office or agency that comply with the requirements of this Manual. A copy of those procedures must be filed with the Communications Office;
6. In cooperation with the Communications Office, identify, select and train individuals to fill PIO positions assigned to the agency; and
7. In cooperation with the Communications Office, select and train individuals to perform as part-time PIOs as necessary.

D. A Division PIO shall:

1. Immediately notify the agency head, the Executive Director of Communications and the Communications Office of all newsworthy events and media requests including:
 - (a) All serious issues or incidents;
 - (b) All requests from the media including those involving:

- i. Offender, inmate and detainee case files;
- ii. Department and Division/Agency policy;
- iii. Any incident or issue involving more than one Division or Agency within the Department.

(c) All PIA requests from the media;

2. Perform public information duties assigned by the agency head or the Executive Director of Communications that may include:

- (a) Consulting with the agency head, Executive Director of Communications and the Communications Office to decide the best course of action to address the media issues;
- (b) Notifying the agency head of inquiries and events taking place within the agency;
- (c) Notifying the Executive Director of Communications and the DPI as required in this Manual, after consulting with the agency head;
- (d) Coordinating with the Executive Director of Communications to provide continuous coverage at the Maryland Emergency Management Agency's Operations Center when it is in operation; and
- (e) Producing publications for external or internal distribution with approval from the Executive Director of Communications.

II. Procedures

A. **Serious incidents or issues.** As soon as a serious incident or issue arises:

1. An agency head or designee shall:

- (a) Contact and brief the Executive Director of Communications in conjunction with the Division or Agency PIO;
- (b) Await a decision by the Executive Director of Communications on how to best address possible media issues.

2. The Executive Director of Communications shall:

- (a) Notify the Secretary, and the Governor's Press Office of the incident. If the Executive Director of Communications is unavailable, the notification of Governor's Office becomes the responsibility of the DPI.
- (b) Consult with the Secretary on the proposed media plan. If the Executive Director of Communications is unavailable, consulting with the Secretary becomes the responsibility of the DPI.

B. **Press releases and all Department and external publications.** Before duplication, publication, or distribution, the Executive Director of Communications and/or the DPI shall review and comment on agency:

- 1. Public information statements, press releases and media advisories; and
- 2. Publications such as reports, newsletters, magazines, and brochures that are meant for public circulation or for all Department employees.

C. **Media logs to comply with procedures established by the Governor's Press Office.** Division/Agency PIOs or Agency heads or designees shall provide the Communications Office with a daily summary of all newsworthy incidents/issues and media inquiries/releases.

- 1. The summary shall be e-mailed to the Communications Office by 2:30 p.m. each day.
- 2. The Communications Office shall forward the daily media log to the Governor's Press Office and the Department's Executive Staff.

- D. **All Division/Agency public information-related documents shall contain the appropriate reference that the agency is part of the Department.** An example follows:

**Department of Public Safety and Correctional Services
Division of Correction
News Release**

E. **Media Interviews/Photographs of Detainees, Inmates and Offenders**

1. Media Interview/Photography Request Procedure

- (a) A media organization shall:
 - (i) Make its request in writing to the PIO on the media organization's letterhead; and
 - (ii) Contact and inform the detainee or inmate's legal counsel of the request and notify the Department that such communication has been made.

- (b) A PIO must:
 - (i) Notify the Executive Director or Communications, the DPI, the Division/Agency head, and Warden or Field Supervisor II about the request;
 - (ii) Await a decision by the Executive Director of Communications and Division/Agency head on how to best respond to the media request;
 - (iii) Upon receiving notification from the Executive Director of Communications and Division/Agency approving the media request, have the detainee, offender or inmate sign the Department's Consent for Media Interview form (Attachment I). This signed authorization will be placed in the

detainee, offender or inmate's base file;

- (iv) Contact and inform the detainee, offender or inmate's legal counsel of the approval of the media request.

2. Victim(s) Notification

- (a) Upon receiving the media request, the PIO must forward it to the Division or Agency Victim Services Coordinator, or in the case of an offender, the DPP Field/Monitor Supervisor II, who shall attempt to notify the victim(s) about the request.
- (b) The PIO also shall attempt to notify the Division/Agency Victim Services Coordinator (and Field/Monitor Supervisor II for DPP) if:
 - (i) An offender arranges a media interview independent of the Department; or
 - (ii) If a detainee or inmate includes a reporter on his/her visitor or telephone call list and a media interview occurs that has *not* been approved by the Department.

3. Safety and Security Considerations

- (a) Institutional and field office safety and security shall not be compromised.
- (b) If, at any time, the agency head, DPI, PIO, Warden or Field/Monitor Supervisor II determines that there are security or safety concerns, he/she may deny or delay access to the inmate or terminate the media interview or photography session.

4. Media Interviews/Photographs Not Permitted

- (a) Interviewing or photographing death penalty inmates is not permitted for security reasons;

- (b) Interviewing or photographing juvenile detainees, inmates and offenders is not permitted without prior written consent of the juvenile's parent or legal guardian and his or her attorney.
- (c) Interviewing or photographing psychologically impaired detainees, inmates and offenders is not permitted.
- (d) Interviewing or photographing detainees at the Baltimore Central Booking and Intake Center is not permitted.

AGENCY-SPECIFIC PROCEDURES

The agency head or designee shall develop local procedures to carry out the duties and responsibilities detailed in this Manual.

ATTACHMENT (S).

- I. Consent for Media Interview form

Attachment I:

Department of Public Safety and Correctional Services



CONSENT FOR MEDIA INTERVIEW

I agree to being interviewed and/or photographed by _____

(name of reporter or photographer)

representing _____

(name of Agency/News Organization)

for the following reason : _____

The interview and/or photography session will take place at

(location/institution)

on _____

(date of interview or photography session)

I have no conditions regarding the use of the interview, photograph or videotape. I give my permission to publish and use all or part of the interview, photograph or videotape without compensation. I understand that I have the right to decline being interviewed, photographed and/or videotaped, and that I can terminate the interview, photography session or videotaping at any time.

Signature: _____ Date: _____

Printed Name: _____

Division or Agency: _____

DPP or Inmate# _____

PIO or Witness Signature: _____

Date: _____

cc: Public Information Officer
Detainee/Inmate/Offender file
Detainee/Inmate/Offender Attorney
DPSCS OS 20 ADM