

§ 1-14 **Access to Media.**

(a) *Policy.*

Prisoners are entitled to access to the media. "Media" means any printed or electronic means of conveying information to any portion of the public and shall include, but is not limited to newspapers, magazines, books or other publications, and licensed radio and television stations.

(b) *Media interviews*

- (1) Properly identified media representatives shall be entitled to interview any prisoner who consents to such an interview. "Properly identified media representative" means any person who presents proof of his or her affiliation with the media.
- (2) The prisoner's consent must be in writing on a form that includes the following information in Spanish and English:
  - (i) the name and organization of the media representative;
  - (ii) notification to the prisoner that statements made to the media representative may be detrimental to the prisoner in future administrative or judicial proceedings;
  - (iii) notification to the prisoner that he or she is not obligated to speak to the media representative; and
  - (iv) notification to the prisoner that he or she may postpone the media interview in order to consult with an attorney or any other person.
- (3) The Department may require the consent of an attorney of record prior to scheduling a media interview with a detainee undergoing examination for competency pursuant to court order.
- (4) The Department may require the consent of an attorney of record or a parent or legal guardian prior to scheduling a media interview with a prisoner under 18 years of age.
- (5) The name of the Department's media contact shall be published. Media representatives shall direct requests for interviews to this person.

(6) Interviews shall be scheduled promptly by the Department but not later than 24 hours from a request made between 8 a.m. and 4 p.m. The 24-hour period may be extended if necessitated by the prisoner's absence from the facility.

(c) *Limitation of media interviews.*

- (1) The Department may deny, revoke or limit a media interview with a media representative or a prisoner only if it is determined that such interview constitutes a threat to the safety or security of the facility.
- (2) This determination must be based on specific acts committed by the media representative or by the prisoner during a prior visit that demonstrate his or her threat to the safety and security of the facility. Prior to any determination, the media representative or the prisoner must be provided with written notification of the specific charges and the names and statements of the charging parties, and be afforded an opportunity to respond.
- (3) Any determination made pursuant to paragraph (1) of this subdivision shall be made in writing and shall state the specific facts and reasons underlying such determination. A copy of this determination, including the appeal procedure, shall be sent to the Board and to any person affected by the determination within 24 hours of the determination.
- (4) Any person affected by a determination made pursuant to this subdivision may appeal such determination to the Board.
  - (i) The person affected by the determination shall give notice in writing to the Board and to the Department of his or her intent to appeal the determination.
  - (ii) The Department and any person affected by the determination may submit to the Board for its consideration any relevant material in addition to the written determination.
  - (iii) The Board or its designee shall issue a written decision upon the appeal within five business days after it has received notice of the requested review.