

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b>	EFFECTIVE DATE 04/12/2021	NUMBER 01.06.135
	SUBJECT PUBLIC INFORMATION DURING FACILITY DISTURBANCES	
SUPERSEDES 01.06.135 (12/30/2002)		AUTHORITY MCL 791.203
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**POLICY STATEMENT:**

The Department shall provide accurate and timely information to the public regarding significant facility disturbances, including natural disasters and other significant incidents, without jeopardizing the custody and security of the facility as set forth in this policy.

**RELATED POLICIES:**

- 01.05.120 Critical Incident Reporting - Correctional Facility Administration (CFA)
- 01.06.130 Media Relations
- 04.01.110 Access to Correctional Facilities
- 04.05.100 Disturbance Control

**POLICY:**

DEFINITIONS

- A. News Media Representatives - Persons primarily employed to gather or report news for any of the following:
  1. A newspaper of general circulation in the community in which it publishes;
  2. A magazine of statewide or national circulation sold at newsstands or by mail to the general public;
  3. A radio and television station licensed by the Federal Communications Commission (FCC);
  4. Other legitimate publications or news gathering operations, as determined by the Public Information Officer (PIO).

GENERAL INFORMATION

- B. Wardens shall ensure annual mobilizations conducted pursuant to PD 04.05.100 "Disturbance Control" include scenarios involving contact with members of the public, including news media representatives.
- C. During a disturbance, entry into the facility and onto facility grounds shall be permitted only as set forth in PD 04.05.100 "Disturbance Control" and, for news media representatives, this policy. The Warden shall assign custody staff, as necessary, to help control unauthorized movement onto facility grounds in accordance with PD 04.05.100.
- D. Staff of the Office of Public Information and Communications shall be available to assist Wardens in implementing this policy directive, including assisting in the development of any operating procedures.

RELEASE OF INFORMATION

- E. The Public Information Officer or designee shall be primarily responsible for providing information to the public regarding a disturbance at a facility, except for those matters that are to be addressed by staff specifically designated by the PIO or designee. Therefore, the PIO or designee must have direct and ongoing access to the Warden and other decision-makers during a disturbance. The Warden shall ensure that sufficient staff are assigned to assist the PIO or designee in performing their responsibilities pursuant to this policy.

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- F. Information regarding a disturbance may be provided to members of the public, including news media representatives and community liaison committees, only after the appropriate law enforcement agencies have been alerted and notification has been provided in accordance with PD 01.05.120 "Critical Incident Reporting - Correctional Facilities Administration (CFA)." The name of a dead or injured prisoner or employee shall be withheld until the designated contact person for the victim has been notified. However, the number and extent of any injuries may be released as soon as they are known with certainty. Under no circumstances shall information be released that may endanger law enforcement or Department investigative efforts or jeopardize the custody and security of the facility.
- G. The PIO or designee shall be provided brief and frequently updated reports on a disturbance to be read to callers, including news media representatives, during the course of a disturbance to keep them informed of the situation. Provisions for rumor control shall be established so that accurate responses to questions and allegations from any source can be provided quickly.
- H. When a disturbance is over, PIO or designee shall continue to address questions and requests for information from the public, including news media representatives, regarding the disturbance and its aftermath.

#### News Media Representatives

- I. During a facility disturbance, the appropriate Warden shall ensure a briefing room is available at or near the facility where news media representatives may obtain current information regarding the disturbance and wait for further developments. Messages, news releases and handouts containing current information regarding the size, general layout and design, number of staff, appropriated budget, capacity, and population of the facility shall be posted in the briefing room. A model, large map or aerial photograph of the facility also shall be available in the briefing room. News media representatives shall be permitted to use personal telephones (e.g., cellular telephones) in the briefing room.
- J. The Warden shall ensure that necessary movement to and from the briefing room by news media representatives is coordinated with local law enforcement and the Michigan State Police to avoid conflicting directions and to maintain control of the area. News media representatives shall not be permitted to enter any other area on facility grounds without specific approval of the Warden or designee, after consultation with the PIO. Approval shall be granted only if it will not jeopardize the custody and security of the facility. However, news media representatives shall not be allowed entry into any other area within the facility except with approval of the Director or designee. Such requests shall be submitted to the Director in accordance with PD 04.01.110 "Access to Correctional Facilities."
- K. Frequent briefings shall be provided to news media representatives that correspond as closely as possible to media deadlines. The briefings shall be conducted by the PIO or designee after consultation with the Warden. Information to be disseminated at the briefing will be coordinated by the Warden and the PIO or designee consistent with the requirements set forth in PD 01.06.130 "Media Relations." The PIO shall be contacted at the conclusion of each briefing.
- L. Since coverage of a disturbance on radio or television may be monitored by prisoners as it occurs, information that may jeopardize control tactics or aggravate or continue activity by the prisoners shall not be released. However, after consultation with the PIO or designee, the Warden may authorize photo coverage and filming on facility grounds during a disturbance, where feasible, when it will not jeopardize the custody and security of the facility. News media representatives shall not be permitted within the security perimeter of the facility for this purpose.
- M. Requests by news media representatives to tour inside the facility once a disturbance is over shall be submitted to the Director for a determination as set forth in PD 04.01.110 "Access to Correctional Facilities."

#### OPERATING PROCEDURES

- N. If necessary, to implement requirements set forth in this policy, Wardens shall ensure that procedures are developed or updated.

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AUDIT ELEMENTS

- O. There are no Audit Elements for this policy directive.

APPROVED: HEW 01/21/2021