



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure:	3.3.4 MEDIA ACCESS TO INMATES	
Effective Date:	September 4, 2001	Page 1 of 3 and 1 Attachment
Revision Date(s):	September 15, 2020, January 15, 2022	
Reference(s):	DOC Policy 3.3.4 Media Access to Offenders	
Signature:	/s/ Jim Salmonsens /Warden	

I. PURPOSE

Montana State Prison (MSP) to include Riverside Special Needs Unit (RSNU) and Montana Correctional Enterprises (MCE) will accommodate reasonable requests by the media to interview inmates to the extent practicable, appropriate, and consistent with the safety and security needs of MSP, RSNU and MCE.

II. DEFINITIONS

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the operation and management of a division or facility program.

Incident – Any event, circumstance or behavior that could potentially jeopardize staff, inmates, or visitors or affect operations, safety or security or constitute a human rights violation.

Incident Commander (IC) - The individual with the overall authority and responsibility for conducting all incident activities and managing all operations at the incident site.

Inmate - Any person residing in a secure facility under the supervision of the Department of Corrections

News Media Representatives - Properly credentialed representatives of any accredited news organization that reports news for a general circulation newspaper, news magazine, national or international news service, radio or television news program, and internet news service. Authors and freelance journalists who are researching and/or writing about corrections or criminal justice issues must provide their credentials to verify their association with legitimate news or media organizations. Nothing in this definition is intended to remove from the Department director, Department communications director, or facility PIO the discretion to determine who constitutes news media representatives for purposes of access to offenders.

Public Information Officer (PIO) - An official spokesperson designated by the administration to provide facility or program information to the public.

III. PROCEDURES

A. General Requirements

1. Inmates may choose to accept or reject media interview requests. The procedures for these media interviews during non-emergency conditions are as follows.
2. Media access to inmates incarcerated at MSP, MCE, AND RSNU will be permitted at reasonable times of the day consistent with the security needs of the facility.
3. All requests for interviews will be made through the PIO or designee in accordance with procedures outlined in *MSP Procedure 1.1.10 MSP/MCE Tours and MSP 1.1.8 Media Relations*.
4. The PIO or designee must obtain approval from the Warden or designee before scheduling a time for news media representatives to come onto facility property.
5. Media representatives may be permitted to interview inmates; however, the inmate must consent in writing (attachment A) to be interviewed for a stated purpose and without compensation. If the inmate is sentenced to death, consent must be received from the attorney of record as well as from the inmate. These forms are available from the PIO.
6. An inmate may not be photographed in a manner which is individually identifiable unless he has signed the above noted consent form.
7. Any special requirements created by the presence of a news media representative must be made in advance.
8. The PIO or designee shall arrange for a staff person to accompany the news media representative during the interview with the inmate. A staff person must be present to ensure that audio or video recording is done in an observable manner, and that the inmate has signed the required consent form prior to the interview.
9. The PIO must provide visitor rules and regulations to all news media representatives prior to any inmate interview taking place.

B. Denial of Media Access

1. Media access to inmates may be denied under the following circumstances:
 - a. When there are safety and security concerns.
 - b. When MSP is operating under emergency conditions.
 - c. When the inmate is being housed in restricted administrative segregation, administrative segregation, detention, or pre-hearing confinement.
 - d. When the inmate chooses not to be interviewed or refuses to sign a consent form.
 - e. When a media representative fails to abide by facility procedures or Department policies, rules, or regulations, or is behaving in a manner that jeopardizes the safety and security of the facility.

Subject: MEDIA ACCESS TO INMATES

IV. CLOSING

Questions concerning this policy shall be directed to the Public Information Officer/Victim Information Officer or designee.

V. REFERENCE

DOC Policies 1.1.8 Media Relations; 3.3.4 Media Access to Offenders; 3.2.1 Emergency Management.

VI. ATTACHMENTS

Interview / Photo Consent form

Attachment A



MONTANA DEPARTMENT OF CORRECTIONS

Montana State Prison

Interview/Photo Consent Form For Adult

Upon consent, I, _____, DOC ID# _____

in response to a request properly made by: _____ (Name/Organization)

grant permission to the above-named requesting party to conduct an interview and record the same both manually and electronically and/or take photographic portraits or pictures, moving pictures, audio/visual recordings, or other imaging according to the box checked below. I further grant permission to the requesting party and those acting under its authority to copyright, use, and publish for advertising, instruction or any other lawful purpose whatsoever, any statements, in full or in part, made by me during such interview, and any photographic portraits or pictures, moving pictures, audio/visual recordings, or other imaging of me in which I may be included in whole or in part.

I do hereby waive any right I may have to inspect or approve the finished product or the use to which it may be applied; and release the Montana Department of Corrections, its successors and assigns, and all persons acting under its permission or authority, from any liability by virtue of the use and publication of said interview and/or images.

I relinquish and give to the requesting party all right, title, and interest that I may have in the finished product, copies thereof, and materials used in its production; and further grant the requesting party the right to give, sell, transfer, and exhibit said product or any portion, copy or facsimile thereof, for any purpose it deems necessary and proper.

I do further waive all rights that I may have to any claims for payment or royalties in connection with any exhibit, publication, broadcast, or other use of said finished product or portion thereof.

I hereby CONSENT to: [] Interview & Photo [] Interview Only [] Photograph Only

_____/_____/_____
Date Signed

*Inmate Signature

_____/_____/_____
Date Signed

Department, Facility, or Program Official

I hereby REFUSE: [] Both Interview and Photo

_____/_____/_____
Date Signed

Inmate Signature

This consent becomes invalid 30 days after the date of inmate's signature.