



# POLICY STATEMENT

Policy Statement 1200

Policy Area: Public Affairs

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## Media Policy

### I. COVERAGE

The procedures in this Policy Statement apply to Court Services and Offender Supervision Agency and Pretrial Services Agency (“CSOSA,” “PSA,” or collectively as “Agency”) employees.

### II. BACKGROUND

CSOSA, through its Community Supervision Services Division (“CSS”), is responsible for the supervision of offenders (including probationers, parolees, and supervised releasees). PSA, an independent entity within CSOSA, is responsible for supervising pretrial defendants. The distinct legal status of offenders and defendants necessitates the creation of different media response protocols. The Office of Legislative, Intergovernmental and Public Affairs (“OLIPA”) responds to all media inquiries regarding CSOSA and offenders under CSOSA supervision, and the Director of PSA or his/her designee responds to all media inquiries regarding PSA and defendants under PSA supervision.

The term “media” refers to the following organizations and their employees (including interns and freelancers associated with the organization): newspapers, television stations, radio stations, electronic news services, magazines, newsletters, government public affairs offices, corporate relations offices, and other periodicals and entities that distribute information to the general public. Public access television or radio shows, university newspapers or television or radio stations all meet this definition of media.

### III. POLICY

**CSOSA Operations.** All media inquiries regarding CSOSA operations shall be referred immediately to OLIPA. This includes requests by the media for offender interviews or statements. In addition, any incident that staff reasonably believes has the potential for media interest shall be reported immediately to OLIPA. CSOSA managers and staff are not authorized to knowingly speak with the media regarding

offenders or CSOSA policies/practices without obtaining approval from the Director of CSOSA via OLIPA's Public Affairs Specialist except as follows: CSOSA employees may express their personal opinions regarding CSOSA policies/practices consistent with governing laws and regulations. In those situations, it is incumbent on the employee to clarify that he or she is not speaking on behalf of the Agency. Unauthorized communication with media entities may result in disciplinary action.

**PSA Operations.** All media inquiries regarding PSA operations shall be referred immediately to the Director of PSA or his/her designee. This includes requests by the media for defendant interviews or statements. PSA managers and staff are not authorized to speak with the media regarding defendants or PSA policies/practices without obtaining approval from the Director of PSA or his/her designee except as follows: PSA employees may express their personal opinions regarding PSA policies/practices consistent with governing laws and regulations. In those situations, it is incumbent on the employee to clarify that he or she is not speaking on behalf of the Agency. Unauthorized communication with media entities may result in disciplinary action.

#### IV. AUTHORITIES, SUPERSEDURES, REFERENCES, AND ATTACHMENTS

##### A. Statutory Authority

Section 11233(b)(2)(B) of the National Capital Revitalization and Self-Government Improvement Act of 1997 ("Revitalization Act"), Pub. Law 105-33, 111 Stat. 712, D.C. Code § 24-1233(b)(2)(B) (1996 Repl., 1999 Supp.) (Director's authority); D.C. Code § 24-103 (1996 Repl.) (Probation's authority).

##### B. Supersedures

None

##### C. Procedural References

None

##### D. Attachments:

Appendix A. General Procedures

Appendix B. Consent for Media Interview

Appendix C. High Profile Case Tool

## **APPENDIX A GENERAL PROCEDURES**

### **A. Responding to Media Inquiries Regarding CSOSA Operations**

1. All media inquiries regarding CSOSA operations shall be referred immediately to OLIPA. CSOSA managers and staff are not authorized to speak with the media regarding offenders or CSOSA policies/practices without obtaining approval from the Director of CSOSA via OLIPA's Public Affairs Specialist or Media Specialist except as provided in Section III. Unauthorized communication with media entities may result in disciplinary action.
2. After referring the media inquiry to OLIPA, the CSOSA staff person is to immediately notify his/her supervisor. In the event the supervisor is unavailable, the next level in the chain-of-command must be immediately informed. Subsequently, notice will be provided to the appropriate Associate Director through the proper channels.
3. Notification of media inquiries may be made verbally (by telephone or through an in-person report to the appropriate authority) or in writing (via e-mail or brief written memorandum). The notification must include the following information:
  - a. Time and date of the inquiry;
  - b. Name of the person making the inquiry, if available, and the media agency represented;
  - c. The nature of the inquiry or the reason for the requested information; and
  - d. When appropriate, the name of the involved offender(s) and related identifying information (e.g., PDID, DCDC, DOB, etc.).

### **B. Responding to Media Requests for Access to Offenders under CSOSA Supervision**

1. Representatives of the media may at times request direct access to an offender for the purposes of conducting personal interviews, obtaining statements for the record, photographs, etc. CSOSA staff must treat each such request as a request for information. CSOSA staff is prohibited from arranging meetings or discussions between offenders and the media. The requests are to be directed to OLIPA. OLIPA will review the nature of the media request and all relevant privacy and security issues before facilitating any interaction between offenders and the media.
2. Notification of media inquiries may be made verbally (by telephone or through an in-person report to the appropriate authority) or in writing (via e-mail or brief written memorandum). The notification must include the following information:

- a. Time and date of the inquiry;
  - b. Name of the reporter(s) and the media agency represented;
  - c. The nature of the inquiry or the reason for the requested information; and
  - d. The name of the involved offender(s) and related identifying information (e.g., PDID, DCDC, DOB, etc.).
3. The final decision to grant or deny a media request for an interview will be made by the offender and/or his or her representative. If the offender elects to be interviewed and OLIPA is facilitating the interaction between the media and the offender, the offender will be required to provide express written consent by the execution of the Media Consent form (see Appendix B). A copy of the consent form must be faxed to the sentencing judge and/or the United States Parole Commission, as appropriate.

#### C. Identifying Potential High Profile Offenders under CSOSA Supervision

Using the guidelines provided in Appendix C, CSOSA staff must make every effort to identify potential high profile offenders. Once potential high profile offenders are identified, information on such offenders must be forwarded to OLIPA in order to prepare OLIPA for possible media inquiries.

##### 1. Examples of Potential High Profile Offenders

- a. An offender who, while under supervision, commits a new offense that is likely to draw media attention;
- b. An offender in a pre-sentence status or following conviction who is sentenced to community supervision for a highly publicized case;
- c. An offender who is being released from incarceration to community supervision and due to the notoriety of the offender or the particular offense(s) is likely to draw media attention; and/or
- d. An offender who is a public figure (e.g., political leader, sports figure, entertainer, etc.) and thus tends to draw attention naturally.

##### 2. Notification/Documentation Procedures for Potential High Profile Offenders

- a. When a CSOSA staff member identifies a potential high profile offender, the staff member must immediately initiate notification to OLIPA of the identification through the chain-of-command.

- b. Included in the chain-of-command is a staff member(s) (identified by the CSOSA Associate Director for Community Supervision Services) who is responsible for immediately notifying OLIPA via e-mail and/or voicemail of the potential high profile offender. Upon notification, OLIPA staff will generate from SMART an Offender Historical Report on the identified offender. This report replaces CSS' former Media Report. Case-related information may be submitted to OLIPA by telephone immediately if the urgency of the matter requires faster notification.
- c. At a subsequent date, to be determined by the CSOSA Associate Director for Community Supervision Services, the staff member(s) identified in Section C (2)(b) of this Policy Statement shall designate a staff member to complete a progress report on the offender that contains the following information:
  - Introduction— Describes the original sentence, the conditions of supervision, the initial supervision level, and other pertinent information about the case. The individual requesting the information and reason for the publicity will also be indicated along with any press clippings referencing the offender (if available).
  - Case History— Summarizes the offender's reporting history, including the following: dates of referrals; outcomes from referrals; verification of offender's compliance with conditions; changes in supervision levels; and explanations for any adjustments.
  - Basic Case Information— Includes information needed to insure accurate identification of the offender, including the following: full name; date of birth; aliases; PDID number; offenses for which the offender is under supervision; pending charges; sentencing date; court of jurisdiction and incarceration dates.
  - Compliance Efforts— The staff person highlights violations of the conditions of supervision and documents efforts to bring the offender into compliance (with appropriate dates). In addition, the dates of all violation reports and judicial/paroling authority outcomes are reported.
- d. The supervisor will review the progress reports and document the overall conduct of the staff member(s) supervising the case. The supervisor will take all necessary action consistent with case auditing protocols.
- e. The CSOSA Associate Director for Community Supervision Services (CSS) or his/her designee shall review the progress report and case folder and make a determination regarding the quality of supervision provided by CSS in the particular case, and the performance of the staff person(s) and supervisor in

carrying out their respective duties. A copy of the progress report shall be provided to OLIPA within a timeframe agreed to by the Associate Director of CSS and the Associate Director of OLIPA.

- f. A second stage of information gathering may be needed on a small minority of media inquiries including a chronological listing of offender contacts.

#### D. Responding to Media Inquiries Regarding PSA Operations

1. All media inquiries regarding PSA operations shall be referred immediately to the Director of PSA or his/her designee.
2. PSA managers and staff are not authorized to speak with the media regarding defendants or PSA policies/practices without obtaining approval from the Director of PSA or his/her designee except as provided in Section III.
3. Unauthorized communication with media entities may result in disciplinary action.

**APPENDIX B**



**Court Services and Offender Supervision Agency  
 for the District of Columbia**

**MEDIA CONSENT**

I, \_\_\_\_\_, do hereby agree to be interviewed by and/or photographed/videotaped by the media representative(s) listed below. The interview and/or photograph/videotape will take place at:

Location	Date/Time

I also give my permission to publish and use all or part of the interview, photography, and/or video without compensation. I understand that I have the right to decline being interviewed, photographed, and/or videotaped and that I can terminate the interview, photo shoot, and/or videotaping at any time.

Media Representative	Media Agency

Signature \_\_\_\_\_ Date Signed \_\_\_\_\_

Witnessed By \_\_\_\_\_ Date Signed \_\_\_\_\_

**Complete the following if applicable**

Defendant's/Offender's Date of Birth \_\_\_\_\_

Defendant's/Offender's DCDC Number \_\_\_\_\_

Defendant's/Offender's PDID Number \_\_\_\_\_

Defendant's/Offender's Docket Number \_\_\_\_\_

## APPENDIX C

### Examples of Potential High Profile Persons Under CSOSA Supervision

The Office of Legislative, Intergovernmental and Public Affairs (OLIPA), provides training to community supervision officers (CSO) on responding to media and other inquiries. The following are categories of high profile persons and situations that are likely to generate media interest.

1. Celebrities, Politicians, Clergy, Athletes, Corporate Executives and their close relatives.
  - a) Celebrities and athletes historically generate intense media interest when convicted of a crime as do the known family members of such well-known individuals. Because the media will move very quickly to publicize any violation of supervision, including a new crime, CSOSA employees must notify OLIPA and the Director's office of such events as soon as they become known. The information sent to headquarters should include all pertinent data regarding the offender's identification, personal history, current offense and present status. This information allows OLIPA to prepare its response to media inquiries in a professional and timely manner.
  - b) The CSO should also be sensitive and alert OLIPA to people under their supervision who have held political office or are or were clergy members. Examples of these include former politicians and judges.
  - c) In recent years, white collar crime in corporate America has made household names of many people who would otherwise be unknown to the general public and not raise significant media interest. However, the convictions the last few years of such corporate heads make the former corporate officer of interest to the media.
  - d) Finally under this group, the CSO may encounter a person under supervision who is related to a celebrity. Violation of their parole or probation may engender media interest and OLIPA should be informed of that violation and of their status.

2. High profile criminals, heinous crimes and law enforcement officials.
  - a) Under this category the CSO should be sensitive to persons returning from incarceration to CSOSA supervision. They may have a prior history that has made them infamous or crimes that were so heinous they caused large media interest at both trial and during incarceration. Examples of this would be drug lords, murderers, gang leaders and sex offenders. There are also incidences where a crime would at first appear to lack media interest. In some cases supporters of either the victim or the offender generate the media interest, an example of which might be a group protesting outside the courthouse.
  - b) There was a specific case a few years back, involving a drunk driver in a hit and run accident. The victim's mother brought Mothers Against Drunk Driving onto the courthouse steps and generated a great deal of media attention. The victim was a university student. The efforts of the victim's relatives put both the offender and CSOSA in the spotlight. CSOs should gauge over time whether a person under their charge is likely to be the focus of media interest.
  - c) Special attention should be paid to cases involving sex offenders.
  - d) An additional category of offender that could generate media interest is law enforcement officials, including current and former CSOSA employees. Persons who have been entrusted with the public's safety and abuse that trust generally create media interest.
3. The successful offender.
  - a) The final category that CSOs should be aware of is the success story. OLIPA will always welcome a CSO putting forth a person whose success under supervision highlights both the individual and CSOSA. All persons under CSOSA supervision must sign a media consent form when being interviewed, photographed or filmed. Examples of CSOSA success include offenders who are in recovery from substance abuse, gained steady employment, and met educational goals.

#### 4. Example of a report to OLIPA

John Andrew Doe, Jr. (12-25-1980 of 1113 Montpelier Street NE., PDID # of 123456) is currently on parole for two unarmed robberies that ran concurrently. He was sentenced in D.C. Superior Court on December 12, 2002 and received a sentence of three years. He was also sentenced on January 14, 2003 for another armed robbery that the judge ran concurrent with the original crime. He was paroled on January 1,

2004 from the BOP. He was released from the Rivers Correctional Institution in Winton, North Carolina. He was revoked (sentence date) on March 23, 2004 as a result of a conviction in Prince George's County Circuit Court for Possession with Intent to Distribute. The judge added a term of probation to run concurrently with his existing sentence. His term with CSOSA will end on December 12, 2005.