

POLICY

It is the policy of the Spartanburg County Jail to maintain positive, informative relationships with the public, the media, and other agencies with related functions, consistent with the security and privacy interests of the Detention Facility, its staff, and the offenders confined within its facilities.

DEFINITIONS

For the purpose of this policy the term “news media representatives” refers to qualified, properly identified representatives of general circulation newspapers, magazines of national circulation sold through newsstands and/or mail subscriptions to the general public, national and international news services, and radio and television stations holding a Federal Communications Commission license.

PROCEDURAL GUIDELINES

The Jail will have a system for establishing and maintaining appropriate relationships with the public, news media, and law enforcement agencies when those individuals and organizations contribute to the overall mission of the facility. **Offender-related contacts are not covered in this category, but instead, or covered under separate policy.**

The jail director is the authorized spokesperson for the detention facility, subject to guidance and direction from the County Administrator’s Office.

Media Relations Function

The Director will provide verbal and written information to the media to help portray a factual picture of the facility. Visits by the news media are encouraged. Offender contacts with the media are regulated elsewhere under separate policy.

News media representatives will be permitted access to the jail in an effort to explain Jail programs or announce important facts or events in the facility. Throughout this process, staff will preserve offenders’ individual rights to privacy, and no inmate’s face may be photographed during such visits unless consent for the same is obtained.

Jail employees other than designated officials, will not comment to the news media or publish original printed material that refers to the Jail by name or inference without prior approval from the Director. Media calls will be directed to the attention of the Director or his designee, who will respond promptly, accurately, and honestly to inquiries.

In the event of an emergency, all public and media access to the Jail may be limited. Under such circumstances, the Director will identify a press spokesperson who periodically will brief all media representatives on the situation. A media-briefing center may be established away from the area of tactical operations and staff traffic.

Responsiveness

The Jail will be administered in a way that encourages a better understanding of facility goals and operational procedures. This will be accomplished in part by doing the following:

- Providing prompt, complete responses to all correspondence and other request from federal, state, county, and local legislative and executive bodies.

- Participating in organizations and meeting that ensure cooperation with other criminal justice agencies in information gathering, exchange, and standardization, including strategic and contingency planning at federal, state, county, and local levels.
- Providing access to the facility through appropriately structured tours for responsible community, academic, law enforcement, and other groups and organizations.
- Responding to requests for interviews when appropriate.

Telephone Inquiries

Telephone inquiries from the courts, legislative bodies, and other agencies will be routed to the Director's attention, and in his absence to his designee.

Questionable Inquiries

All requests for information will be answered unless the legitimacy of the inquiry or an individual's right to privacy is in question. Such requests will be referred to the County Attorney for an opinion prior to response. In cases in which such a referral will cause a significant delay in response, an interim response will be provided.

Jail Visits

Visits by members of the court, legislative bodies, other criminal justice agencies, and the media are encouraged and will be arranged personally by the Director. The County Administrator's Office will be notified in the event of court or legislative inquiries for this purpose. The highest level of cooperation will be provided to these entities.

Other Public Contacts

Employee contacts with the public in the day-to-day activities of the facility will be conducted with complete professionalism.

Employees dealing directly with the public will provide prompt, courteous, and correct responses to inquiries as permitted.

Individual employees receiving requests for official information from groups referenced in this policy statement will refer all such inquiries to the Director. Employees receiving request for comments or information from the news media or publishers will refer such requests directly to the Director as well. All such inquiries must be promptly, accurately, and completely answered in compliance with state, county, local, and federal laws governing public information and right to privacy.

All official information and press releases referring to the Detention Facility or Jail policy or statements regarding jail programs or conditions will only be issued by the Director or in his absence, his designee.

Freedom of Information Act

Under applicable South Carolina Law, officers and staff of the Spartanburg County Detention Facility (Jail) may release the following information to the public/media on inmates who are currently being detained in the Jail and/or who have been detained in the last ninety (90) days:

- Date and time of arrest
- Name
- Last known or reported address
- Name, title, and department of arresting officer(s)

- Specific charges
- Sex
- Age, date of birth
- Race
- Bond/Release Information

Note: This requirement can be met by referring the individual to the Jail's website.

www.spartanburgcountyjail.org

Juveniles and Victim/Witness Information

Officers and staff are precluded from releasing information on juveniles and victim/witnesses under applicable state and federal law.

Request for Information- more than 90 days

When a request is made for information on an individual who has been released from the jail more than 90 days, such request should be forwarded to the Director for his review and response and if necessary referral to the County Attorney. Requests of this nature should be made in writing.

Request for mug shot

Officers and staff may release to the media copies of an arrestee's mug shot/photograph if the individual is currently being held in the jail and/or has been released within the last 24-hours. Mug shots of those individuals currently being held in the jail as well as having been released in the last 90 days may be found on the jail's website. Requests for mug shots of individuals having been released longer than 90 days must be made in writing and referred to the Director for his review and response and if necessary referral to the County Attorney. Request of this nature should be made in writing.

Employee Comments/Discussions

Officer and staff are to refrain from releasing any other information to the public and/or media except as noted above. This includes but is not limited to: NCIC reports/checks (criminal history information); information related to an inmate's family; medical information; health status; comments related to inmate's charges; personal opinions held by an officer or staff member related to a particular inmate; personal opinions of any nature or information related to investigations; outstanding warrants; planned mass arrests; driving records; license and tag checks; and other information of a confidential nature. Violations of same should be reported to the Director for his investigation and review to determine if disciplinary action including termination is warranted.

Note: This does not apply to protected speech that addresses matters of public concern. However, the officer/employee should be careful to ensure that such speech is protected. Such speech is not protected when it is of a personal nature; amounts only to an opinion; does not address a matter of public concerns; and when the governments' interests outweigh the speaker's interest.

Ongoing Investigations-Exemption from Disclosure

Section 30-4-40 of the South Carolina Code of Laws exempts the following information from disclosure:

- 1) Information of a personal nature where the public disclosure would constitute unreasonable invasion of personal privacy
- 2) Records of law enforcement and public safety agencies not otherwise available by state and federal law that were compiled in the process of detecting and investigating crime and the disclosure of the information would harm the agency by:
 - a. Disclosing the identity of informants not otherwise known;
 - b. The premature release of information to be used in a prospective law enforcement action;
 - c. Disclosing investigatory techniques not otherwise known outside government;
 - d. By endangering the life, health, or property of any person or;
 - e. Disclosing any contents of intercepted wire, oral, or electronic communications not otherwise disclosed during trial
- 3) Matters specifically exempted from disclosure by statute or law.

Policy Subject to Change

The Director reserves the right to change; modify; and/or delete any part and/or all of this policy at anytime without notice. This policy was developed as a guide for internal guidance and discipline for officers and staff, and it was not intended to create nor grant third party standing for any individual to form the basis for legal action against the country; the department; and its employees. Should any part be found to be in violation of any applicable state or federal law, then such findings shall not affect other parts of the policy unless so determined by a court of competent jurisdiction.