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Parole Board	News Media and Cameras at Parole Board Hearings	8.1.A.1	Effective: 7/11/2024
SOUTH DAKOTA  PAROLE BOARD POLICIES AND PROCEDURES		POLICY NUMBER 8.1.A.1	PAGE NUMBER 1 OF 3
		DISTRIBUTION:	Public
		SUBJECT:	News Media and Cameras At Board Hearings
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		SUPERSESSION:	08/11/2022
DESCRIPTION: Parole Board	REVIEW MONTH: July	 Myron Rau, Chair Board of Pardons and Paroles	

I. POLICY

It is the policy of the South Dakota Department of Corrections Board of Pardons and Paroles to outline the procedure for governing recognized news media presence at meetings/hearings conducted by the Board of Pardons and Paroles.

II. PURPOSE

The purpose of this policy is to provide guidance and establish standards for the board of pardons and paroles and the recognized news media on the use of electronic data gathering at parole board hearings.

III. DEFINITIONS

Hearing Officer/Hearing Panels

A member or members of the South Dakota Board of Pardons and Paroles as defined by SDCL 24-13.

Hearings

For the purpose of this policy, hearings shall be defined as any hearing conducted by a hearing officer, panel, or full board, as defined by SDCL Chapter's 1-26, 24-13, 24-14, 24-15, 24-15A, and 24-16A-1, and South Dakota Administrative Rules, Chapters 17:60 and 17:61.

Recognized News Media

Includes those persons that carry or deliver news to the general public on a regular and consistent basis, either in printed, electronic, or digital format, or combination thereof, which includes the following broadcast and written mediums:

1. General circulation newspapers which meet the requirements to be a legal newspaper, as outlined in SDCL Chapter § 17-2 Legal Newspapers and Publication of Notice.
2. Radio or television stations or television networks holding an FCC license that regularly carry or deliver news to the public.
3. Periodical newsmagazines sold through newsstands or mail subscriptions to the public.
4. National and International news services that regularly carry or deliver news to the public.

Upon receipt of a letter of verification from the media outlet represented, free-lance reporters, talk show hosts, internet news services, authors or documentary film directors or producers, may be considered by the Board Chair to be recognized news media on a case-by-case basis. Nothing in this definition is intended to remove or limit the Parole Board's discretion to determine and define recognized news media.

IV. PROCEDURES

General Provisions

- A. Recognized news media representatives must give reasonable notice to a hearing officer, hearing panels, or to the full board if requesting to use cameras, wireless microphones, micro/miniature cameras, smart phone cameras, hidden/concealed cameras (including smart watches) or similar recording devices to cover a proceeding. The notice shall be given by contacting the board office by

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telephone or email at least three (3) business days in advance of the meeting date, unless an exception is granted by the Secretary of Corrections (SOC).

- i. Cameras, wireless microphones, micro/miniature cameras, smart phone cameras, hidden/concealed cameras (including smart watches) or similar recording devices are not allowed within a DOC institution, except by special invitation from the Secretary of Corrections (SOC).
 - ii. Only cameras or recording devices that allow for the video, photographs, or recordings to be reviewed before leaving the facility, when requested, are allowed by special invitation. The camera may not be a feature of a phone.
 - iii. Permission to obtain video, photographs, or recording of offenders, staff, or DOC owned or leased property, shall be controlled by the DOC, and may be limited or denied if contrary to the legitimate penological interests of the DOC. Capture of video, photographs, or other recordings that may compromise security within a DOC institution is prohibited.
 - a. Any person and/or the recognized news media outlet who publishes or broadcasts video, photographs or recordings that could compromise security may be prohibited from returning to any institution.
 - iv. If use of a camera or recording device within a DOC institution is approved, use of the camera or other recording device is limited to an approved area in the institution. Cameras and recording devices cannot be removed from bags or turned/powers on until the person authorized arrives at their designated area of the institution.
- B. Recognized news media representative must be set up sufficiently prior to the hearing as not to delay the proceedings.
- C. No direct public expense is to be incurred for the equipment, wiring, or personnel needed to provide the recognized news media coverage.

Limitations

- A. The board imposes the following special limitations:
1. There shall be no audio pickup or broadcast of conferences, which may occur in the hearings between the offender, or subject of the hearing, and his/her attorney.
 2. There shall be no live broadcast from the hearing to include the media representatives talking or asking any questions during the hearing.
 3. No camera shall focus on documents, whether part of the evidence of the hearing or otherwise.
 4. Cameras shall focus only on the offender and not on any victim or the victim's family or on the offender's family or supporters, without their prior written consent.
 5. The recording must be reasonable, obvious, and not disruptive.
 6. Media personnel shall wear appropriate business attire.
 7. All visitors must conform to the rules of the facility where the hearing is being held.
 8. It is not permissible to move around the hearing room with cameras whether still or video during the hearing.
 9. Board members or staff may direct the location and placement of equipment and personnel.
 10. The meeting room shall not be used to conduct interviews before or after the parole board proceedings.
 11. If protocol is not followed, there is a potential that your admittance back to a hearing may be prohibited.

Sound and Light Criteria

- A. The board imposes the following special limitations:
1. Any equipment used shall not produce distraction, sound, or light. Signal lights on devices to show when the equipment is operating shall not be visible. Moving lights, flash attachments, or sudden

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changes of lights shall not be permitted during a hearing.

2. Hearing proceedings shall not be interrupted because of technical or equipment problems. If technical problems do occur, the problem equipment must be turned off. No attempt to repair, fix or exchange of the equipment that would disrupt the hearing proceedings will be allowed until recess or the proceeding has concluded.

V. Authority

SDCL Chapter's 1-26, 24-13, 24-14, 24-15, 24-15A, and 24-16A-1, and South Dakota Administrative Rules, Chapters 17:60 and 17:61.

VI. History

July 2024
 August 2022
 November 2021
 November 2020
 March 2018
 February 2017
 November 2015
 November 2014
 January 2013
 January 2012
 December 2008
 December 2007
 December 2004

VII. Attachments

None.