


<p style="text-align: center;">SOUTH DAKOTA</p>  <p style="text-align: center;">PAROLE BOARD POLICIES AND PROCEDURES</p>		POLICY NUMBER 8.1.A.1	PAGE NUMBER 1 OF 3
		DISTRIBUTION: Public	
RELATED STANDARDS: N/A		SUBJECT: News Media and Cameras At Board Hearings	
		EFFECTIVE DATE: 08/17/2023	
		SUPERSESSSION: 08/11/2022	
DESCRIPTION: Parole Board	REVIEW MONTH: August	<u>Myron Rau</u> , 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 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 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.

Media

For the purpose of this policy, the media is any recognized newsgathering or news-reporting agency and the individual persons involved, to include newspapers, radio, television, radio and television networks, news services, magazines, trade papers, in-house publications, professional journals, or other news-reporting or newsgathering agency whose function it is to inform the public or some segment thereof.

IV Procedures

1. General Provisions

- A. Cameras, microphones or any other form of recording devices are not allowed within a DOC institution, unless previously approved by the Secretary of Corrections, Warden, Public Information Officer or designated individuals.
- B.
 1. Media representatives must give reasonable notice to a hearing officer, hearing panels, or to the full board if requesting to use video, still cameras or recorders to cover a proceeding. The notice shall be given by contacting the board office.
 2. Media representative must be set up sufficiently prior to the hearing as not to delay the proceedings.

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3. No direct public expense is to be incurred for the equipment, wiring, or personnel needed to provide the media coverage.

2. 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. Individuals (family, victims, or representatives thereof) are permitted to record a hearing through audio or video technology. However, the recording must be reasonable, obvious, and not disruptive. This provision does not apply to meetings closed to the public.
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. If protocol is not followed, there is a potential that your admittance back to a hearing may be prohibited.

3. 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 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

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

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Attachments (Publish in Policy Tech unless otherwise noted) (*Indicates document opens externally)

None.