



# Memorandum

California Arts Council

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Date: March 10, 2015 / REVISED May 13, 2015  
To: Arts-in-Corrections (AIC) Contractors (FY 2013-14)  
From: Mary Beth Barber, Special Projects  
CC: Wayne Cook, Arts Specialist; Caitlin Fitzwater, Public Information Officer  
Re: Contacts, suggestions and procedures for AIC publicity and documentation

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Dear Arts-in-Corrections contractors,

Many of you have asked for assistance or advice on how to have reporters produce news stories on the good work that the AIC contractors and providers are doing in the state prisons. Others have asked about the best way to proceed with documentation of the work with filmmakers with the help and permission of the various components of the California Department of Corrections and Rehabilitation (CDCR), from headquarters to the individual institutions. This memo has been drafted to help guide you with these issues.

## Table of Contents

- News Reporters (camera, audio, still camera, writers) ..... 1
- Documentary producers (film, video, books, still camera)..... 2
  - Film Permits ..... 3
  - Still Photography (non-news outlet)..... 4
  - Audio recording (non-news) ..... 4
- Release Forms ..... 4
- Security Permits and Entry Approval ..... 5
- Equipment Lists..... 5
- A word about cell phones and photography, audio recordings ..... 5
- Contact Us!..... 5

## News Reporters (camera, audio, still camera, writers)

When wanting to invite news reporters into see a final performance of an AIC workshop on some of the ongoing work, it is necessary to coordinate with the local institution's public information office (PIO) or designated public information contact, as well as the PIO at CDCR headquarters in charge of the AIC program. The PIO contact at CDCR headquarters is as follows:

Kristina Khokhobashvili, Information Officer I  
[Kristina.Khokhobashvili@cdcr.ca.gov](mailto:Kristina.Khokhobashvili@cdcr.ca.gov)  
(916) 445-4950 (CDCR press office)

When calling or emailing, please inform Kristina that you are an AIC contractor in conjunction with the California Arts Council (to differentiate you and your duties from community organization providing voluntary services). This should be your first step in the process, as all institution press contacts inform and get clearance from Sacramento when they invite the press into the institution.

It makes sense to also loop in the press/public contact at the institution level as well. While the Community Resource Managers (CRMs) can be helpful in this regard, they are not the communication leads for the institution. Each institution has a communication lead, which can be found on the following website: [http://www.cdcr.ca.gov/News/PIO\\_list/Adult\\_Institutions\\_Public\\_Information\\_Officers.pdf](http://www.cdcr.ca.gov/News/PIO_list/Adult_Institutions_Public_Information_Officers.pdf)

This list is updated on a regular basis, and even when updated, the link has not changed over time. You can see how recent the list is based on the date at the bottom of the PDF. If this link appears to be older than nine months, please let me know and I'll check with the office for an updated link.

## **Documentary producers (film, video, books, still camera)**

CDCR has very specific protocols for documentary production in place because of the particular needs of film crews – at least film crews of the past. Technology has advanced to the point that professional documentary film/video crews can be as nimble as a news film crew these days, but many still have set-up and production needs that extend far beyond the needs of a television news crew. For this reason, CDCR has different procedures for non-news documentation.

The lead public information officer in CDCR's office in Sacramento is as follows:

Bill Sessa, Information Officer I  
[Bill.Sessa@cdcr.ca.gov](mailto:Bill.Sessa@cdcr.ca.gov)  
(916) 445-4950 (CDCR press office)

Please contact Mr. Sessa at the information above if you plan to have documentation of the AIC work for a larger project. Like with working media, the CRMs and the institution press contact will be handling logistics locally, but they do so in conjunction with guidance and permission from headquarters.

Still photography and book writing is fairly straightforward logistically and shouldn't require special permits beyond the release forms mentioned previously for the inmate participants and others (such as staff). Film and video is a different matter. CDCR has set guidelines and rules for non-news film/video production. An overview can be found here:

[http://www.cdcr.ca.gov/News/Documentaries\\_and\\_Filming.html](http://www.cdcr.ca.gov/News/Documentaries_and_Filming.html)

Mr. Sessa, as the lead contact for this kind of work, has expressed the need for filmmakers/video producers to be well organized and to coordinate projects well ahead of time. Filmmakers must work with the CDCR communications headquarters in Sacramento in conjunction with the institutions' communication and management leadership. Please loop him in for all requests, and follow all procedures as necessary.

## ***Film Permits***

Depending upon the type of filming, a California Film Commission permit may be necessary, as prison grounds are state property, and there are set procedures for filming on state property, including permits needed. Information on filming on state property can be found here:

<http://www.film.ca.gov/Permits.htm>

Mr. Sessa strongly suggests that filmmakers get preliminary permission to film in the institution from him first. The Film Commission permit only documents the filmmaker's liability insurance and that the State of California is specifically covered under the policy. The Film Commission paperwork is not the final "permission to film" notice. That comes from CDCR. Getting CDCR's assurance in advance that the agency will approve the filming project prevents the Film Commission from the workload of opening a file on a project unnecessarily – and the filmmaker from doing unnecessary work as well.

In addition, CDCR's approval may sometimes be subject to scheduling when public information staff is available for support. The dates and times on our Location Agreement (which comes from Mr. Sessa) and the Film Commission permit must match, so it's best to get at least an informal agreement on times and dates before applying for the Film Commission permit.

These permits can take more than a week, and proof of liability insurance is required. Also, a location agreement may be necessary. Film makers must have both the Location Agreement and the Film Commission permit on hand during the filming.

Mr. Sessa can guide AIC documentarians through the process, but please read the information provided by the California Film Commission and follow all procedures before contacting Sessa at CDCR:

<http://www.film.ca.gov/Permits.htm>

The following information can be helpful if provided to Mr. Sessa during the initial request:

- **Overview of the project.** CDCR has limited staffing resources, and will be more likely to grant film requests to filmmakers who can clearly state the purpose and intent of the filmmaking. An unorganized and generally worded request will not instill confidence in CDCR that a film producer will be able to keep to schedule and not tie up CDCR resources unnecessarily.
- **Background and qualifications of the principals.** As just stated, CDCR has limited staffing resources, and will be more likely to grant film requests to filmmakers with experience. Please include background on the project principals and key crew members.
- **Information on the type of filming.** CDCR employees will need to properly plan the filming for security and staffing reasons, so information on the type of filming is crucial. Is this a single hand held camera with natural light? Multiple cameras? Lights needed? Significant set-up?
- **Purpose of filming.** CDCR received hundreds of requests each year. When granting permission, CDCR needs to make evaluations based on need and priority. Is this something simple for internal documentation only? Something a little more substantial for online informational pieces (YouTube, Vimeo)? Short documentary? Long-form documentary?
- **Names and purpose of all crew members.** As you know, all visitors to a California state prison must be cleared before entrance. Identification information on each crew member may be needed such as social security number and other background information. And it's a good idea

to include the crew member's job duty to justify their purpose and need to be part of the filming, as space requirements are always an issue.

All paperwork completely filled out and cleared. Don't wait until the actual shoot day to get everything in order, or the chances of being turned away significantly increase. Work with Mr. Sessa if you have questions. This includes release form samples that you can provide CDCR before arriving to film.

"We evaluate documentary filming requests individually, case by case, taking into account whether we have the time and staff available to support it and the forum and audience for the final product," notes Mr. Sessa. "We certainly defer to requests from documentary filmmakers associated with in-prison programs, including Arts in Corrections. But providing a detailed proposal ... is always a way to ensure [CDCR] has all the information needed to make a decision."

### ***Still Photography (non-news outlet)***

Photography may not need the same level of preparation as film/video, but non-news still photographers should still provide information to and work with Mr. Sessa in conjunction with those at the institution (likely the PIO or CMR). AIC contractors should NOT assume that still cameras will be allowed in without formalized permission ahead of time.

### ***Audio recording (non-news)***

The procedures for audio recordings that are not considered news stories by a press outlet but instead for documentation purposes is similar to the process for still photography. Work with Mr. Sessa, get permission from the authorities at the institution, and have all required paperwork and clearances set ahead of time.

## **Release Forms**

Release forms from the inmate participants giving permission for their image to be used should be obtained in all cases. Work with the CRMs and the institution PIOs for the CDCR forms regarding media and image releases as you plan for the media visit. Release forms are definitely needed if the recordings and/or documentation may be utilized beyond a typical news outlet. If the documentation may also be used in a further use (for a larger documentary or a book, for example), please also inform the CDCR filming contact as well (see below).

CDCR requires all inmates to sign the CDCR consent form if their comments or likeness is used in filming (news cameras or documentary footage), unless there are wide shots in which faces cannot be distinguished. CDCR has its own form, which is at the end of this memo. The institution's Public Information Officer is responsible for getting them signed. Normally, all inmates in high visibility programs have signed the form long before a film or media request comes in. Filmmakers and others should use their own consent forms to augment CDCR's and keep in their own files, but CDCR will always require their own form to be used regardless.

The California Arts Council does not have general release forms for the AIC program. We you may work with CDCR's staff for their release forms, but many filmmaker may want their own copies immediately available for their records. There are samples of general release forms online that can serve as models. The Arts Council provides these links for informational purposes only, not as official recommendations. This content has not been created by lawyers, so use these at your own risk, and utilize legal services from registered lawyers if you have questions or concerns.

- American Society of Media Photographers: <https://asmp.org/tutorials/forms.html#.VP9142p0yUI>
- DocuMentors "How to Make a Documentary": <http://www.howtomake-a-documentary.com/documentary-tips/37-documentary-tips-1>
- Viva Doc "Downloadable Documentary Release Forms": <http://vivadocumentary.com/downloadable-forms/>

## Security Permits and Entry Approval

Each institution's public information officer must receive approval for all who enter the institution, regardless if they are a member of the media or a documentary filmmaker. Each individual entering the institution must provide ahead of time to the institution's PIO, CRM or other staff 1) formal name; 2) birthdate; and 3) driver's license number. This information is needed for ANYONE entering the institution – reporters, camera crew, assistants, etc. CDCR uses that information for security clearances before a person is placed on the gate list to enter the institution on the day of filming. CDCR does give news media and film makers as much a priority as possible, but it's best to give the institution three or four days to guarantee that the clearances will be done before filming day.

## Equipment Lists

Filmmakers and members of the media should arrive with a detailed equipment list. CDCR staff will compare the list with what the filmmakers take into the institution, and then compare it again when they leave to ensure that nothing is accidentally left behind. Incomplete or non-existent equipment lists can delay security permits and entry approval, as well as potentially delay or prohibit the entering of the institution on the day of reporting or filming.

## A word about cell phones and photography, audio recordings

Cell phones are a big no-no in state prisons. There are laws that explicitly prohibit bringing a cell phone into a state prison institution, and penalties for violation of this law can be harsh. **Do not expect that you can shoot photography, video or record audio on any device that is also a cell phone.** Cameras and recorders must be stand-alone equipment. **No exceptions.**

## Contact Us!

Please, always keep the Arts Council informed when professional reporters or documentarians are part of the AIC process. We can help, and would like to be a part of the process. Especially loop in Caitlin Fitzwater, the Arts Council's PIO, at 916-324-6617 or [Caitlin.fitzwater@arts.ca.gov](mailto:Caitlin.fitzwater@arts.ca.gov). Wayne Cook can be reached at 916-322-6344 or [wayne.cook@arts.ca.gov](mailto:wayne.cook@arts.ca.gov), and I'm at 916-322-6588 or [mary.beth.barber@arts.ca.gov](mailto:mary.beth.barber@arts.ca.gov).

Thanks for all the good work you do!



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