

Administrative Policy No. 2.12

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| Subject: | Photography and Video Imaging by News Media or Commercial Entities at DSHS Facilities |
| Information Contact: | Office of Communications and Government Affairs MS 45100 (360) 902-7829 |
| Authorizing Source: | DSHS Secretary |
| Additional resources: | DES Policy VS 01.03: DES commercial filming guidelines Chapter 200-220 WAC: Use of public areas of the capitol buildings and grounds |
| Effective Date: | June 27, 2016 |
| Revised: | March 27, 2024 |
| Approved By: | <u>Original signed by Pearlette J. Ramos</u> Senior Director, Office of Justice and Civil Rights |

Purpose

To describe the protocol required for verified news media organizations and commercial entities to photograph or otherwise record, using either audio, video, or both in nonpublic spaces of DSHS facilities, so patients, clients, and employee privacy interests are protected. The public areas of DSHS facilities are not subject to this policy.

This policy is designed to protect the privacy interests of not only DSHS patients, residents, clients, and DSHS employees who may have domestic violence protection orders or who are involved or enrolled in address confidentiality programs.

This refers to solicited media/production visits with the purpose of recording images or video to tell a story about a DSHS administration/division/program or other predetermined purpose.

Background

DSHS strives to maintain open communication with all media partners while respecting and protecting the privacy of clients, patients, families, and employees. DSHS welcomes media interviews on a broad range of topics. For more information, please see [Administrative Policy](#)

[2.08, Communications and Media Relations Policy.](#)

Scope

This policy includes all photography, audio, and video recording by commercial entities and by news media in nonpublic spaces at all DSHS facilities (including, but not limited to, community services offices, psychiatric hospitals, treatment centers, residential habilitation centers, competency restoration centers, and the Special Commitment Center).

Definitions

- **Commercial entity** means an individual or organization that seeks to film or photograph at a DSHS facility for entertainment, commercial, or for-profit purposes.
- **News media** means a newspaper, magazine, broadcast or film enterprise, reporter, citizen journalist, blog, or other entity providing news or information to the public.
- **Verified news media organization** means individuals and organizations determined by DSHS to meet the definition of “news media.”

Policy Requirements

DSHS provides a transparent and open media policy. Every effort is made to accommodate media access.

1. Media access

See [Administrative Policy 2.08, Communications and Media Relations Policy](#). Request for media access requires prior approval through the DSHS office of communications and government affairs in the office of the secretary.

- The office of communications and government affairs will work with facilities and assign a media relations manager.
- If access is approved, the media relations manager will coordinate – including notification, agreement, and planning – among the facility superintendent, executive officer, region administrator, or their designee as required.

2. Photography and video

- In general, DSHS does not control noncommercial photography or audio/video recording activity in DSHS public spaces. Photography and audio/video activity in DSHS public spaces must not unreasonably interfere with or disrupt the conduct of state business, however.
- Where access to nonpublic spaces at DSHS facilities is approved, news media photography, and audio/video recording will be limited to specified areas and subject to

the conditions identified by DSHS to protect the privacy of DSHS clients, patients, residents, and employees.

- Photos and audio/video recordings outside of designated interview areas will be limited to protect the privacy of DSHS clients, patients, residents, and employees.
- The media relations manager must review **all** images shot during an interview or facility tour. The media relations manager will ensure that no recognizable images of anyone who has not signed a [photo release form](#) are captured. Recordings depicting residents, clients, and employees not approved for interviews must be deleted before leaving the facility. Please note the images must be completely deleted, not pixelated, blurred, or modified in any other form.

3. Filming for commercial/entertainment purposes

- Requests for permission to film or photograph at a DSHS facility for entertainment or commercial purposes must be made directly to the DSHS office of communications and government affairs. A media relations manager assigned to the administration will work to facilitate the request.
- DSHS reserves the right to refuse permission to film or photograph at any of its facilities for commercial or entertainment purposes for **any** reason.
- At least 10 business days prior to the desired commercial filming date, a representative of the production company requesting to film must walk through the locations with a representative of the office of communications.
- Permission to film does not include a license to use the name or logo of DSHS, or any of its administrations. No mention is to be made of, or recognition given to, DSHS or any of its administrations unless specifically authorized by the office of communications and government affairs.
- Production companies must work with the central contracts and legal services division in the DSHS Facilities, Finance, and Analytics Administration to enter into a location agreement. A location agreement defines:
 - Approved film scope and locations.
 - Producer's grant of rights, limitations, obligations.
 - Condition of location.
 - Road access, parking, and building restrictions.
 - Term of agreement.
 - Financial obligations - expenses associated with the filming or photography will be the responsibility of the requesting agency or production company.
 - Billing and payment process.
 - DSHS obligations.
 - Property management – condition at end of use, damage and destruction, and treatment of property.
 - Required insurance.
 - Indemnity/hold harmless clause.
 - Breach and termination clauses.
 - Nondisclosure agreement.

- When filming at a DSHS facility, the producers must take appropriate precautions to ensure that activity does not interfere with facility operations or with client, patient, employees, or resident care.
- Commercial filming, videography, and photography at areas under the care and custody of the Department of Enterprise Services (DES) must comply with WAC 200-220 and applicable DES guidelines, including Policy No. VS.01.03.

4. Exceptions

- When there are instances for DSHS employees to require a photo exception, the DSHS employee member will need to work with the media relations manager and sign **the [photo release form](#)**.

5. Emergencies

- If an emergency arises at a DSHS facility during a media visit, DSHS employees will escort media personnel out of the facility as soon as possible. At the Special Commitment Center on McNeil Island, DSHS employees will escort media personnel to await the next available boat to the mainland.