




POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: Release of Information		Policy Number: DC-ADM 003
Date of Issue: March 12, 2001	Authority:  Jeffrey A. Beard, Ph.D.	Effective Date: April 9, 2001

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, and 186, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. PURPOSE

This policy establishes the procedures to be used to responding to requests for information from the Department.

III. APPLICABILITY

This policy is applicable to all Department employees, volunteers, contract personnel, visitors, and inmates.¹

IV. DEFINITIONS

A. Department

The Pennsylvania Department of Corrections.

B. Department Information

"Department Information" is information pertaining to the overall administration and operation of the Department. This category includes Department financial, personnel,

¹ [3-4068](#), 1-ABC-1E-06, 3-4099

security, and statistical information, as well as general information about inmate programs. Department information is divided into the following categories:

1. Financial Data - Records pertaining to an expenditure of funds by the Department.
2. Personnel Data - Records pertaining to current or former Department employees. This category is limited to information maintained by the Department's Central Office Bureau of Human Resources.
3. Security Records - Information maintained by the Central Office Security Division to assure the safe operation of the Department and its facilities. Information maintained by a particular facility's Security Office is termed "Facility Security Information."
4. Statistical Records - Data pertaining to one or more identifiable segments of the inmate population. This includes Inmate Programming Data which is information pertaining to programs administered by the Department and intended to facilitate an inmate's return to society. This category is intended to apply to general requests for information about programs that are operated at more than one Department facility rather than information about a particular inmate's participation in a Department program.

C. Facility Manager

The Superintendent of a State Correctional Facility or Regional Correctional Facility, Commander of a Motivational Boot Camp, Director of a Community Corrections Center, Director of the Training Academy.

D. Inmate Information²

"Inmate Information" is information pertaining to a specific inmate or to several specific inmates. Inmate information is divided into the following categories:

1. Census Data - Information consisting of the inmate's name, facility number, date of birth, date of death, gender, facility location, race, and religion.
2. Contact Data - Persons with whom the inmate has indicated he or she wishes to have either verbal or written contact, including telephone and visiting information.
3. Disciplinary Records - Information pertaining to the inmate's conduct while incarcerated.
4. Educational Data - Information pertaining to academic, technical or vocational courses in which the inmate has participated while incarcerated.
5. Financial Data - Records pertaining to the receipt and disbursement of an inmate's funds.

² [1-ABC-1E-07](#), [3-4095](#), [3-ACRS-1E-07](#)

6. Housing Records - Non-disciplinary records reflecting interactions between the inmate and housing unit staff and, except as defined elsewhere, non-disciplinary records reflecting interactions between the inmate and non-housing unit staff.
7. Medical Records - Records pertaining to the inmate's medical condition.
8. Mental Health Records - Records pertaining to mental health treatment provided to the inmate.
9. Psychiatric/Psychological Information not Pertaining to Mental Health Treatment – Records compiled in connection with mental health treatment provided to an inmate who has not been committed under the Mental Health Procedures Act.
10. Prescriptive Programming Data - Information pertaining to an inmate's participation in programs intended to facilitate the inmate's return to society.
11. Property Data - Information pertaining to the receipt, storage, shipment, and return of an inmate's personal property.
12. Sentencing Data - Information pertaining to the duration of the inmate's confinement, including, but not limited to, the crime committed, the sentence imposed and dates of incarceration.
13. Work Records - Information pertaining to the inmate's work assignments while incarcerated.

E. Public Information Officer (PIO)

The person designated by the Facility Manager as the official spokesperson for the facility.

F. Release of Information Coordinator

The Executive Assistant to the Secretary shall act as the Release of Information Coordinator for Central Office. The Corrections Superintendent's Assistant shall act as the Release of Information Coordinator at the facility.

V. POLICY

It is the policy of the Department to establish procedures governing responses to requests for information and to assure that information is released in accordance with applicable law and Department policy.³

³ [2-CO-1E-08](#)

VI. PROCEDURES

A. Requests for Inmate Information

1. An inmate may seek access to Inmate Information maintained at the facility where incarcerated by submitting an **Inmate's Request to Staff Member (DC-135A)** to the appropriate individual noted in **Section VI, A, 2** below. If the inmate is unsure who to send a request to for specific information the request should be sent to the Corrections Superintendent's Assistant who will reply or forward the request to the appropriate individual.
2. The Release of Information Coordinator or appropriate staff member shall respond based upon the type of information being requested as follows:
 - a. Census Data – the facility's Inmate Records Supervisor.
 - b. Contact Data – the facility's Inmate Records Supervisor.
 - c. Disciplinary Records – the facility's Inmate Records Supervisor.
 - d. Educational Data – the Corrections Superintendent's Assistant.
 - e. Financial Data – the facility Business Manager.
 - f. Housing Records – the Corrections Superintendent's Assistant.
 - g. Medical Records – the facility's Medical Records Supervisor.
 - h. Mental Health Records – the facility's Medical Records Supervisor.
 - i. Prescriptive Programming Data – the Corrections Superintendent's Assistant.
 - j. Property Data – the Corrections Superintendent's Assistant.
 - k. Sentencing Data – the facility's Inmate Records Supervisor.
 - l. Work Records – the Corrections Superintendent's Assistant.
3. Persons other than inmates may seek access to Inmate Information by submitting a written request to the facility's Release of Information Coordinator.
4. All requests for Inmate Information must be accompanied by a **DC-108, Authorization for Release of Information (See Attachment)** when required, and signed by the inmate who is the subject of the information.⁴ The executor or administrator of a deceased inmate's estate may sign a release for information pertaining to the deceased inmate. The furnishing of an appropriate release is a

⁴ [2-CO-1E-07](#), [3-ACRS-1E-08](#), [3-4096](#), [1-ABC-1E-08](#)

prerequisite to consideration of the request and does not determine whether the Department will actually release the information.

5. Inmates are prohibited from receiving Inmate Information pertaining to inmates other than themselves.

B. Requests for Department Information

1. All requests for Department Information may be made by submitting a written request to the Central Office Release of Information Coordinator. The Release of Information Coordinator will record the request, and forward it to the appropriate individual listed below for response.
 - a. Financial Data – the Director of the Bureau of Administration.
 - b. Inmate Programming Information – the Director of the Bureau of Inmate Services.
 - c. Medical/Mental Health Services – the Director of the Bureau of Health Care Services.
 - d. Personnel Data – the Director of the Bureau of Human Resources.
 - e. Security Records – the Chief of the Department's Security Division.
 - f. Statistical Records – the Chief of the Planning, Research, and Statistics Division of the Department's Bureau of Management Information Services.
2. Requests for information not included above shall be directed to the appropriate Regional Deputy Secretary.
3. When an inmate's location is not known to the requestor, the requestor may use the Inmate Locator on the Department's website @ www.cor.state.pa.us. Requests for information pertaining to an inmate's crime or sentence may also be submitted to the Department's Chief, Bureau of Inmate Service's, Classification Division.
4. The “**Freedom of Information Act**” is a federal statute that governs access to information maintained by federal agencies. The Pennsylvania Department of Corrections is a Pennsylvania executive agency and not a federal agency. Accordingly, the Department is not subject to the Freedom of Information Act. Individuals requesting information under the Freedom of Information Act shall be sent a standard letter denying the request.
5. The “**Right-to-Know Act**” permits Pennsylvania citizens to inspect and copy certain Department "public records." The term "public record" includes, but is not limited to, accounts, vouchers, or contracts dealing with the disbursement of funds, or the acquisition, use or disposal of services or supplies.

C. Print and Electronic Media Inquiries

Members of the print and electronic media seeking information pertaining to a specific inmate are asked to contact the Release of Information Coordinator of the facility where the inmate is incarcerated, if known. An inmate's location may be determined by using the Inmate Locator on the Department's website @ www.cor.state.pa.us. All other requests for information by members of the print and electronic media are to be made to the Department's Press Office.

D. Staff Responsibilities

1. All staff responding to requests for information shall inform the Release of Information Coordinator at the facility of the request.
2. The Release of Information Coordinator is responsible for logging and tracking all requests for information.
3. Specific staff responsibilities for the dissemination of information are contained in the confidential procedures manual that accompanies this policy.

VII. SUSPENSION DURING AN EMERGENCY

In an emergency or extended disruption of normal facility operation, the Secretary, or designee may suspend any provision or section of this policy, for a specific period.

VIII. RIGHTS UNDER THIS POLICY

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department of Corrections.

IX. RELEASE OF INFORMATION AND DISSEMINATION OF POLICY

A. Release of Information

1. Policy

This policy document is public information and may be released to members of the public, staff, legislative, judicial, law enforcement and correctional agencies and/or inmates upon request.

2. Procedures Manual (if applicable)

The procedures manual for this policy is not public information and shall not be released in its entirety or in part, without the prior approval of the Secretary of Corrections or designee. This manual or parts thereof, may be released to any Department of Corrections employee on an as needed basis.

B. Distribution of Policy

1. General Distribution

The Department of Corrections' policy and procedures manuals (when applicable) shall be distributed to the members of the Central Office Executive Staff, all Facility Managers, and Community Corrections Regional Directors on a routine basis. Distribution to other individuals and/or agencies is subject to the approval of the Secretary of Corrections or designee.

2. Distribution to Staff

It is the responsibility of those individuals receiving policies and procedures, as indicated in the "General Distribution" section above, to ensure that each employee expected or required to perform the necessary procedures/duties is issued a copy of the policy and procedures.

X. SUPERSEDED POLICY AND CROSS REFERENCE

A. Superseded Policy

1. Department Policy

DC-ADM 003, Release of Information issued May 1, 1984, by former Secretary Glen R. Jeffes.

03.04.04, Photocopying Charges issued January 9, 1990 by former Secretary David S. Owens, Jr.

2. Facility Policy and Procedures

This document supersedes all facility policy and procedures on this subject.

B. Cross Reference(s)

1. Administrative Manuals

a. [16.3.1, NCIC/CLEAN System](#)

2. ACA Standards

a. Administration of Correctional Agencies: [2-CO-1E-07](#), [2-CO-1E-08](#)

b. Adult Correctional Institutions: [3-4068](#), [3-4095](#), [3-4096](#), [3-4099](#)

c. Adult Community Residential Services: [3-ACRS-1E-07](#), [3-ACRS-1E-08](#)

d. Adult Correctional Boot Camp Programs: [1-ABC-1E-06](#), [1-ABC-1E-07](#), [1-ABC-1E-08](#)

e. Correctional Training Academies: None

3. Other

a. Management Directive 505.18, Maintenance, Access, and Release of Employee Information

b. Peer Review Protection Act, 63 P.S. §425.1

c. Vital Statistics Law of 1953, 35 P.S. §450.101, et seq.

d. Disease Protection and Control Law of 1955, 35 P.S. §521.1

e. Mental Health Procedures Act, 42 Pa.C.S.A. §5944

DC-108

PENNSYLVANIA DEPARTMENT OF CORRECTIONS
AUTHORIZATION FOR RELEASE OF INFORMATION
(THE EMPLOYEE/INMATE SHALL CHECK AND INITIAL ALL BOXES THAT APPLY)

Table with 7 columns: Medical/Dental Records, Mental Health Records, Drug & Alcohol Treatment Records, HIV Information, Records (General), and two empty columns.

I, the undersigned, hereby give my consent for:
(name and address of facility)

To release information to:
(name and address of requester)

Three horizontal lines for providing the name and address of the facility.

Three horizontal lines for providing the name and address of the requester.

I hereby authorize the above named source to release or disclose information related to the above referenced records/information to the requester during the period beginning _____ and ending _____. The information being requested is: _____

_____ Authorization for disclosure is being given for the purpose of:

Disclosure of medical/dental information may contain all aspects of my treatment and hospitalization, including psychological and psychiatric information, drug and/or alcohol information, as well as information regarding Acquired Immunodeficiency Syndrome (AIDS) and tests or treatment for Human Immunodeficiency Virus (HIV).

Disclosure for mental health records pertains to treatment, hospitalization, and/or outpatient care provided to me for the period listed above. I understand that my record may contain information regarding all aspects of my treatment and hospitalization, including psychological and psychiatric information, drug and/or alcohol information as well as information regarding Acquired Immunodeficiency Syndrome (AIDS) and tests or treatment for Human Immunodeficiency Virus (HIV). Authorizations for release of mental health records expire in 30 days.

Disclosure of HIV related information is information about whether the patient has had a test for HIV, an HIV related illness or AIDS. HIV (Human Immunodeficiency Virus) is the virus that may cause or indicate AIDS or HIV infection.

Disclosure of general information is information contained in an inmate's DC-15. Generally, any communications from the inmate to the Department of Corrections and responses thereto, misconducts, and grievances.

In authorizing this disclosure, I explicitly waive any and all rights I may have to the confidential maintenance of these records, including any such rights that exist under local, state, and federal statutory and/or constitutional law, rule or order, including those contained in the Pennsylvania Mental Health Procedures Act, 1976, the Pennsylvania Drug and Alcohol Abuse Control Act, 1972, and the Confidentiality of HIV-Related Information Act, No. 148.

I understand that I have no obligation to permit disclosure of any information from my record and that I may revoke this authorization, except to the extent that action has already been taken, at any time by notifying the Medical Records Technician, Health Care Administrator, or Facility Manager. In any event, this authorization will expire 90 days after the date signed, with the exception of Mental Health records which have a 30 day expiration date, unless revoked prior to that time.

I understand that these records are the property of the Department of Corrections and that my authorization for their release does not require the Department of Corrections to release these records. It is understood by the above requesting facility that if the requested information's confidentiality is protected by Federal Regulations that bar secondary dissemination or re-disclosure, the providing facility will provide a statement to that effect.

Furthermore, I will indemnify and hold harmless the Pennsylvania Department of Corrections, and its employees and agents, for any losses, costs, damages, or expenses incurred because of releasing information in accordance with this authorization.

Employee/Inmate Signature Employee ID/ Inmate DC Number Date Signature of Witness

1 2-CO-1E-07