

STATE PUBLIC INTEGRITY COMMISSION

MEDIA ENGAGEMENT POLICY



1. Purpose:

Establishes the policy and procedures governing the official public communications of the State Public Integrity Commission (“PIC”). It identifies the laws, regulations, and standards governing public communications by employees and Commissioners of the PIC regarding the PIC’s operations and/or activities. The policy establishes standards for public communications tailored to enhance the understanding and support of the PIC’s mission, while also providing confidential advice regarding the application of the Code of Conduct. Additionally, the policy sets forth procedures that reinforce the political impartiality and policy neutrality of the PIC.

2. Scope:

(A) This media policy applies to the PIC’s Commissioners and employees.

(B) This policy encompasses the release of information to the media through verbal, written, print, audio or other electronic means. This policy also governs the release of information that may generate media coverage, public interest or inquiry, as well as routine information. Examples include, but are not limited to:

- News media requests for official interviews on PIC-related issues and actions, whether from print, broadcast, Web-based, or social media.
- News releases, advisories, and ethics bulletins.
- PIC advisory opinions and waivers pursuant to 29 *Del. C.* § 5807(a), (b), (c) and (d).
- Statements about official PIC business for public release.
- Requests for comment on legislation pending before the General Assembly.
- Letters to the editor, opinion pieces, and other editorial products expressing the PIC’s viewpoint on ethics-related issues and actions.

3. Objectives

The objectives of this Media Policy are to:

- Ensure the PIC’s employees and Commissioners clearly understand the need to release information to the public and stakeholders that is clear, accurate, and up to date.

- Provide procedures to ensure the cohesiveness of media contacts and the issuing of official statements results in the accuracy of those materials; and
- Maintain the integrity of the PIC by ensuring that political neutrality and impartiality are the cornerstone of communications issuing from the PIC.

4. Definitions

(A) Public Communication. Public communication is the release of information to the public through press (news) releases, media advisories, media events, feature stories, media interviews, speeches, statements about official business for public release, letters to the editor, opinion pieces, live or recorded interviews, podcasts, social media, internet postings, and by other means.

(B) Media. Media means traditional news media (print, radio and television), online (websites), digital media (blogs), social media (Facebook, LinkedIn, YouTube, Twitter and other sites where content is generated by users). These examples are not all-inclusive, and other entities may be considered 'media' as methods of delivery evolve with advances in communication technology.

(C) Official Announcements, Decisions or Communications. An official announcement, decision or communication involves at least one of the following:

- Controversial issues, actions, or opinions.
- High-profile topics.
- Significant policy implications for the PIC, state/local agencies or stakeholders.
- Outreach opportunities for the PIC.
- Likely to generate news media coverage or stakeholder interest.

(D) Employee. For the purposes of this policy, 'employee' refers to anyone officially conducting activities on behalf of the PIC, including Commission Counsel and/or administrative staff.

5. Policy

As an integral part of its mission, the PIC has a responsibility to educate the public about its various activities. It is incumbent on the PIC to use the media, web-based, and social media products and other communications channels to report, explain to, and interpret for the public the PIC's activities. The PIC supports keeping its stakeholders and the general public informed, and welcomes public interest in its activities through media coverage and other forms of communications.

- Commissioners and employees must not release confidential or otherwise protected information unless specifically granted permission to do so by:
 - an applicant before the Commission;
 - the Chairperson
 - court order or subpoena.

- Commissioners and employees may speak directly with the media and share information, subject to the following conditions:
 - Commissioners and employees may provide reporters with routine information (e.g., dates of meetings, citations, links to published documents or PDF file copies) without first contacting the Chairperson. In these cases, the Commissioner or employee must inform the Chairperson afterwards that they have spoken to the media and provide the relevant details of the communication.
 - Commissioners and employees who wish to contact news media organizations to pitch stories or generate news media interest in a particular topic should contact the Chairperson prior to doing so to assure consistency of messaging and compliance with confidentiality standards.
- This policy does not authorize or require disclosure of information that is exempt from disclosure under FOIA or otherwise restricted by statute, regulation, Executive Order, or other Executive Branch directives. Information released to the media must be publicly available (i.e., subject to FOIA) and have received the Chairperson's approval.

6. Neutrality and Impartiality

The PIC's ability to provide objective advice is rooted in its political and policy neutrality and the unbiased and impartial nature of its mission. All communications with the media must remain neutral and not advocate, persuade, advise, recommend, sanction, or prescribe actions. They must be free from political bias and partisanship and the appearance of such. Similarly, the selection of which materials are to be communicated to the media must remain free from political bias and partisanship and the appearance of such. Finally, as required by the State Code of Conduct, employees must take appropriate steps to avoid an appearance of impropriety in the performance of official duties. 29 *Del. C.* § 5806(a).

7. Employee Responsibilities.

- (A) Keeping the Chairperson and Commissioners informed of all significant events that have the potential to generate public interest or media attention.
- (B) Disseminating accurate information about the PIC's work and confining statements made in their official capacity to factual material related to the PIC's subject matter jurisdiction.
- (C) Referring through appropriate channels any news releases, letters to the editor, opinion pieces, and requests to speak to media in their official capacity.
- (D) Maintain political and policy neutrality while engaged in PIC business.

8. Opinion Pieces and Letters to the Editor Written in an Official Capacity.

(A) All opinion pieces, editorials, or letters to the editor published in news media outlets must be approved by a quorum of the Commission, with the advice of Commission Counsel, prior to submission.

(B) Local News Releases. Local news is defined by topics of public interest to the immediate local community, not beyond. Local news releases include information dealing with issues specific to Delaware with no national or regional implications. Local news releases must be approved by a quorum of the Commission, with the advice of Commission Counsel, prior to submission.

9. Talking to the News Media.

Media interactions are directed by the following:

(A) Commissioners and employees will not be prohibited from speaking to the news media unless it would result in disclosure of information that is identified as confidential in the State Code of Conduct.

(B) Employees have the right *not* to talk to the media and should not be forced to conduct interviews.

(C) In order to maximize the benefit of communications and ensure coordination and consistency of messaging, before speaking to the news media in an official capacity, Commissioners and employees should first notify the Chairperson. (Appendix A contains the contact information for each Commissioner and Commission Counsel). If notifying the Chairperson in advance risks losing a media opportunity, the Commissioner or employee may speak to the reporter if the requested information is not confidential.

(D) A Commissioner or employee receives a request from the news media for routine background information that can be printed without citing the source. In this situation, the Commissioner or employee does not need to notify the Chairperson. However, the Commissioner or employee must be clear with the reporter that they are speaking “on background” only and then notify the Chairperson of the interaction at the earliest possible time.

(E) In any interaction Commissioners and employees have with the media, they should obtain the reporter’s name, the name of their outlet, and contact information to allow for potential follow-up if necessary.

(F) Commissioners and employees may not speak to the media on matters involving personnel issues or the PIC’s policies or positions.

(G) If a Commissioner or employee decides to proceed with an interview, they should consider recording the conversation. This ensures a record of the interaction with which to resolve any potential disagreement with the reporter on the content of quotes. Although not required by Delaware law, the Commissioner or employee should inform the reporter that they will be recording the conversation. The

recordings will be maintained by PIC personnel in accordance with standard records management policies.

(H) Commissioners and employees should immediately refer all media requests to the Chairperson with the following information:

1. News media outlet name and location.
2. Reporter's name and contact information.
3. Brief description of the topic; and
4. Background on the sensitivity of the topic and whether it is high-profile or controversial.

(I) Commissioners and employees speaking on behalf of the PIC are responsible for the content of their statements and adherence to this policy.

10. Coordinating Communications with the Department of State (home agency)

Some communication efforts (and the timing and method of their dissemination) may be shared via a courtesy notification to the Public Affairs Officer at the Department of State. These include, but are not limited to:

(A) Communications concerning announcements and decisions regarding high-profile or controversial topics or those with broad policy implications, likely to generate news media interest.

(B) Administration priorities or announcements that may offer significant positive outreach opportunities.

It is the responsibility of Commission Counsel to contact the Department of State's Public Affairs Officer.

11. Paid Advertising

It is the general policy of the PIC not to use paid advertising. In the event the PIC believes paid advertising is necessary because of the significant benefits it affords in enhancing public support for the PIC's mission, the following apply:

(A) Authorization for paid advertising requires an affirmative vote by a quorum of the Commission's members.

(B) The prohibition of paid advertising does not apply to sponsorship of conferences in which an agency advertisement may be featured in conference materials.