



# Garner Police Department

## Written Directive

**Chapter:** 800 - Operations

**Directive:** 850.05 – Media Relations and Public Information

**Authorized by:** Chief Brandon Zuidema

**Effective Date:** January 1, 2015

**CALEA Standards:** 54.1.1, 54.1.2, 54.1.3 and 55.1.3 (5<sup>th</sup> Edition)

**Last Revision:** June 1, 2011

### 850.5.1 - Purpose

To establish procedures outlining the timely release of information to the public, media, and other organizations without compromising Department operations and the safety of all personnel or violating local, state, or federal laws.

### 850.5.2 - Policy

The Garner Police Department will release information in a timely and impartial manner to the public and all accredited media representatives as authorized by law.

### 850.5.3 – Information Sources & Categories

#### A. Sources

1. Agency Documents – Written materials that capture routine agency functions, outline procedures, or indicate internal communications. This includes officer reports, policy manuals, e-mail correspondence, and other memoranda.
2. Agency Statements – Short written summaries, on-camera interviews, or any other communicative efforts designed to explain department operations, actions, or activities. Agency statements are typically generated on an as-needed basis and designed for immediate release to the media and the public at large.

#### B. Categories

1. Confidential – Documents, materials, and other information that cannot be released because of state, federal, and/or personnel laws. This includes specific victim, juvenile, and personnel information. Only the Chief of Police can authorize the release of confidential information.
2. General – Documents, materials, and other information that must be released according to state and/or federal laws. This includes officer report information, internal memoranda, email correspondence, directives, and other internal documents that are not considered confidential.
3. Sensitive – Documents, materials, and other information that may jeopardize on-going agency operations and/or the safety of personnel if released. This includes, but is not limited to, on-going investigations and officer identities. Only the Chief of Police can authorize the release of sensitive information.

NOTE: Refer also to NCGS Chapter 132, "Public Records"

**850.5.4 – Public Information Officer (54.1.1; 54.1.2; 54.1.3; 55.1.3)**

- A. The Garner Police Department employs and trains a Public Information Officer (PIO). The PIO will coordinate and support the agency and its personnel in matters involving the media.
- B. To accomplish this, the PIO will have responsibilities that include, but are not limited to, the following:
  - 1. Being available during normal business hours and being on-call for emergencies and critical incidents at all other times;
  - 2. Assisting media personnel in covering news stories at the scenes of incidents;
  - 3. Preparing and distributing agency media releases;
  - 4. Arranging for, and assisting at, media conferences;
  - 5. Coordinating and authorizing the release of information about victims, witnesses, and suspects;
  - 6. Coordinating and authorizing the release of information concerning confidential agency investigations and operations;
  - 7. Developing procedures for releasing information when other public service agencies are involved in a mutual effort; and
  - 8. Communicating the Department's efforts to inform the public and media about available victim/witness services.
- C. The PIO will involve the media in the development of changes in policies and procedures relating to the public information function.

**850.5.5 – Authorization for the Release of Information**

- A. It is the ultimate responsibility of the Chief of Police to release information to the public. That responsibility may be delegated to the following personnel:
  - 1. Public Information Officer (PIO) or PIO Designee – The PIO is the primary contact for the media. The PIO is responsible for ensuring that the media speak with the appropriate employee(s) based on the nature of the media inquiry. The PIO is also responsible for ensuring that all media outlets be given equal access to information related to criminal incidents and other matters of public interest.
  - 2. Supervisors – Supervisors with responsibility for a specific case or incident may be the secondary contact for the media in the absence of or at the request of the PIO.
  - 3. Other Employees – The Chief of Police, PIO, or supervisors may direct other employees to respond to media inquiries.
- B. The Chief of Police and the PIO will also coordinate with the Town PIO when appropriate.

**850.5.6 – Procedures for the Release of Information**

- A. Media Inquiries - The Department will respond to all media inquiries in a timely and professional manner. During normal business hours, media inquiries shall be directed to the PIO.
1. After-hours media inquiries on in-progress incidents or inquiries requiring a timely response will be addressed by an on-duty supervisor or other employee. If there is uncertainty on how to respond or if other assistance is required, the PIO should be contacted for assistance.
  2. After-hours media inquiries on other issues will be directed to the PIO.
- B. Interviews - The PIO is responsible for assisting the media by conducting interviews or coordinating interviews with other Department personnel.
1. Employees contacted directly by the media shall notify the PIO of any interview requests. Employees contacted on any incident or other issue not in-progress will contact the PIO prior to speaking with the media.
  2. All conversations with members of the media will be considered "on the record" and subject to being quoted. Employees will not speak "off the record" with representatives of the media.
- C. Information Releases - Information releases shall be written and disseminated to the media and within the agency on major incidents and events of community interest or concern. The PIO or a Department supervisor will approve all news releases prior to release.
- D. News Conferences - News conferences will typically be held only in connection with major events of concern to the community. The Chief of Police will be informed of all news conferences. The PIO will facilitate the news conference, which may include the Chief of Police or designee.
- E. Public Records - The Department and all employees will abide by all local, state, and federal laws governing the release of public records.
- F. Access to Suspects – Suspects or accused persons in custody shall not be posed or made available for media interviews by any member of the Department. Personnel will not deliberately organize, coordinate, or enter into any agreement that provides specific opportunities for persons, media or otherwise, to photograph, file, or telecast images of suspects or persons in custody.

NOTE: The media will not be prevented from any lawful right to photograph or film such persons from public locales.

- G. Joint Investigations/Other Agency Involvement – In a multi-jurisdictional investigation, the lead investigative agency is responsible for providing or coordinating the release of public information. The PIO or designee for the lead agency will share that information with all involved agencies in advance of public dissemination.

**850.5.7 – Information Release Guidelines**

- A. The release of information is subject to restrictions placed by applicable local, state, and federal laws. Any information that would hamper the successful conclusion of an investigation or jeopardize the safety of affected persons will not be released.
- B. The following information will be made available to the public or media when it: (1) is permissible under the law, (2) does not jeopardize Department operations, and (3) does not compromise the safety of Department personnel:

1. Arrestee names (if sixteen (16) years of age or older), age, gender, & address;
  2. Charge(s) (if any), complaint, or similar information;
  3. The identity of the investigating Department, arresting officer(s), and length of investigation;
  4. Times and locations/addresses of events recorded on official documents;
  5. Victim name(s), address, and gender (if applicable);
  6. Traffic crash reports when the investigation is complete;
  7. Department and personnel accomplishments;
  8. Department programs and activities of public interest; and
  9. Crime prevention information which seeks public assistance in preventing or solving criminal acts.
- C. The following information will not be released to the public or media:
1. Any statement or opinion related to the character, reputation, or action(s) of any person, agency or organization;
  2. Admissions, confessions, or statement contents of accused persons;
  3. Test results or the refusal of the accused to take any test, participate in a lineup, etc. - except in matters of public record;
  4. Any statement concerning the credibility or anticipated testimony of any potential witnesses;
  5. The potential or anticipated guilty plea by an arrestee to lesser offenses or other case disposition matters;
  6. Any statement, personal opinion, or belief regarding admissibility of evidence for any trial;
  7. Name, address, or any information that could identify juveniles, sexual offense victims, child abuse victims, or other persons where the privacy of an individual is protected by law;
  8. Name and address of any subject sought for a crime that has not been formally charged; this does not prevent the release of identifying information when help from the public would aid in solving or resolving an investigation.
  9. Name and address of juveniles arrested, as provided by law;
  10. Any police narrative that is not already a public record;
  11. The contents of any note or message left by a suicide victim;
  12. Names of any informant and/or information provided by same;
  13. Identity of critically injured or deceased persons (until next of kin has been notified);
  14. Name, address, telephone numbers, and family information of law enforcement personnel unless approved by the Chief of Police;
  15. Names of undercover personnel; and

16. Any information pertaining to Department personnel issues unless specifically authorized by NCGS.

#### **850.5.8 – Dissemination Methodologies**

- A. The PIO will be the primary creator, distributor, and coordinator of all Department information releases.
1. The PIO may distribute information using community newsletters, e-mail, fax, government- access cable channels, Internet, phone, public appearances by agency personnel, social media, websites, or any other available method to ensure timely distribution of materials. The PIO will contact all local media outlets as needed to ensure correct contact information is on file.
  2. It is both impractical and unnecessary to release a Department statement for every event, program, or task conducted by law enforcement organizations. However, the Department recognizes the importance of sharing certain information the moment it becomes accurate and available.
- B. The PIO will be notified by Department personnel as soon as practical during specific events so he/she can: (1) collect information for possible distribution, (2) assist personnel or media as needed, and (3) determine the need for immediate release to the media and the public. The following list includes crimes or incidents likely to require a public release:
1. Crimes involving weapons or those which result in serious personal injury or death;
  2. Traffic events which significantly reduce normal traffic flow and/or result in serious injury, significant property damage, or death;
  3. Assaults on officers resulting in charges;
  4. Hate/Bias crimes that clearly target specific populations;
  5. Arrests made after significant investigation and/or officer effort;
  6. Any event where the Department needs assistance in preventing or solving crimes, locating persons, or announcing programs of public interest;
  7. Any event that promotes a positive Department image, exceptional commitment to duty, or significant Department/employee accomplishment; and
  8. Any event that enhances public trust, respect, and understanding of law enforcement operations in general.

#### **850.5.9 – Media Access to Investigative, Disaster, and Crime Scenes (54.1.3)**

- A. Members of the media will be required to produce a valid picture ID before access to any scene or controlled area is granted. Free-lance or other unaffiliated media persons will not be given the same level of access.
- B. The following guidelines apply to media access:
1. General Access - Department personnel may provide media representatives and their equipment with closer access than the general public to cover investigative scenes. Closer access may be denied if doing so would reasonably interfere with the investigation itself, traffic flow, or the safety of personnel.
  2. Direct Access - Direct access by media personnel may be permitted on certain investigative scenes, but only after all known evidence has been processed and the on-site investigation has concluded.

NOTE: Department personnel do not have the authority to invite members of the public and/or media onto private property. Department personnel will not assist the media in any way in securing permission from owners to enter private property. [Refer to *Wilson vs. Layne*; 119 S.Ct 1692 (1999)].

3. Public Property - Media representatives are permitted to photograph/film investigative scenes from public property so long as it does not interfere with the investigation itself and/or the safety of personnel.
  - a. No member of this Department shall prohibit the media from news gathering practices, including photography and interviews, outside the established perimeter.
  - b. Officers may take certain protective measures (i.e., covering deceased persons, etc.) to facilitate privacy.
4. Critical Incident Scenes:
  - a. At critical incident scenes, the PIO or incident commander will establish a media briefing area as close to the scene as safety and operational requirements allow.
  - b. At critical incident scenes, members of the Department will work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public.
5. Incidents involving Other Public Safety Agencies:
  - a. Fire, Chemical, Disaster, & Other Hazardous Scenes – Fire departments or other responsible agencies may be responsible for establishing scene perimeters and media access. The Department will assist other agencies as directed.
  - b. Jurisdiction Issues – The Garner Police Department will not authorize or offer anyone access to scenes that involve another agency's purview or jurisdiction. The Department will assist other agencies as directed.