

La Plata Police Department – General Order

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|  | Title: Media Relations | | Order #: 621 |  |
| | Effective Date: April 1, 2015 | Review Date: | | |
| | Original Issue: <input checked="" type="checkbox"/> New | <input type="checkbox"/> Amends | <input type="checkbox"/> Rescinds | |
| Approved by: Chief Carl Schinner | | | CALEA 5 th Edition | |
| CALEA Standard: 54.1.1, 54.1.2 | | | Pages: 10 | |

01 PURPOSE: To establish policy and guidelines for the release of information to the media.

02 POLICY: The La Plata Police Department recognizes that citizens must be informed about public safety issues and the activities of the police. The Department wishes to develop and maintain a flow of information to the news media with minimum disruption of police activity. A cooperative, open relationship with the media is mutually beneficial to the media and the police. The Department will actively seek to establish a climate in which the media may obtain information in a manner which does not hamper police operations. The Department will make information on its policies, programs and daily activities available to the media on a regular basis. The Department as an agency of government is open to any reasonable and timely examination by the media that does not disrupt its normal activities, jeopardize its investigations, or otherwise reveal information protected by law. The only other restraints normally placed on the release of information by the Department to the media will be related to the safety of persons involved in a police incident, information that might jeopardize an investigation, the right of defendants to a fair trial, protection of citizens against unwarranted invasions of privacy. The Department will not purposely supply misinformation or “disinformation” to the media. Information will be disseminated in such a manner as to ensure that first release information is equally available to all reporters.

03 INFORMATION WHICH MAY BE RELEASED:

- A.** Most teletype messages, accident reports, incident reports, and arrest reports will be made available to the media upon request. Certain exclusions prohibiting the release of specific types of information are listed in Section 04 of this Order.
- B.** Investigation information which may be released includes the following:
 1. The type or nature of any incident;
 2. The location, date and time, any injuries sustained, any property damage sustained, and a description of how any incident occurred;
 3. The amount and type of property taken, including its value, if known, rounded to the nearest hundred dollars. The case investigator will so notify the Office of the Chief of Police if these facts are not to be released;
 4. The address (hundred block) of adult victims;
 5. The name of a homicide victim after the next-of-kin has been notified;
 6. The number of officers or other persons involved in an incident and the length of an investigation;
 7. The name of the officer investigating the incident, his/her supervisor and their work unit; and,

8. Request for aid in locating evidence, a suspect or a complainant.
- C.** Arrest information which may be released includes the following:
1. The name, age, description, residence, employment, marital status and similar background information of adult arrestees or of juveniles charged as adults;
 2. The substance or text of the charge as contained in a warrant, indictment or other charging document;
 3. The circumstances immediately surrounding an arrest including time and place, pursuit, resistance, any injuries sustained, possession or use of weapons by the arrestee or the police, and description of any property or other items seized; and,
 4. Amount of bond and/or place of detention if known.
- D.** The Department will acknowledge that a juvenile arrest has been made including the sex, age, general area of residence of the arrestee and the substance of the charge (Arrested for...).
- 04 INFORMATION WHICH MAY NOT BE RELEASED:**
- A.** The name of an arresting officer;
- B.** The names of undercover officers;
- C.** The names of suspects involved in domestic violence (victim protection);
- D.** The home address or telephone numbers of Departmental personnel;
- E.** Investigative information which may not be released includes the following:
1. The identity of the victim of child abuse or of any sex crime, or related information which, if divulged, might lead to the victim's identification;
 2. The identity of any juvenile who is a suspect or defendant in an incident over which the juvenile court has jurisdiction;
 3. The contents of any suicide note;
 4. Results of investigative procedures (line-ups, polygraphs, fingerprinting, etc.). The fact that such procedures have been or will be performed may be acknowledged;
 5. The identity of a victim or witness if such disclosure would significantly prejudice an investigation;
 6. Information regarding the specific identity or location of a suspect unless an arrest warrant exists; and,
 7. The amount of money stolen in a robbery.
- F.** The name of any persons seriously injured or killed in an incident investigated by the Department will be withheld until positive identification is made and next of kin notified. No information relating to a specific cause of death will be released until a determination has been made by the Office of the Chief Medical Examiner.
- G.** Confidential intelligence information will not be disclosed without the express permission of a supervisor having authority over the incident or investigation in question.
- H.** The pretrial disclosure of the following information may jeopardize a defendant's right to a fair trial and will not be released:

- a. Observations about an arrestee's character;
 - b. Statements, admissions, confessions, or alibis attributable to an arrestee;
 - c. The refusal or failure of an arrestee to make a statement or to participate or allow investigative procedures such as polygraph examinations, etc.
 - d. Statements concerning the credibility, character, or testimony of a victim or prospective witnesses;
 - e. Any opinion as to an arrestee's guilt, or the possibility of a plea of guilty to the offense charged;
 - f. Statements concerning evidence or arguments in the case, whether or not it is anticipated that such evidence or argument will be used at trial;
 - g. Mug shot or other photographs of arrestees will not be released until after conviction, unless a valid law enforcement function is served; and,
- I.** The medical condition or medical facility to which a victim/suspect has been transported.
- 05 INTERNAL AFFAIRS MATTERS:**
- A.** Internal investigations are personnel matters. The Department and its personnel are prohibited by law from releasing information to the media about such matters unless the involved employee waives the privilege of confidentiality.
 - B.** An employee may request waiver of the confidentiality of his/her case by forwarding a memorandum to the Chief of Police via chain of command.
 - C.** An employee who releases information about his/her case to the media will be deemed by the Department to have waived confidentiality.
- D.** An employee who elects an open trial board or other open hearing, or who appeals a decision to the Circuit Court, will be deemed by the Department to have waived confidentiality.
- E.** The Department may comment to the media in those cases where confidentiality has been waived. In such cases, comments will only be made after receiving explicit consent of the Chief of Police.
- 06 MEDIA ACCESS TO POLICE SCENES AND POLICE HEADQUARTERS: (CALEA 54.1.1.a)**
- A.** Departmental personnel will recognize valid identification from all local, national and international news organizations in accordance to appropriate privileges to individuals holding such identification.
 - B.** Employees will extend every possible courtesy to accredited media personnel at a police incident scene.
 - 1. Media personnel will not be restricted from a scene beyond what is necessary for crime scene preservation.
 - 2. Media personnel will be permitted closer access (generally providing an opportunity to view the scene) than that which is granted the general public. However, the media will not be given access to an area where their presence would interfere with law enforcement operations.
 - 3. Access arrangements will:
 - a. Be restricted until the officer in charge determines the area is safe; and,
 - b. Allow press vehicles and equipment to be located closer than the general public so long

as those arrangements do not interfere with the police mission at hand.

- C. Media personnel will be allowed to photograph, film and videotape officers, suspects, witnesses or victims under any circumstances where a member of the public would be permitted to view the same.
- D. Officers will neither encourage nor prevent the photographing of defendants in public places. However, in no case will posing for photographs of defendants be allowed.
- E. Persons in custody will not be permitted to be interviewed nor will officers be interviewed while an arrestee or prisoner is present.
- F. Officers will not instruct or warn victims or witnesses not to talk to media personnel, although officers may caution victims or witnesses about disclosing specific evidentiary information.
- G. Media personnel will be afforded cooperation when visiting police headquarters.

07 ROLE AND FUNCTION OF THE PUBLIC INFORMATION FUNCTION:

- A. The Chief of Police may designate an appropriate number of officers to fulfill the Public Information function.
- B. The Office of the Chief of Police will be responsible for the twenty-four (24) hour PIO function. (CALEA 54.1.1.b)
- C. The PIO function is responsible for: (CALEA 54.1.1.c)
 - 1. Preparing and distributing media releases;
 - 2. Preparing or promoting image building features about the Department;

- 3. Assisting media personnel covering routine stories or at police incident scenes;
- 4. Being available for on-call responses to newsworthy incidents;
- 5. Arrange for, and assisting at, news conferences; (CALEA 54.1.1.d)
- 6. Coordinating and authorizing the release of information about victims, witnesses and suspects; and, (CALEA 54.1.1.e)
- 7. Coordinating and authorizing the release of information concerning confidential agency investigations and operations; (CALEA 54.1.1.e)
- 8. Preparing a weekly crime report and releasing it to the proper news medias. (CALEA 54.1.1.c)

- D. Supervisors will keep the Chief of Police informed of developments in major cases. The Chief of Police will be informed of anticipated major events such as raids and/or multiple arrests.
- E. Employees will only discuss incidents with media personnel, prepare media releases, or otherwise provide information to media personnel, in compliance with this Order, and will make the Office of the Chief of Police aware of all such contacts or informational releases.
- F. Employees are prohibited from making statements or releasing further information to the media when a media release specifically states the Department will not release any further information or when other limitations have been imposed by the PIO, Special Operations Commander or Chief of Police.
- G. The on-duty Shift Supervisor shall notify the Office of the Chief of Police when any of the following occurs:
 - 1. Any felony resulting in death or serious injury;

2. Any shooting or significant use-of-force incidents involving an officer of the Department;
 3. Any incident involving serious injury to an officer of the Department, or serious injury to another which may have been caused by an officer;
 4. Any incident requiring an unusual police commitment, (i.e., special team, large number of officers, etc.).
 5. Any incident which is receiving unusual media attention (media personnel at a scene, repeated inquires, etc.).
 6. Any incident likely to arouse an unusual level of public interest;
 7. Any fatal or near fatal motor vehicle collision.
 8. Any incident where a Shift Supervisor believes a notification is worthy of making and does not meet any of the aforementioned criteria.
- reported to the media under certain conditions – see 08.B.4).
4. Certain non-criminal incidents, such as emergency psychiatric evaluations, runaway juveniles and traffic collisions, unless fatal.
 5. Traffic offenses, unless involved in a fatal collision, or the person was also charged with criminal violation(s).
 6. Theft of unattended property such as purses, cell phones, bicycles, lawn furniture, computers/equipment from office suites, unless an arrest is made.

B. Arrest Information:

1. Generally, the names of all adults and juveniles charged as adults in connection with an entry shall be included, unless it may jeopardize an investigation or put the defendant at risk of serious bodily harm or death, with the exception of domestic assault related arrests unless a homicide is involved. (CALEA 54.1.1.e)
2. The names of juveniles charged as juveniles shall not be released, unless by court order.
3. Arrest information related to child pornography will be included in the Weekly Activity Report as long as the identity of the victim(s) and/or witnesses are not compromised. Upon a finding of guilt or innocence, a follow up press release will be issued.

08 WEEKLY ACTIVITY REPORT

GUIDELINES: Incidents that are normally included in the Weekly Activity Report:

- A.** All crimes, especially if an arrest is made, to include DWI/DUI arrests and incidents (both criminal and non-criminal in nature) that attract media attention, except:
1. When the release of the information may jeopardize an investigation or the safety of a victim, witness or defendant, or cause embarrassment to a victim. (CALEA 54.1.1.e)
 2. Suicides and attempt suicides.
 3. Domestic assaults, child abuse, and sexual child abuse. (Child pornography will however be

09 OTHER AGENCY MATTERS:

- A.** The Department is sometimes jointly involved with other agencies in newsworthy incidents where the Department does not have primary jurisdiction. In those cases the primary public information function will not be provided by the Department.

- B.** Fire Scenes are under the jurisdiction of the Charles County Fire Department (CFD). Officers will not allow media access to these scenes until authority is granted by the CFD scene commander or CFD PIO.

- C.** Federal laws prohibit the photographing of classified defense material, including selected aircraft, documents and hardware. In the event of an incident involving military aircraft in La Plata, military authorities may ask that officers enforce these federal laws. Supervisors will comply with all reasonable requests by the military in such matters.

10 REVIEW OF AGENCY'S POLICY:
When the Department policies and procedures relating to media relations are developed and/or revised, a review of the developments and collecting of suggestions from local news media will be sought after. This spirit of cooperation with the media should make the Department's relationship with news media a partnership in public relations and not an adversarial relationship.(CALEA 54.1.2)

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