



**CEDAR PARK POLICE DEPARTMENT**  
**GENERAL ORDER**

Media Policy

NUMBER: 5.04.01

EFFECTIVE: 09-01-2011

APPROVED: *[Signature]*  
Chief of Police

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## I. POLICY

It is the policy of the Cedar Park Police Department to utilize every tool at our disposal to release factual, public information pertaining to activities of the department, as long as these activities do not unduly interfere with departmental operation, compromise the effectiveness of an ongoing criminal or internal investigation, infringe upon individual rights, or violate the law.

## II. PURPOSE

The purpose of this general order is to establish guidelines for the release and dissemination of public information to the news and social media.

## III. DEFINITIONS

**Public Information:** Information that may be of interest to the general public regarding policy, procedures or events involving the department or other newsworthy information that is not legally protected, does not unduly interfere with the mission of the department, infringe upon the rights of a defendant, or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.

**Media:** Electronic or print media including radio, television, newspapers, social networks, etc.

**News Media Representatives:** Those individuals who are directly employed by agencies of the electronic or print media such as radio, television, and newspapers. Freelance workers in this field are to be regarded as members of the general public unless otherwise designated by the department chief executive.

**Public Information Officer (PIO):** The police department's PIO is designated by the chief of police and serves as a central source of information for release by the department. The department media and communications specialist or designated command staff member generally fulfills this role. Duties include, but are not limited to:

- Assist news personnel in covering routine news stories, and at the scenes of incidents.
- Assist the news media on an on-call basis.

- Prepare and distribute news releases.
- Arrange for and assist at news conferences.
- Coordinate and authorize the release of information about victims, witnesses, and suspects.
- Assist in crisis situations within the agency.
- Coordinate the release of authorized information concerning confidential agency investigations and operations.
- Acquire permission from officers prior to using their image in any public capacity.
- Coordinate with the district attorney's office or other stakeholders, when possible, prior to releasing information in reference to a "major case."
- Oversee the maintenance, operation, and management of the department authorized social media outlets.

## IV. PROCEDURE

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### Cooperation with the News Media

- Authorized news media representatives shall have reasonable access to the PIO, chief of police or designee, and operations of the department, as governed by this policy. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained.
- This department recognizes authorized identification from all local, national and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.
- Public information shall be released to the media as promptly as circumstances allow, without partiality and in as objective a manner as possible.
- Public information may be provided to media representatives by telephone if the identity of the representatives is known or can be authenticated.
- Incident Commander, ranking officer, or designee at a crime or incident scene shall refer inquiries to the PIO.
- Written press statements shall be released only following approval of the chief of police or designee.
- The sworn on-duty supervisor shall inform a member of command staff as soon as possible upon receipt of information about events or activities that may have media interest.
- Members of command staff shall ensure that the agency's PIO or chief of police is informed of events that may have media interest whenever possible.

**Media Staging** - On private property, photography, film, or videotape recording requires the permission of the owner or the owner's representative.

The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed and secured by the

department the media may be allowed to enter by permission of the commanding officer at the scene. Departmental personnel shall extend every reasonable courtesy to news media representatives at crime scenes. This may include closer access of personnel and equipment than available to the general public to the degree that it does not interfere with the police mission or the movement of traffic.

- At the scene of major crimes, such as hostage and barricade situations the officer in charge shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.
- At the scene of significant accidents, man-made or natural catastrophes, the principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the police, fire, medical, or other emergency relief workers.
  - At the discretion of the officer in charge, an inner perimeter may be established for the media from which to record the event.
  - News media representatives should not be prevented from access to any area solely because of the possibility of their injury or death. If this is the only consideration, the media representatives should be advised of the danger and allowed to make the decision to enter on his/her own volition.
- At the scene of a fire, the officer in charge shall consult with the fire department incident commander or safety officer in charge. In coordination with the fire department, the ranking police officer at the scene shall establish an observation point from which the media may observe and photograph the incident.

### **Investigative Information**

From the initial stage of a criminal investigation until the completion of trial or disposition without trial, police personnel shall refer all requests for information to the PIO.

Information that may be released in connection with an investigation of an event or crime includes:

- The type or nature of an event or crime;
- The location, date and time, injuries sustained, damages, and a general description of how the incident occurred;
- Type and quantity of property taken;
- The identity and approximate address of a victim, as limited by Texas Law, with the exception of sex crime victims, and in other cases where reprisals or intimidation may be employed;
- Requests for aid in locating evidence, witnesses, persons of interest, missing persons, complainants, or suspects;
- Numbers of officer or people involved in an event or investigation, and the length of the investigation; and
- Name of the officer in charge of a case, their supervisor, and division or unit assignment (Exception: the name of any undercover officer will not be released).

Information that may not be released in connection with an investigation of an event or crime, unless authorized by the chief of police or designee, include:

- The identity of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger;
- The identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity;
- The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in personal danger;
- The identity of any juvenile who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court;
- The identity of any critically injured or deceased person prior to notification of next of kin;
- The results of any investigative procedure such as lineups, polygraph tests, fingerprint comparison, ballistics test or other procedures (the fact that these tests have been performed may be revealed without further comment);
- Information which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of a modus operandi (M.O.), details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension;
- Information that may be of evidentiary value in criminal proceedings;
- Specific cause of death unless officially determined by the medical examiner; or
- The home address or telephone number of any member of the department.

#### **Arrest Information**

Following arrest or indictment, it is permissible to release:

- The accused's name, age, gender, race, residence and occupation;
- The time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, charges placed against the suspect and description of contraband seized;
- The identity of the arresting officers and the duration of the investigation unless the officers are engaged in undercover operations; and
- The amount of bond, scheduled court dates, and place of the suspect's detention.

After arrest and formal charging of a suspect, but prior to adjudication, the following types of information should not be released without express permission of the chief of police:

- Prior criminal conviction record, character, or reputation of a defendant;
- Existence or contents of any confession, admission, or statement of a defendant or his failure or unwillingness to make a statement;
- Performance or results of any tests or a defendant's refusal or failure to submit to tests, such as a polygraph;
- Identity, statement, credibility, or expected testimony of any witness or victim;
- Any opinion about the guilt or innocence of a defendant or the merits of the case; and
- Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

## **MULTI-AGENCY NEWS RELEASES**

In situations where more than one agency is involved in a mutual effort, the agency having primary jurisdiction will be responsible for releasing and coordinating the release of information. The term 'agency' refers to all public service agencies.

In the event that the Cedar Park Police Department has primary jurisdiction in a mutual effort, the member of the department involved in the release of information to the news media will coordinate with the public information spokesperson of the other agencies.

### **Special Considerations – Criminal Matters**

Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts, or interviews, nor shall departmental personnel pose with suspects or accused persons in custody.

When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual.

No departmental photographs, mug shots, videotapes, film, or composites of subjects in custody shall otherwise be released to the media unless authorized by the chief of police or designee.

The fact that a suicide or suspected suicide has occurred may be reported to the media, along with factual information describing how it happened. The name, age, address, gender, and occupation of the victim may also be released following notification of next of kin. The fact that a suicide note exists may also be acknowledged without further comment. The content of such notes is personal and confidential and shall not be released except as provided by law.

### **Special Considerations – Non-criminal Matters**

- Sensitive information relating to internal investigation of police officers shall not be released without the express permission of the chief of police.
- Daily administrative reports of criminal activity will be made available on a routine basis to media representatives along with statistical reports of criminal activity.

Media representatives shall be denied access to the contents of investigative or incident reports and records where release of the information would:

- Interfere with law enforcement proceedings, including pending investigations;
- Deprive a person of the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information;
- Constitute an unwarranted invasion of the personal privacy rights of another person;
- Reveal the identity of an individual who has furnished information to the department under confidential circumstances;
- Disclose investigative techniques and procedures, thereby impairing future effectiveness of the department; or
- Endanger the life or physical safety of any person.

## **AUTHORITY AND RESPONSIBILITY**

The communications division is responsible for directing news media to the proper authority when more detailed information is requested than is releasable by the communications division.

### **Role of Supervisory Personnel**

It is the responsibility of supervisors to:

- Inform the PIO of significant changes in operations, procedures, and personnel.
- Inform the PIO in writing of any newsworthy information concerning promotions, projects, programs, or other activities in advance of effective dates when reasonably possible.
- Refer all media inquiries to the PIO by the ranking officer or his/her designee at a crime or incident scene.
- Inform a member of command staff or PIO as soon as possible upon receipt of information about events or activities that may have media interest.

A member of command staff shall be responsible for ensuring that the agency's PIO and the chief of police is informed of events that may have media interest.