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# CHAMPAIGN POLICE DEPARTMENT

## POLICY and PROCEDURE

POLICY NUMBER: 54.1

SUBJECT: PUBLIC INFORMATION

EFFECTIVE DATE: 10/01/09

REVISED DATE:

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- 54.1.1 PUBLIC INFORMATION PLAN
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PURPOSE:

The purpose of this policy is to establish guidelines for the release of information to the community and to the news media. The Champaign Police Department recognizes the importance of public openness and is committed to informing the community of matters that are handled by and/or involve the Department or are of public interest. The release of records by employees of the Champaign Police Department to individuals not employed by a criminal justice agency shall be consistent with the Illinois Freedom of Information Act.

DEFINITIONS:

**Non-Criminal Justice Agency:** Refers to those persons who do not officially represent courts and governmental agencies or sub-units thereof which perform the administration of criminal justice pursuant to statute or executive order.

**Criminal History Record/Information:** Information collected on individuals consisting of identifiable descriptions and notations of arrest, detention, indictment, information, other formal charges and dispositions, sentencing, correctional supervision, and release.

POLICY:

### 54.1.1 PUBLIC INFORMATION FUNCTION

A. The Assistant to the Chief for Community Services is designated as the Department's Public Information Officer (PIO). The primary function of the Public Information Officer is to assist members of the media in gathering information about cases investigated by the Department, to handle publicity for special Department programs, and to serve as the primary liaison with the media. Other functions of the PIO shall include:

1. Serving as the central source of information about the Department and responding to various requests by members of the news media (including an on-scene response when necessary).
2. Being available for on-call response to the news media for major newsworthy incidents.

3. Preparing and disseminating news releases.
  4. Arranging for and assisting at press conferences as directed by the Chief of Police.
  5. Coordinating and authorizing the release of information concerning crimes, events, suspects, arrested persons, victims, and witnesses as permissible by law.
  6. Serving as the media liaison during times of crisis.
  7. Coordinating the release of information concerning Department investigations and operations, as directed by the Chief of Police.
  8. Arranging interviews with Department members and releasing information regarding multi-jurisdictional efforts at the request of news media representatives or as directed by the Chief of Police.
  9. Assuming a proactive role, in consultation with the Chief of Police, in contacting the news media with information that might not otherwise come to their attention.
  10. Working closely with the Community Relations division of the City Manager's Office.
- B. When a coordinated effort is made with other agencies, it shall generally be the responsibility of the agency having primary jurisdiction to release any information.
- C. The Chief of Police or his designee will be solely responsible for the coordination and authorization of information concerning confidential investigations and operations.
- D. Generally, the release of information to the news media shall be governed by the following:
1. Members of the media are welcome at the Department at any time. Members of the media will be required to present identification as a representative of a public news service before gaining access to reports.
  2. Media personnel will have access to the on-line Media Report.
  3. Official written press releases will be also maintained at the Records Division and on-line.
  4. Dissemination of information to the news media will be accomplished in such a manner as to ensure its equal availability to all news media

- members. In the event of a public news briefing or conference being held, all local news media representatives will be notified by the Public Information Officer.
5. In the absence of the PIO, only supervisory personnel are authorized to release specified information to the media.
  6. The Department does not issue its own press credentials: however, access to the scene of an incident or to the Department may be limited for any of the following reasons:
    - a. Inherent danger at a crime scene or other police operation.
    - b. Failure to follow the reasonable directions of a police officer at a crime scene or other police operation.
    - c. Interference with a police investigation.
    - d. Obstruction of the criminal justice process.
    - e. Violation of City, State, or Federal law.
    - f. Unethical or unprofessional conduct, as determined by the Chief of Police.
  6. The Department does not permit interviews by the media of persons in custody.
  7. No information will be released which would logically interfere with or jeopardize the investigative process.
  8. Exempt information not to be released either prior to or following an arrest, the issuance of an arrest warrant, or the filing of criminal charges except in response to a court order or subpoena:
    - a. Information revealing the identity of any person who files a complaint with or provides information to this department.
    - b. Information revealing the identity of the victim of a crime, witness to a crime, or juvenile associated with a criminal offense.
    - c. Statements by and credibility of victims and witnesses.
    - d. The existence or contents of any confession or admission, or a refusal by the accused to make a statement.
    - e. The possibility of a guilty plea, reduced charges, or other dispositions.
    - f. The prior criminal conduct of an accused individual which did not result in conviction.
    - g. Observations about the character, reputation, or mental condition of the accused.
    - h. Opinions concerning the merits of the case.
  - i. The results of any test or examinations, or the refusal to submit to any test or examination.
  - j. Information which would be inadmissible in court.
  - k. Information which would logically:
    - 1) Deprive a person of a fair trial or impartial hearing;
    - 2) Disclose the identity of a confidential source or confidential information;
    - 3) Disclose unique or specialized investigative techniques;
    - 4) Constitute a clear invasion of privacy, absent the written consent of the person to whom the information pertains; or
    - 5) Endanger the life or physical safety of any person.
  9. Only the following criminal history/record information may be released:
    - a. Arrest log or blotter information;
    - b. Names of persons in custody and the charge(s) for such persons;
    - c. Public court records; or
    - d. Criminal history/record information for which the requesting party is the individual identified in the record, except as prohibited by (k)(2), (3), and (5) of this section.
  - E. Generally, all news releases will be made at the Department. In the case of major fires, natural disasters, major crime scenes, etc., the Department will make every reasonable effort to allow the media safe access for photographs and video within limitations of public safety, civil rights, and crime scene integrity. In no case will the media be allowed to hinder or obstruct police or fire operations.
  - F. To relieve on-scene supervisors of the additional burden of dealing with the media, the PIO will respond to the scene of all major incidents during normal working hours. If the Department PIO is not available at the scene of such incidents, then it shall be the responsibility of the on-duty supervisor to respond to the media as the situation permits.
  - G. Following arrest, the issuance of an arrest warrant, or the filing of criminal charges, the following information may be released without a court order or subpoena:
    1. A factual statement as to the accused's name, age, and residence;
    2. Information which would aid in the apprehension of the person accused;

3. The facts and circumstances of the arrest, including the time and place of arrest, resistance, pursuit, and/or use of weapons;
  4. The identity of the arresting and investigating officer(s) or agency, and the length of the investigation;
  5. A brief description of physical evidence seized (exception: confessions, admissions, statements, or the results of tests or examinations);
  6. The nature, substance, or text of the charge;
  7. Announcement of the scheduling or result of any stage of the judicial process; or
  8. To request assistance from the public in obtaining evidence.
- H. Requests for Information on convictions, and arrests resulting in convictions, related to crimes investigated by this department shall be released only when such requests are written and name a specific individual.
- I. This department will not release any information originating from another criminal justice agency.
- J. The following procedural rules for release of information shall apply to all non-criminal justice agency personnel and shall be implemented in the following manner:
1. News Media.
    - a. Release of information to the news media may be made only by personnel in a supervisory or command position either by (1) making appropriate portions of copies of reports, arrest cards, offense reports, media reports, or dispatch ticket logs available to the news media, or (2) releasing press statements, or (3) answering a reporter's questions.
  2. Non-Criminal Justice Agency (Includes News Media).
    - a. Release of non-exempt, arrest, and/or conviction information pertaining to an individual may be approved by the Records Manager or Supervisor or a designee in response to requests from non-criminal justice agency persons officially representing public or private agencies, organizations, or enterprises as per FOIA guidelines. Records personnel shall record all such information releases.
      - 1) A copy of the signed FOIA request with a notation of the information released, the person to whom it was released, and the date of the release shall be filed in Records.
      - 2) Requests for conviction information for other than employment and licensing purposes shall be given upon request.
- 3) Requests for conviction information for purposes of employment or licensing shall require the written consent of the person to whom the information pertains.
    - b. Investigative notes and memorandum will not be copied or released.
    - c. Prior to the release of information, an effort will be made to acquire the most recent status possible on file entries.

#### 54.1.2 MEDIA INPUT INTO DEPARTMENT POLICY

- A. In developing public information policies, the Department will allow local media to provide input and suggestions. This should assist in maintaining effective mutual working relationships.

#### 54.1.3 MEDIA ACCESS

- A. Requests for information at the scene of a newsworthy incident including, but not limited to, major fires, natural disasters, catastrophic events, or major crime scenes shall be referred to the ranking officer in charge of the investigation.
  1. The ranking officer may, at his discretion, refer the media to the Public Information Officer.
  2. News media representatives shall not be permitted to photograph or televise a defendant while he is in police custody and in other than a public place. This prohibition extends to such instances as where he or she is being interrogated or booked following arrest. The defendant shall be escorted, properly clothed, through public places as expeditiously as possible. While the news media shall not be prevented from photographing or televising the defendant in a public place, the defendant shall not be halted or posed for their convenience.
  3. Perimeters may be established to prevent persons from entering certain areas of a serious incident or crime. Upon displaying proper identification, and dependent upon the circumstances, media representatives may be permitted inside of police lines to take photographs; however, evidence gathering areas shall be restricted by the supervisor or officer in charge of the scene. When possible, media personnel should be restricted to public areas, and the private property of persons will be safeguarded. Whenever possible, the taking of photographs of injured or dead victims shall not be permitted.
  4. No supervisor, officer, or employee shall release the name of a deceased person until identification has been verified and an earnest effort has been made to notify the nearest relative. In every instance, the release shall be coordinated with the Coroner's Office.
  5. In the case of announced major events, such as demonstrations, or large scale catastrophes, the

Police Department will designate a specific area for the media. Either the PIO or another person designated by the Chief of Police will be available at the media site to answer questions and release statements.

6. Every reasonable effort will be made to allow media access and to release information without partiality, within the guidelines of these procedural rules. Such information for release shall not be delayed or withheld in order to favor any particular news media reporter or agency.
- B. Nothing in this statement shall prohibit the release of statistical information by the Chief of Police or his designee so long as the information is in a format which contains no personal information.
  - C. Nothing in these guidelines precludes any Champaign Police Officer from replying to charges of misconduct that are publicly made against the officer, nor precludes any such officer from participating in a legislative, administrative, or investigative hearing, or supersedes any more restrictive rule governing the release of information concerning juveniles or other offenders.
  - D. Information subject to discovery and inspection under the provisions of Disclosure to the Accused (Illinois Supreme Court Rules, Section 412) will be released in accordance with Section 412 only by an officer of the court or a Deputy Chief. Such information will be recorded in the case report file.

ISSUING AUTHORITY



Anthony D. Cobb  
Chief of Police  
Champaign Police Department