



# CONCORD POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### PUBLIC INFORMATION AND MEDIA RELATIONS

**GENERAL ORDER:** 09.04

**CREATED:** December, 1,2000

**ISSUE DATE:** September 12, 2017

**ACTION:** Retitles and amends original general order

**EFFECTIVE DATE:** September 13, 2017

#### **09.04.0**      **PURPOSE**

The purpose of this general order is to support and assist coworkers in working with the media, to coordinate the appropriate communication of timely and accurate information, and to provide coworkers with guidelines concerning the release of information to the media and the general public.

#### **09.04.1**      **POLICY**

It shall be the policy of the Concord Police Department to be transparent and responsive with the media and general public, providing accurate information in a timely and professional manner. This relationship is essential to keep the public well-informed about public safety issues, minimize inaccurate reporting regarding police matters, maintain media involvement in crime prevention and community policing programs, and to promote public services performed by the department.

No coworker will willfully delay, hamper, or interfere with any member of the news media lawfully gathering information or reporting an event, subject to the conditions and restrictions of this general order.

#### **09.04.2**      **DEFINITIONS**

A. BLOG

A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

B. PAGE

The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

C. POST

Content an individual shares on a social media site or the act of publishing content on a site.

D. PROFILE

Information that a user provides about him/herself on a social networking page.

#### E. PUBLIC RECORD

"Public record" or "public records" shall mean all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions. (NCGS 132-1)

#### F. SOCIAL MEDIA

A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, Nextdoor, etc.), microblogging sites (Twitter, Nixle, etc.), photograph and video sharing sites (Flickr, Instagram, YouTube, etc.), wikis (Wikipedia), blogs, and news sites (Digg, Reddit, etc.).

#### G. SOCIAL NETWORKS

Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

#### H. SPEECH

Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

### **09.04.3 PUBLIC RECORDS RELEASE**

- A. Public records shall be released upon request in accordance with NCGS 132-1.4 (c). Such records within this statute are limited to the following:
1. Front copy of incident reports, arrest reports (without the suspect's Social Security number) and booking photos.
  2. The time, date, location, and nature of a violation or apparent violation of the law reported to the Concord Police Department.
  3. The name, sex, age, address, employment, and alleged violation of law of a person arrested, charged, or indicted.
  4. The circumstances surrounding an arrest, including the time and place of the arrest, whether the arrest involved resistance, possession or use of weapons, or pursuit, and a description of any items seized in connection with the arrest.

5. The contents of "911" and other emergency telephone calls received by or on behalf of public law enforcement agencies, except for such contents that reveal the natural voice, name, address, telephone number, or other information that may identify the caller, victim, or witness. In order to protect the identity of the complaining witness, the contents of "911" and other emergency telephone calls may be released pursuant to this section in the form of a written transcript or altered voice reproduction; provided that the original shall be provided under process to be used as evidence in any relevant civil or criminal proceeding.
  6. The contents of communications between or among employees of public law enforcement agencies that are broadcast over the public airways.
  7. The name, sex, age, and address of a complaining witness. However, coworkers authorized to release such information shall temporarily withhold the name or address of a complaining witness if release of the information is reasonably likely to pose a threat to the mental health, physical health, or personal safety of the complaining witness, or materially compromise a continuing or future criminal investigation, or criminal intelligence operation.
- B. A public record request as outlined in (A) above may be processed by supervisory officers provided advance notice of such request is made to the supervisor's commanding officer.
- C. In accordance with NCGS 7B-3000 all juvenile records shall be withheld from public inspection and, except as provided in this subsection, may be examined only by order of the court. The following persons may examine the juvenile's record and obtain copies of written parts of the record without an order of the court:
1. The juvenile or the juvenile's attorney;
  2. The juvenile's parent, guardian, or custodian, or the authorized representative of the juvenile's parent, guardian, or custodian;
  3. Prosecutor;
  4. Court counselor;
  5. Probation officers in the Section of Community Corrections of the Division of Adult Correction of the Department of Public Safety,
- D. All other requests for public records, including juvenile information requests, shall be referred to the Support Services Division commanding officer. Such commanding officer shall be familiar with state statutes and city policies related to public/open records and shall keep the Deputy Chief of Police and Chief of Police informed of each request.
- E. Aside from records requests as outlined in (A) above, release of public records shall not be made without the approval of the Chief of Police or designee. The Chief of Police may provide blanket authority to release certain types of public records, and may assign a designee (executive staff or city attorney) to facilitate release of certain public records.

**09.04.4**     **PUBLIC INFORMATION RELEASE**

- A. Departmental policy and administrative changes or plans shall only be released to the media or general public by the Chief of Police or designee.
- B. Information regarding internal discipline, internal investigations, personnel matters, complaints against department coworkers, and civil litigation shall only be released by the Chief of Police, Director of Human Resources, or City Attorney in accordance with NCGS 160A-168, Privacy of Employee Records. This statute provides that information about city employees may be made public is limited to the following:
  - 1. Name; age; date of original employment or appointment to the department; current position/rank/title; current salary; date and amount of most recent pay increase or decrease; demotion; transfer; suspension, separation, or other change in position classification; and the office to which the coworker is currently assigned.
- C. Requests for crime or administrative statistical information shall be referred to the Office of Management, Analysis, and Planning commanding officer. Such commanding officer shall keep the Deputy Chief of Police and Chief of Police informed of each request and shall not release statistical information without the approval of the Chief of Police or designee.
- D. Only the Chief of Police, City Manager, or City Manager's designee is authorized to speak on behalf of the department. It is understood that coworkers may be asked for their opinion in a public forum. When providing an opinion under appropriate circumstances it must be clear that the coworker is not speaking on behalf of the department and that their statement or opinion does not represent the department's position on the matter.
- E. When allowed by policy and upon request, coworkers shall provide factual and accurate information to the media and general public without jeopardizing the rights of crime victims or of persons accused of a crime and without compromising the security of any investigation or breaching any confidential relationship. If a coworker is uncertain as to the application of these guidelines to a specific situation, the coworker shall refer the request for information to the Office of the Chief of Police.

**09.04.5**     **MEDIA RELATIONS**

- A. NEWS/PRESS RELEASES
  - 1. News releases concerning general crimes or minor public safety issues (i.e., traffic crashes, road closures, etc.) shall be prepared – and may be disseminated – by the applicable bureau that is handling the matter. In most cases there is ample time to prepare a release and have the draft reviewed by a bureau commander before its publication.

- a. It is understood that sometimes a timely news release can be the difference between identifying and locating a criminal or missing/endangered person and not being able to do so. When command staff are not working and in such cases when timely notice to the media is required, a supervisory officer may prepare a news release that contains basic relevant information to include a photograph(s) or still video capture. When disseminating a news release under time sensitive circumstances, ensure that the commanding officer and bureau commander are blind copied on the email to the media.
2. All other news releases shall be prepared by a bureau commander or the Chief of Police and may only be disseminated with the approval of the Chief of Police or Acting/Interim Chief of Police.

#### B. MEDIA REPRESENTATIVE AT SCENE

1. A request for information from a media representative at the scene of an on-going police investigation or operation shall be directed to the senior ranking officer in charge, who will provide essential factual information within the guidelines established by this order.
2. Such senior ranking officer in charge may delay providing information to media representatives when an emergency exists. Media representatives should be told why the delay is necessary and provide the appropriate information once the emergency is over.

#### C. MEDIA ACCESS TO CONTROLLED OR SECURED AREAS

1. For the purpose of this procedure, controlled areas are areas not open to the general public or unauthorized persons. Media representatives may be admitted to these areas upon expressed approval of the Chief of Police or designee.
2. Secured areas are defined as locations secured by crime scene tape or other visible barrier or perimeter such as a crime or incident scene subject to the restrictions stated below regarding private premises. Media representatives and the general public shall not be provided with access inside secured areas. The media and general public do not have a right to secured areas where their presence is likely to compromise the successful completion of an investigation, the preservation and collection of evidence, or the life or safety of another person. When access to these areas is initially denied to the media representative or general public, the officer in charge of the scene should explain the reason(s) and allow access as soon as practicable.
3. If a secured area is privately owned, the decision to allow or forbid future media or public access shall be made by the owner or next of kin once the area is no longer deemed secured by the ranking officer in charge of the scene.
4. In those circumstances where apparent danger exists, the media representative should be advised of the risk(s) and then be allowed access after the ranking officer in charge receives an acknowledgment that the media representative understands the risk(s). When life-threatening situations exist, the media representative should be denied access until the life threatening danger is no longer present.

5. Coworkers shall not attempt to deny or restrict media representatives or the general public from taking photographs or recording video of an area or an individual. Coworkers shall refer to General Order **09.13 Recording of Police Activity** for further instruction.
  - a. Coworkers may feel certain photographs or video will be inappropriate, but the media is ultimately responsible for determining what is appropriate to print or televise to the public.

#### D. IDENTIFICATION OF MEDIA

1. Coworkers shall require adequate identification of media representatives prior to permitting access to controlled and/or secured areas.
2. For the purpose of this order, media representatives shall include reporters, photographers, camera operators, and other media personnel.
3. Possessing a press credential or media identification is the responsibility of the individual media representative.

#### E. MEDIA NOT EXEMPT FROM LAW

1. In recognizing the media representative's primary responsibility to report newsworthy incidents by obtaining information, photographs, and video, officers shall not unnecessarily obstruct the media in the pursuit of this function. However, the news media are not exempt from municipal, state, or federal laws and are not legally entitled to special treatment.

#### F. COWORKER PUBLICATION

1. Any coworker who represents the department by writing articles or columns relating to official department business and containing crime prevention or other law enforcement information that is intended for publication in any newspaper, magazine, community paper, online blog or other media must make the Office of the Chief of Police aware of said article or column by forwarding a completed copy to the attention of the Chief of Police. This procedure does not apply to coworkers who write to the media as private citizens to express a personal opinion.
2. Coworkers shall request pre-approval from the Chief of Police for all special media interviews or stories relating to official department business. This does not apply to interviews given to the media at an active crime scene.

### **09.04.6 SOCIAL MEDIA**

- A. City Personnel Policy 8.18 covers social media and supersedes this section where conflict may exist. It is the intention of this general order to expand upon and compliment city policy.
- B. The department's official social media presence is determined by the City Manager's Office. Only the Chief of Police shall make a request to the city manager to increase, decrease, or alter the department's social media presence.

### C. FACEBOOK

1. The department participates in a shared public safety Facebook page with the fire department, communications, and emergency management. The department's Facebook strategy is generally geared towards recruiting. Posts are typically limited to positive internal events (i.e., awards, promotions, etc.) and community events. However, from time to time Facebook may be used for disseminating news or other public safety related information at the discretion of the Chief of Police.
2. The Chief of Police's designee for managing Facebook content is the Office of Management, Analysis and Planning (OMAP). Coworkers are encouraged to forward appropriate stories, ideas, pictures, and video to OMAP if they feel they have content that should be shared publicly. OMAP will consider such requests, keeping in mind the strategy behind the department's Facebook page.
3. Notwithstanding the procedures outlined in General Order 07.08 – Use of Personal Social Networking, coworkers who are highlighted on the department's Facebook page are allowed to link such posts to their personal social networking page(s), if they so choose.

### D. TWITTER

1. The department's Twitter account @ConcordNCPolice is used as the primary social media presence for news and public safety related information.
2. The Chief of Police may provide certain coworkers with login credentials to the Twitter account; and may authorize them to post news and public safety related information. Login credentials are confidential and shall not be shared without the expressed permission of the Chief of Police.
3. Given the potential number of contributors with posting rights, and keeping the 140 character limit in mind, coworkers shall endorse or sign their post by ending it with a forward slash ("/") and their unique initials. This process will help to manage content and provide accountability when questions arise or a follow up reply is required.
4. Coworkers are encouraged to forward appropriate news, public safety ideas, pictures, and video to their commanding officer if they feel they have news or content that should be shared publicly. The applicable commanding officer will promptly consider such requests, keeping in mind the strategy behind the department's Twitter account.
5. Notwithstanding the procedures outlined in General Order 07.08 – Use of Personal Social Networking, coworkers who are highlighted on the department's Twitter account are allowed to link such posts to their personal social networking page(s), if they so choose.

- E. The type of information that can be released – and who is authorized to release it – using social media, is the same as outlined in 09.04.04 of this general order.

#### F. POTENTIAL USES

1. Social media is a valuable investigative tool when seeking evidence or information about missing persons; wanted persons; gang participation; crimes perpetrated online (i.e., cyberbullying, cyberstalking); and photos or videos of a crime posted by a participant or observer.
2. Social media can be used for community outreach and engagement by providing crime prevention tips; offering online-reporting opportunities; sharing crime maps and data; and soliciting tips about unsolved crimes (i.e., Crimestoppers, text-a-tip).
3. Social media can be used to make time-sensitive notifications related to road closures, special events, weather emergencies, and missing or endangered persons.
4. Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism.

#### G. MONITORING

1. Social media shall be monitored on a regular basis. While not monitored on a twenty-four hour basis, coworkers who are authorized to use the department's social media platforms may respond to public requests when practical and applicable to the coworkers assignment, area of responsibility, or expertise.
2. Disclaimers shall be added to department social media pages that clearly state the pages are not continually monitored, and that the department reserves the right to remove a post or other content at any time if it violates the terms of use established by the department or the terms of use of a specific social media platform. This shall include:
  - a. Any comment posted by the public on an official social media page is the opinion of the poster only, and its publication on such page shall not imply endorsement of or agreement by the department.
  - b. The social media pages established by the department are not intended to create a public forum. Accordingly, each page shall have in a place visible to the public or accessible by hyperlink, a notice that the following forms of content are prohibited and shall be removed:
    - i. Comments not related to the topic of discussion;
    - ii. Profane, obscene, uncivil, harassing, or inappropriate language or content;
    - iii. Solicitations of commerce;
    - iv. Promotion or encouragement of illegal activity;
    - v. Information that may tend to compromise the safety or security of the public, public systems, the City, its employees, or public officials;

- vi. Content that reflects negatively on the City, its employees, or public officials, unless such comment relates to a matter of public concern and is otherwise in compliance with the remaining provisions of this policy;
- vii. Defamatory remarks, personal attacks, or threats against any individual person or group of people.
- viii. Content that violates a legal ownership interest of any party;
- ix. Any content in violation of or inconsistent with federal, state, or local laws and ordinances;
- x. Links to any outside websites that are inconsistent with this policy;
- xi. Content that is repetitive or duplicative;
- xii. Any content that is otherwise inconsistent with the spirit of civility intended by the Terms of Use & Comment Policy.

3. The following notice shall be provided along with the comment policy above: The department reserves the right to remove content that is deemed in violation of this policy, City policy, or applicable law. Any user of department social media that repeatedly violates the commenting guidelines as set forth in this policy may be permanently removed from the social media pages. The City of Concord reserves the right to temporarily or permanently suspend access to any page at any time.

#### **09.04.7 TEMPORARY PUBLIC INFORMATION OFFICER**

- A. The Chief of Police may designate a supervisory coworker or representative of the city manager's office to serve as a Public Information Officer when an incident or police operation appears likely to draw extensive or ongoing media attention or coverage.
- B. The Public Information Officer shall be responsible for the coordination of all information concerning the incident or operation, subject to release authority as granted by the Chief of Police.



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