

	STANDARD OPERATING PROCEDURE <small>State Form 39870 (R/S-06)</small>	Reference Number PIO-002
	Subject Media Relations and News Releases	
	Special Instructions Replaces PIO-002 dated December 14, 2010	Effective Date January 15, 2015

I. PURPOSE

Establish guidelines for the effective and uniform dissemination of pertinent information about newsworthy events and other matters of public interest to the news media.

II. POLICY

When appropriate for dissemination, Department personnel shall ensure that first release of information concerning newsworthy incidents are equally available to local and regional news media services and shall provide timely, accurate, and informative news releases and other appropriate assistance to news media services that are consistent with Department policies and established legal and ethical constraints.

III. PROCEDURE

A. Department employees shall cooperate with the news media by releasing information of legitimate news value, except when the release of such information may hinder, impede, or obstruct the effectiveness of an investigation, violate a law, or jeopardize the opportunity for a defendant to receive a fair and impartial trial. As long as media does not violate the above, Department personnel shall not impede the gathering of news information. The presence of TV camera crews, photographers, and/or reporters, or the filming or taking pictures of or asking questions about an investigation at the scene of a vehicle crash, crime, hazardous incident, or disaster that is of public interest does not constitute unlawful interference.

B. Denial of access into or onto the scene of an incident of interest to news media is sometimes necessary because of the scene processing or collection of evidence. News media personnel shall also be denied access into or onto specific areas because of a request by the property owner(s), their tenant(s), or applicable representative(s). However, members of the news media shall be allowed access into or onto areas of interest to the news media and permitted to take photographs at the scene where the Department is in charge unless their presence may interfere with an ongoing investigation or the public safety and/or welfare (including news media personnel). Without approval from Department command personnel, the news media shall not accompany Department personnel into or onto an area where persons have a reasonable expectation of privacy or a scene that may be hazardous. The reason(s) for denial of access and/or degree of hazard, if any, shall always be explained to the news media and access granted when it becomes practical to do so under the given conditions.

C. A prisoner, while in custody of any police employee of the Department, shall not be made available to be interviewed by the news media unless it furthers a Department investigative purpose. In such event, the prisoner must request or consent, in writing, to such an interview

after being advised of the prisoner's right to consult with counsel and the prisoner's option of refusing to grant such an interview.

D. When the Department is assisting another agency that is in general charge of the scene of an incident, representatives of the news media shall be referred to the officer-in-charge of that agency. Department personnel shall always give appropriate acknowledgment and credit for the activities of other agencies assisting the Department at a newsworthy incident.

E. To ensure proper news media coverage of newsworthy events, the Chief Public Information Officer (PIO), Area Commander, in cooperation with the appropriate District Commander and District PIO shall emphasize the desire for positive news coverage.

F. Any Department personnel may give authorized information to the news media regarding newsworthy incidents, such as, but not limited to, a low profile criminal or vehicle crash investigation. Unless previously agreed upon, Department personnel shall only address the Department's involvement and activities.

G. In following the guidelines concerning the release of information to the news media, Department employees shall maintain a polite but firm attitude when questions are asked which cannot be answered in compliance with this directive. The proper response should be, "I'm sorry, at this time I do not have the authority to release that information." Employees shall then advise the news media what authority to contact for the requested information, e.g., spokesperson assigned by the Department or the spokesperson assigned by another agency (other than ISP) in charge of the scene.

H. When speaking to the news media, Department personnel shall not:

1. Criticize the Department, its personnel, other governmental officials, or other agencies;
2. Discuss Departmental matters of a confidential nature;
3. Engage in partisan, political, or religious arguments;
4. Release interpretations or announce changes in the policies or personnel of the Department without the approval of the Superintendent or designee;
5. Release information regarding internal affairs, confidential investigations, and/or Department operations without the authorization of the Superintendent or designee; or
6. Release Information or photographs regarding strikes or labor disputes.

NOTE: Requests relative to strikes or labor disputes shall be referred to the Office of the Superintendent or designee.

I. When speaking to the news media about any investigation, the following information shall not be released:

1. Information that is in violation of any court order or for the purpose of influencing the outcome of a trial;
2. Identity of any person(s) accused or suspected of the crime;
3. Confessions, statements, or admissions (neither the content of, nor whether or not they have been made);
4. The performance of the accused during any examinations or tests or the refusal of or failure to submit to such examinations or tests; EXCEPTION: Tests taken or refused when related to an Operating While Intoxicated (OWI) Investigation. Tests results (from blood, breath, or urine tests) for alcohol or drugs may be released;
5. Any opinion referring to the guilt or innocence of the accused, merits of the case, or evidence in the case;
6. Identity and credibility of witness(es);
7. Apparent motive for the crime;
8. Details on how the case was solved; and

NOTE: Information about how a criminal case was solved may, of necessity, involve matters of evidence that should not be released prior to introduction at a trial.

9. The possibility of a plea of guilty to the offense charged or a lesser offense.

EXCEPTION: In cases involving a violent crime that may be repeated, e.g., a sex crime, or the safety of the general public may demand the identity of the suspect to facilitate an immediate apprehension. Release of such information may occur with the approval of a member of the ISP Legal or a Zone Major or Area Captain.

J. When speaking to the news media or releasing information relative to traffic related incidents or criminal investigations, Department personnel shall not release:

1. The names of a fatal crash victim(s) until relatives have been notified; or

NOTE: After a minimum of four (4) hours have elapsed after the identification of the victim(s) and efforts to notify relatives have been unsuccessful, the names of the fatal victim(s) may be released. Information may be released only if the news media agrees to state, "All efforts by the Indiana State Police Department to locate and notify relatives have, so far, been unsuccessful".

2. Photographs (with the exception of vehicle crash photographs as noted in ISP SOP LAB-007) to attorneys, insurance companies or any person for the use, or possible use, in any civil action without a subpoena duces tecum.

Exceptions to the above include:

1. Non-evidentiary photographs at a crash or crime scene when taken from a location where members of the public have a right to be present; or
2. Department members may submit photographs taken with Department or personal cameras to PIO personnel for potential inclusion in official state police news releases and in accordance with ISP SOP LAB-007.

K. After the commission of a crime, but prior to an arrest, the following information may be released to the news media:

1. Type of crime, e.g., homicide, robbery, and assault;
2. Identity of the officer(s) assigned to an investigation, with the exception of undercover units;
3. Identity of the victim, unless a victim of a sex crime;
4. Time and place of the crime;

NOTE: If the crime was a sex crime and the exact location of the crime may cause identification of the victim (e.g., the crime scene occurred at the residence of the victim), use general information when referring to the location of the crime.

5. Articles taken, if any;
6. Instrument of physical force used, if any; and
7. General description of the method of operation (e.g., burglars cut a hole in the roof, let themselves down into the store, and apparently exited through the rear door with stolen merchandise).

L. After an arrest of an adult has been made, the following may be released to the news media or other persons, as designated:

1. Identifying information including name, age, address, occupation, marital status, and general background of the person(s) arrested;
2. The charge(s) upon which the arrest was based (do not mention crimes that allegedly have been committed by the subject but with which the subject was not or will not be charged);
3. Circumstances of arrest, including time and place, whether or not there was resistance at the time of the arrest, whether or not pursuit was necessary, whether or not the subject was armed and with what, and property recovered or items seized at the time of the arrest;

4. Photograph(s) of the arrested person, unless release of the photograph would interfere with using the suspect's image in a photo line-up contemporaneous to the ongoing investigation

NOTE: At no time shall the arrested person be deliberately posed for news media photographers or television crews); and/or

5. Prior conviction(s).

NOTE: Prior convictions are public record under Indiana law. Prior convictions shall be released only upon request of the news media and only when the arrested person's convictions can be verified.

M. Employees may, with the approval of the Superintendent or designee, permit their names to be used in bylines in articles for publication.

N. If an incident is high profile in nature, the release of information shall be made by a Public Information Officer.

1. A District PIO Shall:

- a. Be contacted to respond to the scene of a newsworthy incident;
- b. Be assigned to all major incidents, regardless of the PIO's duty schedule; and
- c. Shall provide assistance with arranging news conferences.

4. If the District PIO is unavailable:

- a. An adjacent District PIO shall be detailed to assist;
- b. When a PIO is not available in a timely manner, the appropriate command personnel shall designate a responsible officer to provide information to the news media; and
- c. In addition to notifying Zone and Area Commanders about major traffic or criminal investigations, the Chief PIO shall also be contacted

O. Department personnel assigned as spokesperson for the Department at critical events shall contact the Chief PIO (if available) and Operations and provide pertinent information, as soon as it becomes available. Information shall be continuously updated in accordance with existing department policies.

P. During regular business hours, Monday through Friday, all requests for information received by Operations relative to a newsworthy incident shall be forwarded to the appropriate District Commander and District PIO for follow-up action.

Q. Normally, unless restricted by a judicial directive or agreement between the ranking officers from the Indiana State Police Department and other agencies at the scene of an incident, the PIO or other authorized Department personnel, designated above, shall respond to the news media's inquiries about issues, activities, and/or involvement of Department personnel.

R. Request for release of information from Department investigative files, beyond what is required by law, shall be referred to the ISP Legal Office and the Chief PIO for review and action.

S. Area and district commanders shall periodically review the district's news release products and reporting procedures to ensure effectiveness and adherence to Department policies and established legal, Department, and ethical constraints. Special emphasis shall be given to ensure district duty officers and regional dispatchers who normally receive inquiries from the news media are familiar with this policy.

T. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies, and procedures.