



Lincoln Police Department

Standard Operating Procedures

Integrity, Competency, Fairness



Subject:	News Media Relations	Policy #	A-29
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MLEAP:	5.04		
	<i>Rescinds All Previous Policies Related to This Current Policy</i>		
Issuing Authority:	Chief of Police Lee Miller		

I. POLICY:

The policy of the Lincoln Police Department is to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner that does not hamper law enforcement operations. The agency is committed to informing the community and the news media of events within the public domain to the extent the law permits.

II. PURPOSE:

The purpose of this policy is to establish guidelines for the release of information to the news media and to provide the news media and the public with timely and accurate information regarding agency activities while ensuring that criminal investigations are not compromised and that legally recognized privacy interests are protected.

III. DISCUSSION:

The release of intelligence and investigative information is governed by the limitations outlined in 16 M.R.S. § 804. The release of such information requires discretion, and such information is confidential if there is a reasonable possibility that public dissemination would interfere with an investigation, the trial process, or the personal privacy of victims, complainants, witnesses, or suspects. If an investigation or prosecution is pending, consultation with the prosecuting attorney before disseminating information is imperative.

IV. PROCEDURES:

MLEAP 5.04

A. Public Information Officer Function:

1. The ultimate authority and responsibility for the release of information to the media remain with the Chief of Police. However, in situations when the Chief of Police is absent, a designee may assume the responsibility of overseeing the release of information. Any designee acting in the role of Public Information Officer shall receive appropriate media relations training prior to serving in this capacity.
2. Duties of the Public Information Officer

- i. Assisting news media in covering routine news stories and at the scene of incidents when so required.
- ii. Being available for on-call responses to the news media.
- iii. Preparing and disseminating formal news releases.
- iv. Arranging for and assisting at news conferences.
- v. Coordinating and authorizing the release of information about suspects, agency investigations, and operations.
- vi. Attending appropriate training regarding public access to public information and media relations.

B. News Media/On-Scene Access

1. Representatives of the news media covering stories at the scene of major incidents, disasters, or events will be directed to an area designated by the on-scene officer in charge.
2. The area designated for the media should be convenient for the reporting of the incident but balanced so as not to jeopardize an operation or investigation and compromise the safety of any person.
3. The area will be outside of any established scene perimeter.
4. If other agencies participate in a mutual effort, the agency with primary jurisdiction is responsible for releasing information unless other arrangements have been agreed upon.
5. Employees who are approached by members of the news media for information concerning official activities of the agency are to refer all such inquiries to the on-duty supervisor. Employees shall NOT communicate with the media without first consulting with, and obtaining the permission of, the Chief of Police or designee.

C. Press Releases: Press releases are divided into three (3) categories. The frequency and content of the release depend upon the objective desired. Normally, press releases will be provided to those media agencies that have a direct relationship with the service community. The three types of news releases are:

1. **On-going Investigation:** It is important that all releases contain the same information. If possible, a printed release will be prepared for dissemination to the media. The Chief of Police, or designee, **MAY RELEASE** the following information:
 - i. The type of crime or nature of the incident.
 - ii. The location (certain restrictions apply), date, time, injuries sustained, damaged property, and a brief description of the incident.
 - iii. Amount and type of property taken, including value if known.
 - iv. The name, age, and address of any adult charged with a crime.
 - v. The fact that a juvenile has been taken into custody, including sex and age.
 - vi. The nature, substance, or text of the charge.
 - vii. The facts, time, and place of arrest.
 - viii. The next step in the judicial process.
 - ix. Requests for aid in locating evidence, a complainant, witness, or suspect. The identity of a suspect before arrest will not be disclosed except to the extent necessary to aid in the

investigation, to assist in the apprehension of the suspect, or to warn the public of any danger. A person's name, age, gender, general physical characteristics, and race may be released as descriptive information in such cases.

- x. Available photographs may be released only if they serve a valid law enforcement function, such as the identity of an unknown victim or to enlist public assistance in the apprehension of the suspect. The release of a photograph of an unknown victim requires the authorization of the Chief of Police or designee.
 - xi. Booking photos, i.e., "mug shots," of adult arrestees are available to the news media after an arrest unless there is a reasonable possibility that such release would interfere with or compromise the investigation.
 - xii. Releasing photographs of juveniles charged as adults will be at the discretion of the prosecutor.
2. **Public Relations:** The Chief of Police or designee shall be responsible for issuing public relations news releases. Information should be provided to all media agencies within the agency's service area. The content of the news releases may include:
- i. Agency accomplishments.
 - ii. New program announcements.
 - iii. Crime prevention information.
 - iv. Relevant crime problems and statistics.
 - v. Appointments and promotions.
3. **Emergency News Release:** Whenever there is an immediate need to inform the public of an emergency, the Chief of Police or designee may contact the news media and issue a press release. The need for such release will depend upon the severity of the situation and the need for the public to be informed. In special situations of public concern such as natural disasters (severe wind, snow emergencies, floods, rainstorms, etc.), a major fire, or a chemical spill, the Chief of Police or designee may issue a press release. Comments to reporters should relate only to factual, on-the-record information.

D. Withholding Information:

- 1. In general, comments to the news media concerning investigations, indictments, arrests, and criminal incidents should be minimal, consistent with the responsibility of keeping the public informed without compromising or interfering with the investigation or prosecution, or disseminating prejudicial information concerning an accused person, or concerning the prosecution's evidence that will interfere with the ability of a court to impanel an impartial jury.
- 2. The following information **MAY NOT** be released:
 - i. Names or personally identifying information of a victim, complainant, or witness.
 - ii. Officers may not disclose the identity of a juvenile as to the arrest, investigation, or disposition of any case involving a juvenile.
 - iii. Medical information.
 - iv. The identity of any injured or deceased person before notification of next of kin.
 - v. Specific cause of death unless officially determined by the Medical Examiner.
 - vi. Personnel data relating to any sworn member or employee of the department, including investigative findings of complaints of misconduct against personnel unless discipline is taken in

which case the final written decision of discipline is public. Questions concerning personnel should be referred to the Chief of Police or designee.

- vii. Information concerning an ongoing investigation is limited to basic factual information, and only then when there is no reasonable possibility that dissemination of the information will interfere with the investigation, resulting in disseminating prejudicial information concerning an accused person or concerning the prosecution's evidence that will interfere with the ability of a court to impanel an impartial jury or information that would constitute an unwarranted invasion of personal privacy of any person. Other information that should not be released includes the identity of a confidential source, the information provided by the confidential source, investigative techniques and procedures not known by the public, and information that would endanger the life or physical safety of any person (including a law enforcement officer), or any other information declared confidential by statute.
- viii. Any law enforcement information provided by other agencies for confidential or law enforcement purposes.
- ix. Preliminary drafts, notes, impressions, memoranda, etc.
- x. Confidential intelligence or operations will not be disclosed except by express permission of the Chief of Police or designee.
- xi. Any records required to be kept confidential by federal or state law or rule of the court.