

# Narragansett Police Department

40 Caswell Street, Narragansett, RI 02882

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## Policy 520.01

## RELEASE OF POLICE INFORMATION AND MEDIA RELATIONS

### 01 Purpose

The purpose of this policy is to establish guidelines for the release of information to the news media. To further provide the news media and public with timely and accurate information regarding department activities while ensuring that police investigations are not jeopardized by the premature release of information.

### 02 Policy

The Narragansett Police Department actively seeks 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 police operations. The department is committed to informing the community and the news media of events within the public domain. However, certain information must be withheld from the media to protect the constitutional rights of an accused, to avoid interfering with a department investigation, or because it is legally privileged.

### 03 Procedures

#### A. Public Information Function

1. The Chief of Police or his/her appointed designee is designated as the public information officer and is responsible for the public information function of the department, and compliance with the Access to Public Records Act of the State of Rhode Island.
2. In the absence of the Chief, a designated Captain, will be responsible for:
  - a. Assisting news personnel in covering routine news stories, and at the scene of incidents when so required.
  - b. Being available for on-call responses to the news media.
  - c. Preparing and distributing formal press releases.
  - d. Arranging for, and assisting at, news conferences.
  - e. Coordinating and authorizing the release of information about victims, witnesses, and suspects.
  - f. Developing Procedures for the release of information when other public safety agencies are involved in a mutual effort.
3. It shall be the responsibility of the Chief of Police or designee to:
  - a. Coordinate and authorize the release of information concerning:

1. Confidential department investigations and operations.
2. Assisting in crisis situations within the department.

**4. Police officers who are approached by members of the news media for information concerning official activities of the department are to refer all such inquiries to the O.I.C.**

**B. News Media/At Scene Access**

1. News personnel and photographers covering stories at the scene of major incidents, disasters, or events will be directed to an area designated by the Incident Commander.
2. The area designated for the media should be convenient to the reporting of the incident so long as the investigation is not jeopardized and safety considerations are not compromised.
3. The area will be outside of the crime scene perimeter.
4. The Public Information Officer (PIO) should periodically update the media in accordance with this policy and Rhode Island Law.
5. If other agencies are involved in a mutual effort, the agency with primary jurisdiction will be responsible for releasing information unless other arrangements have been agreed upon.

**C. News Releases**

1. News releases are divided into three (3) categories. The frequency and content of the release depends upon the objective desired. Normally releases will be provided to those media agencies that have a direct relationship with the service community. The three types of news releases are:
  - a. ONGOING INVESTIGATIONS- It is important that all releases contain the same information. If possible, a printed release will be prepared for distribution to the media. The Chief, or his designee (the O.I.C. in their absence), MAY release the following information:
    1. The type of crime or nature of the incident.
    2. The location (certain restrictions apply), date, time, injuries sustained, damaged property, and a brief description of the incident.
    3. Amount and type of property taken, including value, if known.
    4. The name, age, and address of any adult charged with a crime.
    5. The fact that a juvenile has been taken into custody, including sex, age, and general area of residence.
    6. The nature, substance or text of the charge.
    7. The facts, time and place of arrest.
    8. The next step in the judicial process.
    9. Requests for aid in locating evidence, a complainant, or a 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 gender, general physical characteristics, and race may be released as descriptive information in such cases.

10. 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 offender. Release of a photograph of an unknown victim requires the authorization of the Chief of Police.

b. PUBLIC RELATIONS- the Chief of Police or his designee shall be responsible for issuing public relation news releases. Information should be provided on a regular basis to all media agencies that have contact within the department's service area. The content of the news releases may include:

1. Department accomplishments.
2. New program announcements.
3. Crime prevention information.
4. Relevant crime problems and statistics.
5. Appointments and promotions.

c. EMERGENCY NEWS RELEASE- Whenever there is an immediate need to inform the general public concerning an emergency, the on duty O.I.C. 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 disaster (tornadoes, severe wind, snow emergencies, floods, or rainstorms, etc.), a major fire or a chemical spill, the O.I.C. may issue a press release at their discretion. Comments to reporters should be comprised only of factual, on-the-record information. The Chief of Police will be informed of the emergency release as soon as practical.

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 jeopardizing the rights of individuals.
2. The following information WILL NOT be released:
  - a. Any victim, complainant, or witness information such as identity, address, phone number, age, etc., in the following instances:
  - b. The information is contained in an on-going investigation whereby release of such information may jeopardize successful resolution and/or prosecution of the case.
  - c. The information is contained in any sex offense or sex related investigation, which, if divulged, would tend to lead to the victim's identification.
  - d. Law enforcement officers may not disclose the identity of any juvenile in releasing information to the general public as to the arrest, investigation or disposition of any case involving a juvenile, unless under the written direction of a Justice of the Family Court.

- e. Medical information relating to health history, any diagnosis, medical condition, treatment provided or evaluation made by health care providers as defined in R.I.G.L. (5-37.3-3) unless specific consent has been obtained under the guidelines of R.I.G.L. (5-37.3-4).
- f. The identity of any critically injured or deceased person, before notification of the next of kin.
- g. Personnel data relating to any sworn member or employee of the department. Questions concerning personnel will be referred to the Chief of Police.
- h. Exact information concerning an on-going investigation, whether it a crime or traffic accident, will not be released if the information would jeopardize the investigation or prosecution of a subject.
- i. Any police information released from other agencies, which were furnished for confidential or law enforcement purposes, ex. BCI, Triple "I", license checks.
- j. Preliminary drafts, notes, impressions, memoranda, etc.
- k. Confidential intelligence or operations will not be disclosed except by express permission of the Chief of Police.
- l. Sensitive or investigative information concerning internal investigations except by express permission of the Chief of Police in accordance with the RI Law Enforcement Officer's Bill of Rights.
- m. Any records required to be kept confidential by federal or state law or rule of the court.

#### D. Access to Public Records

1. The Prosecution Lieutenant serves as the public records officer. The Records Clerk will act as the Prosecution Lieutenant's designee and will handle public records requests.
2. The name of its public records officer, business address and phone number will be furnished to the Department of Attorney General.
3. The Narragansett Police Department adopts the language of the public notice placard and agrees to maintain it in a prominent place in the lobby of the police station.
4. The Narragansett Police Department adopts the Access to Public Records procedure.
5. The Narragansett Police Department agrees to maintain copies of the Access to Public Records request procedure at its front desk for distribution to the public.
  - a. Regular business hours of the record department will be 8:00 am to 12:00 PM.
  - b. All other requested records will be forwarded to the Records Clerk. (Example; larceny reports, arrest reports, etc.). Public records requests may be made anytime using the online Town of Narragansett's Public Request Portal ([Narragansett, RI Records Requests - Make a new request](#)).
  - c. Completed requests, not sent electronically or via mail, will be made available to pick up at any time in Dispatch.
  - d. The Prosecution Lieutenant, Body Camera Administrator, the Records Clerk or the Prosecution Lieutenant's designee will be responsible for any redaction or refusal of the requested information. (Examples of redacted or denial of records; witness information, victim information, juvenile defendants, ongoing investigation, suspects, medical

information, social security numbers etc.)

6. The Narragansett Police Department understands and respects the right of the public to access public records and will treat citizens requesting public records with courtesy consistent with the department's rules and regulations.
7. The Narragansett Police Department recognizes that it must respond to public record requests within 10 business days. If we must seek an extension, of no more than 20 business days, we must inform the requester within the initial 10-day period of the need for an extension. If we do not send the extension letter or respond to the request within the initial 10 days, our inaction is considered a denial and we may have waived our defenses if a court action is filed.
8. If we need advice as to whether a document is a "public record" we will promptly contact our town solicitor. If he or she is unable to provide an answer, he or she may contact the Civil Division of the Department of the Attorney General for an advisory opinion. If the town solicitor is for some reason unavailable, the Chief of Police may contact the Department of Attorney General directly.
9. The public records officer or his/her designee shall maintain a central file of all public records request forms. The file will contain the completed request forms once the request has been fulfilled or responded to. It is understood that in many instances the Narragansett Police Department provides public records that are readily available to the requester without requiring them to complete the Public Records Request form.
10. If someone feels they have been denied access to public records, they have the right to appeal to the Chief of Police. If they are still not satisfied they may file a complaint with the Department of the Attorney General.

#### E. Media Review

1. The Narragansett Police Department will involve the news media in the development of changes in policies and procedures relating to the public information function by allowing them to review and comment on this procedure.

**NOTE: This order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.**

By Order of:

Chief of Police