

<b>SALINA POLICE DEPARTMENT</b>		Number
<b>GENERAL ORDER</b>		<b>P3201</b>
SUBJECT: <b>PUBLIC INFORMATION</b>		
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## **POLICY**

The policy of the Department shall be one of openness and candor when informing the news media and community of events within the public domain which are handled by or involve the Department. The Department has established and endeavors to maintain a cooperative climate whereby the news media may timely obtain information on matters of public interest in a manner which does not hamper police operations or investigations.

## **PROCEDURE**

### **1. Public Information Function**

- 1.1. The Chief of Police will designate the Department Public Information Officer, who will be responsible to see that an atmosphere of cooperation exists between the Department, the media, and the community. This atmosphere can be accomplished by the following:
  - 1.1.1. Conducting daily briefings, excluding weekends, with representatives of all local media to disseminate information on routine police cases or activities of interest to the media.
  - 1.1.2. Being on call for responses to news media in those situations not conducive to the regularly scheduled news briefings.
  - 1.1.3. Preparation, delivery, and distribution of agency news releases as necessary.
  - 1.1.4. Arranging and assisting at news conferences.
  - 1.1.5. Coordinating and authorizing the release of information about victims, witnesses, and suspects.
  - 1.1.6. Assisting in crisis situations within the agency.
  - 1.1.7. Coordinating and authorizing the release of information concerning confidential agency investigations and operations.
  - 1.1.8. When a request for information is received concerning multi-agency endeavors, the Public Information Officer (PIO) will refer the request to the representative of the agency having primary jurisdiction.
  - 1.1.9. Coordinating the release of information during a natural disaster, man made disaster, civil disturbances, and/or emergency situations at a correctional or other institution.
  - 1.1.10. Consulting representatives of the news media for input in developing changes in policy and procedures relating to the news media.

**2. Press Releases**

- 2.1. All press conferences will be scheduled through the office of the Chief of Police. The PIO will assist in the preparation of information to be released and will ensure that all news media agencies in the city are granted equal access.
- 2.2. Each workday morning a media briefing will be conducted by the PIO; representatives from all media sources will be invited. This briefing will alert the media to police investigations and operations of a non sensitive nature as determined by the PIO. The time and place for these briefings may be altered at the discretion of the PIO.
- 2.3. The subject matter of all news releases will be consistent with Section 4. of this order.
- 2.4. From time to time situations may arise when the PIO is not available, and/or events at the scene of an incident or other fast breaking event requires an immediate agency spokesperson. When such situations arise, the Patrol Supervisor shall function as the PIO with full authority to make decisions pertaining to release of information. These situations may include such things as:
  - 2.4.1. Accident or crime scenes where the media are present.
  - 2.4.2. After hours information from the Department files that may be requested by the media.
    - a. Page One information on reports that are currently available within the Records Unit may be released at the earliest convenience of the Patrol Supervisor. All other records may be released only during regular business hours through normal procedures.
    - b. Detectives may release information concerning ongoing investigations according to guidelines contained in Section 4 of this order.
  - 2.4.3. Information concerning an ongoing investigation where the media may be at the scene.

**3. News media representatives should not be in a position to interfere with law enforcement operations at the scene of an incident. The guidelines for news media access, including photographers, are as follows:**

- 3.1. A display of credentials to confirm their identity when challenged by a police officer.
- 3.2. No interference, resistance, obstruction or opposition of police officers while in the lawful execution of their duties. The presence of a journalist gathering or attempting to gather news in any form at an accident, crime, major fire, disaster, or emergency scene does not constitute unlawful interference, resistance, obstruction or opposition, and should not be restricted, except where police have established restricted access areas.
- 3.3. Whenever a threat to human safety is created by any emergency, a representative of the Department may restrict or deny access to the area where the news media's presence could constitute an actual danger to themselves or emergency personnel, or when such officer reasonably believes that the presence of such persons would interfere with the performance of police duties.
- 3.4. Whenever it becomes reasonably necessary for the preservation and collection of evidence, police may restrict or deny access to any room, building, enclosure or any open area by a conspicuous means.

- 3.4.1. Representatives of the Department have the authority to regulate or prohibit the presence or movement of persons or vehicles to, from and within any restricted area, to evacuate persons, and to remove any property therein until the reason for such restriction or denial no longer exists.
  - 3.4.2. Provisions shall be made for subsequent reasonable access to such restricted areas by any of the news media consistent with the needs of the Department and other emergency services. There shall be no denial of access or movement to the news media outside the restricted area. Whenever the need exists, the Department will designate a media contact person to assist the news media in obtaining answers to questions from the various sources at the scene in regard to the incident.
  - 3.4.3. Upon the restricted area becoming clear, the news media shall not be further restricted. The reasons for the restricted area, whenever possible, should be explained to the media representatives. The Department should not interfere with news media access to privately owned property where they have implied or expressed consent for such access.
  - 3.4.4. Department members should not restrict news media representatives from taking photographs, sound recordings, or asking questions which do not interfere with the duties of a police officer or when outside of a restricted area.
  - 3.4.5. News media representatives violating the law will be dealt with in the same manner as any other violator.
4. Each case or incident must be considered in light of its particular circumstances. Certain information must be withheld to protect the constitutional rights of the suspect, to avoid interfering with an ongoing investigation, or because it is legally privileged. Other concerns, such as whether the release of information will unnecessarily jeopardize or embarrass an innocent person, or promote pre-trial prejudice to the extent that a fair trial would be difficult or impossible, must also be weighed against the public's need and right to be informed.
  - 4.1. **THE FOLLOWING GUIDELINES PERTAIN TO THE RELEASE OF INFORMATION TO THE NEWS MEDIA BEFORE AN ARREST IS MADE.**
  - 4.2. **INFORMATION AUTHORIZED FOR RELEASE TO MEDIA**
    - 4.2.1. A description of the exact offense including a brief summary of events.
    - 4.2.2. Location and time of the offense.
    - 4.2.3. Injuries sustained or damages resulting from the action.
    - 4.2.4. Identity of the victim.
    - 4.2.5. Whether or not there are suspects.
    - 4.2.6. Information about unidentified suspect, such as physical description.
    - 4.2.7. Identification of fugitive suspects for whom an arrest warrant has been issued.
    - 4.2.8. Information concerning a fugitive that should alert the public to danger.
    - 4.2.9. Length of investigation.
    - 4.2.10. Any information contained on page one of the Standard Offense Report. This information is public record.

**4.3. INFORMATION NOT TO BE RELEASED TO MEDIA**

- 4.3.1. Identity of suspects who are interviewed but not charged.
- 4.3.2. Identity of witnesses where such information could subject them to danger or embarrassment.
- 4.3.3. Exact identifying information about the weapon or evidence.
- 4.3.4. Any information that could be known only to the guilty party (investigative keys).
- 4.3.5. Information concerning valuable items not taken.
- 4.3.6. Conjecture about suspects or fugitives.
- 4.3.7. Amount of loss when the crime involves the robbery of a business, or a staff officer indicates "no release" of this information. (The monetary information will not be listed on page 1 of the Standard Offense Report.)
- 4.3.8. Only the PIO or County Attorney will release the identity of victims in death investigations.
- 4.3.9. Identity of juvenile suspects.
- 4.3.10. Misleading or false information.
- 4.3.11. Identity of officer involved in a citizen death will only be released by the Chief of Police and/or County Attorney.
- 4.3.12. Information identifying juvenile victims and alleged juvenile victims of sex offenses, as defined in K.S.A. Chapter 21, Article 35.

**5. THE FOLLOWING GUIDELINES PERTAIN TO THE RELEASE OF INFORMATION TO THE NEWS MEDIA AFTER AN ARREST HAS BEEN MADE.****5.1 INFORMATION THAT MAY BE RELEASED**

- 5.1.1. Time and place of arrest.
- 5.1.2. Arrested person's name, age, residence, and similar biographical information.
- 5.1.3. Juvenile's, 14 or older, who have been arrested or referred to juvenile court for committing or allegedly committing a public offense.
- 5.1.4. The offense for which the accused was arrested.
- 5.1.5. Circumstances of the arrest, including time, place, resistance, or pursuit.
- 5.1.6. The identity of the investigating and arresting agencies and the length of the investigation.
- 5.1.7. Pre-trial release or detention arrangements (amount of bail).

**5.2. INFORMATION THAT MAY NOT BE RELEASED**

- 5.2.1. Name of accused's employer.
- 5.2.2. The existence or contents of any confession, admission or statement made by the accused.
- 5.2.3. Opinions concerning the innocence or the character of the accused.
- 5.2.4. Statements predicting or influencing the outcome at any trial.
- 5.2.5. Results of any examination or test or the accused's refusal or failure to submit to any examination or test.
- 5.2.6. Statements made in judicial proceedings outside the presence of the jury or matters, which if reported, would interfere with a fair trial.
- 5.2.7. Name of informant.

5.2.8. Information identifying juvenile victims and alleged juvenile victims of sex offenses, as defined in K.S.A. Chapter 21, Article 35.

6. All written press releases will come from the PIO with the approval of the Chief of Police.
7. At no time will anyone other than the Chief of Police or the PIO make a news release concerning Department policy.
8. When a request for information is received concerning multi-agency endeavors, the PIO will refer the request to the representative of the agency having primary jurisdiction.
9. No member of the Department will volunteer the prior criminal record of an accused except to aid in his apprehension or to warn the public of any dangers he presents. The news media can obtain prior criminal records from public records of the courts, police agencies, or other governmental agencies, and from their own files.
10. **Photographs**
  - 10.1. Law enforcement personnel will not deliberately pose a person in custody for photographing or televising by representatives of the news media.
  - 10.2. Unposed photographing and televising of an accused outside the courtroom is generally appropriate. Officers shall not interfere with such photographing or televising unless it interferes with their official duties.
  - 10.3. Photographs of persons sought, i.e., missing persons, kidnap victims, runaways, or the accused (when warrants have been issued) may be released to representatives of the news media. Exceptions to this policy may be made with the approval of the Chief of Police or his designee.

BY ORDER OF

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CHIEF OF POLICE