



# COTTAGE CITY POLICE DEPARTMENT

## GENERAL ORDER

### SUBJECT: **PUBLIC INFORMATION**

### NEW REVISED RESCINDS

APPROVED: *GM*  
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ACTING CHIEF OF POLICE

Effective Date 8/22/2018

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#### I. POLICY

One of the first and most fundamental considerations of this nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They recognized that a well-informed citizenry is vital to the effective functioning of a democracy. Police operations profoundly affect the public and therefore arouse substantial public interest. Likewise, public interest and public cooperation bear significantly on the successful accomplishment of any police mission.

Full cooperation between the news media and law enforcement agencies in the prompt and accurate dissemination of information to the public is a continuing goal and the policy of the Cottage City Police Department. This procedure is intended to protect the delicate balance of rights and duties of both the new media and the police. It also provides the basic controls required by the police department to protect its own physical security, the security of its employees, and the rights of suspects, those arrested, and witnesses related to a crime or other police-related incident.

#### II. PURPOSE

The purpose of this General Order is to establish guidelines and procedures for the release of public information and the department's commitment to community relations. This policy is designed to foster a relationship of mutual trust, cooperation, and respect.

### III. PUBLIC INFORMATION COMMITMENT

#### A. General public

The public has an abiding interest in law enforcement and in the activities of the Department. Members of the public frequently direct inquiries to the Department seeking information on a variety of subjects. While it is the aim of the Department to fulfill such requests, it is not always possible to do so. Whether to release information or to grant interviews will be determined according to the facts of each case and prevailing laws regarding the release of information.

#### B. News media

The Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a way that does not hamper police operations; however, certain information must be withheld for the news media to protect the constitutional rights of victims, witnesses, or the accused; avoid obstruction of an ongoing Department investigation; or because it is legally privileged.

### IV. PUBLIC INFORMATION FUNCTION

- A. The Cottage City police have established an overall public information function which is structured to accommodate the news media for potential situations that are newsworthy.
- B. The Chief of Police will function as the primary contact for information dissemination to the community and new media.
  - 1. Information from agency files concerning Departmental plans, policies, or administrative changes shall be released by the Chief of Police or his designee. These officials shall assist the media whenever they are contacted.
  - 2. The dispatchers will usually only provide basic information to the news media, since to do more would interfere with the performance of their primary tasks. Dispatchers will route such requests to the appropriate on-duty officer.
  - 3. Information related to investigations where public disclosure would interfere with the investigation, the apprehension of

suspects, or the rights of suspects, will be withheld from public disclosure.

- C. To foster cooperation and mutual respect between the news media and the Department, the public information function will include, but is not limited to:
  - 1. Assisting news personnel at the scenes of incidents and in covering routine new stories;
  - 2. Maintaining availability for on-call responses to the news media;
  - 3. Preparing and distributing Department news releases;
  - 4. Arranging for, and assisting at, news conferences and/or cable television broadcasts;
  - 5. Coordinating and authorizing the release of information about victims, witnesses, and suspects according to Department policy;
  - 6. Assisting in crisis situations that affect the Department;
  - 7. Coordinating and authorizing the release of information concerning confidential investigations and operations following Department policy;
  - 8. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.

## V. PRESS RELEASES

- A. Press releases shall be prepared as required by specific occurrences in the Town or to address specific issues or concerns of the agency department.
- B. Information about cases and statistics will be available from the department according to this General Order when requested by the media.
- C. Dissemination of information to the news media will be accomplished in a manner to ensure its equal availability to all news media members.

Generally, press releases will be available at the City Administrative Office and the police department.

- D. When making a news release in which other agencies have been involved, credit will be given to those agencies.
- E. The agency having primary jurisdiction will be responsible for coordinating the release of information.

VI. NEW MEDIA PERSONNEL

- A. Members of the department shall require adequate identification of media representatives before permitting access to controlled or secured areas. For the purpose of this General Order, media representatives shall include reporters, photographers, camera operators, and other media personnel.
- B. The department does not issue credentials to media representatives, but instead relies on media organizations to supply appropriate identification. If, for some reason related to the conduct of a media representative, an officer feels an individual no longer should be granted press privileges, the officer shall notify the Chief of Police in writing via the chain of command. The Chief of Police will decide whether contact with the media organization is appropriate and whether action equivalent to the "revocation of credentials" should be explored.
- C. Officers should recognize the need for reporters and photographers to be present at scenes of police-related incidents. Police officers must remain aware of citizens' rights to accurate, timely information concerning incidents requiring police response. Therefore, police officers at crime or other incident scenes must cooperate with members of the news media consistent with this General Order. Members of the media will be allowed the necessary and sometimes additional freedom to complete their tasks, provided that freedom does not interfere with the performance of the police function.
- D. At the scene of a police-related incident, whether a crime scene or incident of another nature, (i.e., major fire, natural disaster, serious accident, or other catastrophic event) the police have an obligation to preserve the integrity of the scene, to gather evidence, and assist injured victims. Accordingly, police personnel should define the crime scene area, while investigation, evidence collection, and related activities are

on-going and restrict the media from those areas so as not to interfere with law enforcement operations.

- E. After the police have completed their tasks, media representatives will be allowed to ask questions and take photographs of the scene. Taking photographs at scenes of incidents, crimes, or accidents will be done at the discretion of the new media, who will assume full responsibility for the use of such photographs or film. Should an incident take place on private property, news media representatives may be permitted on the scene upon completion of the investigation with the permission of the owner or person legally responsible for, or in control of the property.
- F. News media representatives are prohibited from photographing individuals in custody within the confines of police facilities. Photographing of individuals in custody outside those facilities is permitted.
- G. Any problems encountered by either police personnel or media representatives in carrying out the provisions of this General Order should be reported in writing to the Chief of Police via the chain of command.
- H. Before any changes are made in this General Order, the news media will be contacted and allowed to make any suggestions that will help them in their daily work.

## VII. RELEASE OF INFORMATION

- A. The following information will not be released:
  - 1. The identity of victims of sex-related crimes;
  - 2. The identity of any suspect for whom a warrant or summons has not been issued or indictment returned;
  - 3. The existence of any prior criminal record or any information concerning the character or reputation of the accused or remarks which tend to establish the defendant as a "professional" criminal;
  - 4. The existence or contents of any confession, admission, or statement of the accused;

5. The performance of any examination or test by the accused or the refusal or failure to submit to an examination or test;
6. The identity of actual or prospective witnesses to crimes, other than the victim as mentioned above, or comments on the expected testimony or credibility of any witness;
7. Any opinions as to the innocence or guilt of the accused, the merits of the case, the possibility of any pleas or negotiations, or the value of any evidence;
8. The identity of any juvenile arrested who has not been certified by the Circuit Court as an adult. NOTE: A judge may authorize release of juvenile identity information when the crime is a felony or the juvenile is sentenced as an adult.
9. The names of deceased prior to the notification of next of kin;
10. Comments which tend to suggest that a defendant has aided in the investigation;
11. Information concerning the planning of raids or other specialized enforcement efforts;
12. Information which would hinder, impede, or otherwise interfere with an on-going investigation.

B. Release of information pertaining to juveniles

1. Criminal offense - The juvenile's name, address, or other distinctly unique information which would serve to identify a juvenile may NOT be released. Age, sex, city of residence, and details of the offense MAY be released; however, under certain circumstances, a judge may authorize release of identity information.
2. Accidents - If traffic charges are or may be placed as a result of an accident investigation, juvenile identity information will be withheld.

C. Crime or incident information to be released upon media request includes:

1. The type of event or crime, when and where it occurred, including a brief synopsis of facts concerning the incident;
  2. The identity of the victim and/or the name of the person who reported the crime. In the event the victim or reporting person requests that his name not be used in the media, this fact will be given to the media.
  3. Information concerning property loss, physical injuries, or death, after notification of next of kin;
  4. Information concerning the type and length of investigation;
  5. Information concerning the existence of suspects may be released, if it is felt that public assistance is needed for the location of a suspect or evidence.
  6. If a warrant has been executed, the name, address, description, etc., of that person will be released. If a warrant has been issued but not executed, and it is anticipated that the public may provide information to help in locating the person, this information may be released.
- D. After an arrest of an individual, other than a juvenile, the following may be released upon media request:
1. Defendant's name, age, residence, and other factual background information;
  2. Nature of the charge upon which the arrest is made;
  3. Identity of any assisting agencies; Circumstances surrounding the arrest, including the place of arrest and the identity of the arresting officers;
  4. Custody status;
  5. Dates of various hearings;
  6. Photographs of the defendants without the police identification data may be furnished, if readily available in current files.

7. E. Names of officers providing information to the media may be given to the media and published, unless the officer(s) involved is in an undercover assignment. Addresses and telephone numbers of the police personnel will not be released.

#### VIII. SIGNIFICANT EVENTS

Notifications of police and town officials concerning significant events will be made in accordance with other orders and town protocol.