

DEPARTMENT GENERAL ORDER 09-22

OFFICE of the CHIEF OF POLICE
REPLACES: General Order 07-46/07-46A
SOP 501.73.00

DATE: June 02, 2009

PUBLIC INFORMATION AND MEDIA RELATIONS

I. PURPOSE.

The Police Department will cooperate with representatives of the news media to ensure that information regarding newsworthy events, the activities and performance of the department, and vital emergency information, are disseminated to the general public in accordance with established policy and the protections guaranteed individuals and groups by the Constitution of the United States.

II. DEFINITIONS.

News Media - Official representatives of electronic and print news organizations, such as radio, television, newspapers, and magazines. Free lance reporters and photographers will be regarded as members of the general public until they are approved by the Chief of Police or Public Information Officer.

Public Affairs Officers - Civilian personnel assigned by the Public Information Officer to serve as a liaison with news media representatives and escort same to field media sites, or to act as a tour guide of those areas affected by natural or manmade emergencies.

Public Information Center - A central point of contact for all news media covering a disaster situation, where representatives of various news organizations are kept apprised of operational activities and event status via a Public Information Officer.

Public Information Officer (PIO) - The Public Information Officer will serve as a central

source of information during disaster situations affecting the City and will conduct media briefings, as well as respond to media requests for data.

III. PUBLIC INFORMATION FUNCTION.

In normal circumstances the public information function will be a responsibility of the Chief of Police or his designate. In emergency situations, the public information function will be assumed by the City of Clayton Public Information Officer who shall establish and direct a Public Information Center. Both shall perform a variety of duties in conjunction with the release of information to the general public and news media.

A. Assistance to News Media

The Chief of Police, and other department personnel who may be assigned to serve as part of the public information function, will assist news personnel in covering stories at the scenes of major incidents; coordinate and authorize the release of information concerning victims, witnesses, and suspects of crimes that occur within the City of Clayton; coordinate and authorize the release of information relating to confidential agency operations and investigations; direct media representatives to appropriate information sources; arrange for and assist at news conferences; and satisfy media inquiries to the extent provided for by law, security considerations, and department policy.

B. Notification of Chief of Police in Regard to Media Requests

Should the Chief of Police be unavailable at the time a request for information is received from the news media, the ranking commander or official designate will first attempt to satisfy the media request, and then record the name of the news organization, the name of the reporter or editor, a contact number, and a brief synopsis of the desired information. The Chief of Police will then be apprised of the contact at the earliest possible opportunity, so that he may conduct a follow-up contact, as needed .

In those instances where a request is termed urgent or pressing by a news representative, the employee (Commander, Supervisor, Acting Sergeant) in contact with the news agency shall obtain the information listed above and direct the department's communications unit to immediately contact the Chief of Police. The employee will then relay the information to the Chief along with a summation of the incident or event in question. An immediate response, if any, shall then reside in the discretionary powers of the Chief of Police.

C. Notification of City Manager

The City Manager shall be notified of all major criminal or other type incidents, particularly those that generate news media interest. This will be accomplished in a timely manner and shall generally be carried out by the Chief of Police or his designate.

D. Internal Crisis Situations

Situations involving the death or serious injury of a department employee, a criminal internal affairs investigation involving one or more department employees, or some other internal crisis which negatively impacts agency morale/performance, will require the public information function to assist in the management of the situation as circumstances warrant.

E. Emergency Public Information Officer

In the event an emergency situation should arise within the jurisdictional limits of the City of Clayton, where the City's Emergency Operations Plan is activated, the Mayor shall assume the role of Public Information Officer. He shall preside over the establishment and operation of a Public Information Center, and will conduct news conferences, arrange tours/interviews, and issue such news releases, etc. as necessary.

F. Media Relations Training

Command personnel shall receive periodic training in media relations via an accredited training provider such as the St. Louis County and Municipal Police Academy. Such training shall be documented in the appropriate manner and a copy of any certificates, diplomas, etc. placed in the employees personnel file.

IV. NEWS RELEASES.

The Police Department will respond to information requests from the news media in a timely fashion, consistent with legal, privacy, and operational constraints. Similarly, the department may independently initiate news releases to satisfy anticipated media interest, or to otherwise serve the needs of the agency.

A. Authority to Release Information

The authority to release information to the news media, conduct a news

conference, or to submit to an interview, shall be reserved exclusively to the Chief of Police, bureau commander, or a designate acting as department PIO. In those instances where a request is received at an incident scene, or where time or other constraints become issues, the ranking commander at the scene may handle the release, but will record all appropriate information to properly brief the Chief of Police.

B. Types of Information Releases

The types of information that may be released to news media affiliates will include:

1). Routine Crime News

Basic information regarding a criminal incident to which officers from this department have responded; however, care must be taken to guard against the release of sensitive or excessive information which could interfere with subsequent criminal investigation and prosecution.

a. Crime Phone News Releases

Information concerning specific criminal incidents or trends will be incorporated into a written script by a Community Services Officer, and following approval by either a bureau commander or the Chief of Police, the information shall be directed to the appropriate geographical area(s) within the City.

2). Major Incident News

The dissemination of information regarding a major incident or event to which this department, outside law enforcement agencies, emergency service agencies, and other organizations may have committed personnel and resources. Contingent upon the scope of the incident, the Chief of Police or other authorized person may fulfill all necessary responsibilities in connection with the distribution of public/media information, or may relinquish same to the City's Public Information Officer.

a. Requests for Public Assistance

In those instances where the department wishes to solicit public assistance and/or information in regard to an active criminal

investigation or other incident (dog bite, missing person, etc.), various news media affiliates shall be contacted and provided with sufficient case information to generate a public response. Included in such news release shall be the name, address, and phone number of the Police Department

3). Administrative/Policy News

Information regarding department policies, administrative activities, or internal investigations may be released by the Chief of Police or his designate when such release does not conflict with existing legal and/or privacy issues.

4). Emergency Instructions/News

In an emergency situation, news releases or bulletins may be issued to the general public in regard to safety instructions (Evacuation, shelter-in-place, curfew, etc.), requests for volunteers, incident status reports, or other informational topics.

C. Release of Arrest Information

In order to accommodate the public interest in certain criminal cases, the following information may be released, unless otherwise restricted by law or department policy.

1). Identification

Suspects for whom warrants have been issued in regard to criminal violations may be identified to the media by name, age, address, occupation, past criminal convictions, and descriptive information (Height, weight, hair color, eye color, etc.). Should a criminal suspect be arrested, and an inquiry is received prior to the issuance of a warrant, the responsibility to release data concerning personal identification shall rest with the Chief of Police or his designate. Such arrest records are open for thirty (30) days. At the end of that time, if the individual has not been formally charged, the arrest record becomes a closed record.

2). Photographs

Arrested suspects may be photographed by the media while being escorted by police in a public place. However, news representatives shall not be allowed to photograph persons in custody within the

confines of the Police Department or other restricted areas.

Mugshots of arrested suspects for whom a warrant has been issued, or wanted suspects with prior convictions, may be released to the news media. Similarly, photographs or video tapes of a "Person of Interest" whom the department is trying to identify may also be released to the news media.

3). Evidence

The existence of evidence may be confirmed and may be discussed, photographed and, as appropriate, arranged for public viewing. However, depending upon investigative and prosecutorial needs, specific details in regard to acquired evidence may be withheld from the news media so as to preserve successful prosecution.

The Chief of Police or his designate, following consultations with the Command and supervisory staff assigned to the Criminal Investigations Division, shall reach agreement on what items of information, if any, should be withheld from the media.

D. Restricted Information

The following information shall not be released to the news media without the express approval of the Chief of Police or a bureau commander. In addition, should a question exist as to the propriety in releasing certain information, the St. Louis County Prosecuting Attorney's Office shall be consulted for a legal opinion.

- 1). Any information regarding the department's General Orders, operating procedures, policies, rules, or regulations.
- 2). Any information concerning litigation, complaints, charges, or other action pending against a member(s) of the department.
- 3). Prior criminal record or statements concerning the character or reputation of a suspect/defendant.
- 4). The existence or contents of a confession, admission, or statement made by a suspect or defendant, or a refusal to make a statement.
- 5). The performance/results of any test for deception, or a refusal to take such an examination.
- 6). The name, exact address, phone number, specific testimony, or credibility of any prospective victim or witness.

- 7). An opinion or conjecture in regard to a defendant's guilt or innocence, or in other matters relating to the merits of a case.
- 8). Identity of any juvenile where such is restricted by law.
- 9). The identity of the victim of a sexual offense.
- 10). The identity of a critically injured or deceased individual prior to notification of the next of kin.
- 11). The specific cause of death, until determined by the St. Louis County Medical Examiner.
- 12). Exact amount or denominations of currency taken in a crime.
- 13). Content of a suicide note.
- 14). Personal opinion not founded on fact.
- 15). Misleading or false information.
- 16). Exact information about a weapon or other physical evidence.
- 17). Information that could only be known to the guilty party.
- 18). Home address and telephone number of any member of the Police Department.
- 19). Confidential or intelligence information received from other law enforcement agencies.

V. MEDIA INTERVIEWS.

Information may be provided to media representatives via several different formats. However, irrespective of the format employed, department personnel engaged in a news interview shall present themselves in a professional manner and restrict their answers to known facts. The dissemination of suppositions and assumptions to the news media shall not be acceptable and will be consciously avoided during interview sessions or briefings.

1). Individual Interviews

Members of the police department shall not provide on-camera, recorded, or other interviews without the express approval of the Chief of Police or a bureau commander. Should such permission be granted, the employee will request and obtain an advance copy of the

topic/questions to be discussed, if possible. Employees shall subsequently restrict their responses to the incident/investigation they may be assigned to, or to those law enforcement topics about which they may have direct knowledge.

2). Media Briefings

Conducted as circumstances require, media briefings shall generally involve the dissemination of information to one or more news affiliates, by the Chief of Police or his designate, either within a formal setting or in the field. Such briefings may be conducted one-on-one for individual news agencies or encompass a number of media organizations, where each shall receive the same information simultaneously.

In those instances where the department initiates the media briefing process, the Office of the Chief of Police shall contact the appropriate news organizations and advise their representatives of the date, time, location, and subject matter of the proposed news release.

3). News Conferences

A formal conference format, with one or more representatives of the police department, may be utilized when the department desires to simultaneously distribute information to as many news media representatives as possible. The Office of the Chief of Police will coordinate preparations for each news conference and draft a written news release for distribution to conference attendees.

VI. COMBINED OPERATIONS NEWS RELEASES.

During those situations where multiple law enforcement agencies, emergency service agencies, or other governmental or civilian agencies, are involved in a combined operation within the City of Clayton, and the operation primarily falls under the purview of law enforcement, the Chief of Police will, following consultation with the appropriate representatives of each agency, be responsible for the release of general news information in regard to the event in question. Should information be requested that may be specific to an agency other than the police department, the Chief of Police will refer the media to the appropriate official.

In those instances where the Police Department may simply provide a supporting role during a combined operation, the agency/department having primary jurisdiction shall be responsible for releasing, or coordinating the release of, information.

An exception to this policy shall be that, pursuant to instructions contained in the directive governing a Major Incident Response at the St. Louis County Justice Center. The Director of Justice Services for St. Louis County and the Clayton Chief of Police shall be jointly responsible

for all news releases and/or liaison activities with the news media in regard to emergency incidents at the Justice Center.

Should an incident require the activation of the City's Emergency Operations Plan, where other City departments and outside agencies are actively involved in the Response and Recovery phases of an emergency, the responsibility to issue news releases concerning such combined operations shall rest with the City's Public Information Officer.

VII. MEDIA SCENE ACCESS/RESTRICTIONS.

Media access to crime scenes, special events, and other major incidents shall be planned for and controlled as much as possible. Guidelines and restrictions in regard to such access shall be communicated to representatives of the media at the earliest possible opportunity in an attempt to secure their cooperation and compliance.

A. Crime Scenes

Crime scene integrity shall be maintained at all times so as not to interfere with an ongoing investigation. Media access to crime scenes will generally be restricted to a designated media assembly or perimeter viewing area, at which point the Chief of Police or his designate will disseminate such event-related information as is necessary. Any further media access to a crime scene shall be determined following a consultation by the Chief of Police with the scene commander, and shall be closely monitored by investigative personnel.

B. Emergency Operations Scenes

In accordance with the City of Clayton Emergency Operations Plan, public and media access to emergency operations scenes shall be routinely restricted by the implementation of a security perimeter and/or curfew. However, media assembly and viewing areas may be established at predetermined points either within the security perimeter itself or adjacent to same, contingent upon the approval of the Emergency Management Director and City Manager. Reporters, film crews, and other media representatives shall be escorted to such areas by Public Affairs Officers who shall act as liaison personnel between the news media and the Public Information Center.

Media personnel shall also be restricted from conducting non-sanctioned interviews of emergency service personnel assigned to an incident or disaster event. Should an interview(s) be requested, the Public Affairs Officer will relay the request to the City Public Information Officer, who shall obtain the approval of the Emergency Management Director and/or City Manager prior to any such interview(s) being conducted. Emergency service personnel shall then be made available to the news media at the designated field assembly area for interview.

C. Emergency Operations Center/Command Post

Media access to an established Emergency Operations Center or Command Post shall be tightly controlled by security personnel. Should news representatives be granted access, their presence must be guaranteed not to disrupt ongoing operations or personnel. Movement within such facilities shall therefore be limited to certain areas approved by the Emergency Management Director or Incident Commander, and in conjunction with an official escort. Filming shall also be restricted to designated areas.

D. Special Events

Restrictions imposed on media access to parades, fairs, VIP visits, and other special events in which the department has been tasked the responsibility to provide security and crowd control, shall vary according to the situation and expectations of a dignitary's security staff. A dedicated media parking and interview area will generally be provided, but free movement within the event site will be contingent upon security needs.

Under no circumstances shall the media be permitted access to an area where their presence may place themselves, a member of the department, civilian population, or other emergency service workers in jeopardy of death or serious injury.

BY ORDER OF:

THOMAS J. BYRNE
Chief of Police

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