

PALM BEACH GARDENS POLICE DEPARTMENT

PUBLIC INFORMATION FUNCTIONS

POLICY AND PROCEDURE 4.3.10

Effective Date : 09/08/09	Accreditation Standards: CALEA 54.1.1 – 54.1.3 CFA 28.01 – 28.04	Review Date: 09/01/2013
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CONTENTS:

1. Functions of the Public Information Officer
2. Media/Public Information Responsibility
3. Authority to Release Information
4. Frequency of News or Press Releases

PURPOSE: To establish the public information function and provide guidelines for media relations and the release of information to the news media and other members of the general public.

SCOPE: This policy and procedure applies to all members.

REVIEW RESPONSIBILITY: Administrative/Investigations Division Assistant Chief (Public Information Officer)

POLICY: This department shall maintain a relationship of support, mutual respect, cooperation and openness when providing the news media and the community with information regarding public safety concerns and awareness of the department's mission, and the release of information about victims, witnesses, and suspects. Information of a confidential nature concerning investigations or operations will be strictly controlled by the nature of the incident in accordance with applicable Florida State Statutes.

1. FUNCTIONS OF PUBLIC INFORMATION OFFICER

- a. The public information officer is hereby established within the department as an assignment designated by the Chief of Police and shall be responsible for maintaining continuous liaison between the department, the public and the news media.
- b. The public information officer is responsible for, but not limited to:
 - i. The preparation and distribution of press releases to the media concerning newsworthy incidents including department policies.
 - ii. The coordination and authorization of information released about victims, witnesses, and suspects.
 - iii. The coordination of public meetings with outside agencies, organizations, communities and community leaders whenever departmental information is in order for public safety, concerns and awareness and the coordination of any news conferences.
 - iv. The providing of assistance to news personnel in covering news stories at incident scenes.
 - v. Coordinating/authorizing release of confidential information about agency investigations and operations. The Public Information Officer should consult with the affected component prior to relying on such information.
 - vi. The assisting in crisis situations within the department.
 - vii. The availability for on-call responses to the news media.
 - viii. Periodically meeting with and maintaining liaison with representatives of the media.

- ix. Development of procedures for releasing information when other public service agencies are involved in a mutual effort.

2. MEDIA/PUBLIC INFORMATION RESPONSIBILITY

- a. The public information officer is assigned to the Office of Professional Standards and Training under the command authority of the Chief of Police. Whenever circumstances warrant, media and public relations activities will be coordinated by or through the public information officer.
- b. Members of the department receiving inquiries or requests reference to an incident or an operational activity will refer the media representative to the public information officer, or in his/her absence, the Chief of Police or designee.
- c. In the event of a crisis situation within the department, the Public Information Officer shall respond and establish a media post for responding to inquiries from the media.
 - i. Examples of such crisis may include:
 - 1. Officer involved in shooting.
 - 2. Significant motor vehicle accidents involving agency members.
 - 3. Any other occurrence that may generate unusual media interest in the department.
 - ii. It shall be the responsibility of the shift supervisor to notify the Public Information Officer of such occurrences.

3. AUTHORITY TO RELEASE INFORMATION

- a. The Chief of Police or City Manager shall be the only members releasing information to the media, unless otherwise delegated to the public information officer, command/senior staff members or department directors.
 - i. Shift supervisors are authorized to issue new releases on incidents occurring during their tour of duty. Information released shall be limited to the basic facts of the incident known to shift supervisor. Subject to the guidelines set forth in this directive. Requests for further information should be referred to the Public Information Officer.
- b. Information released to the news media will be disseminated equally to any inquiring legitimate news organization.
- c. Members other than those referred to above, are not required to participate in an interview with media personnel; however, neither is any member prohibited from speaking with media personnel.
- d. Members, who are asked for information beyond their range of knowledge or doubt the accuracy of their information, should say so and refer the media representative to:
 - i. The public information officer.
 - ii. The section in charge or the investigation.
 - iii. The Chief of Police or designee.

4. FREQUENCY OF NEWS OR PRESS RELEASES

- a. News releases and press conferences shall be made when necessitated by specific occurrences or at the discretion of the Chief of Police. News information regarding civil litigations against the department or members shall be released only by the Chief of Police or designee.
- b. All news information concerning changes in departmental policy shall be released by the public information officer. Information regarding internal discipline, internal investigations, member matters and complaints against departmental members, shall be released only by the Chief of Police or authorized designee, unless prohibited by Florida State Statute, or unless otherwise authorized/prohibited by the city manager or city council.
 - i. Specific member information to be released shall include:
 - 1. Name, age, position, and date of hire; and the division or office assigned within the department.
- c. Authority of Bureau Majors:

- i. Command officers have the authority to respond directly to inquiries from representatives of the news media concerning information relating to their respective commands within the guidelines of this directive. Command officers who will not be available to handle anticipated media regarding major crimes, accidents or unusual events occurring within the preview of their command should provide the public information officer with adequate information to respond to media inquiries.
- d. Identification of media representatives:
 - i. Members of the department shall receive adequate identification of media representative prior to permitting access to controlled and/or secured areas. Media representatives shall include reporters, photographers, camera operators, and other media personnel.
 - ii. Press credentials or media identification are the responsibility of the individual media representative.
 - iii. Where credentials should be revoked, or the assistance by the command officer should be discontinued, a statement will be sent to the media representative's employer citing specific violations not in good standing with the police department. In addition, members of the news media are not exempt from municipal, state or federal laws.
- e. Access to incident scenes:
 - i. The general public will be denied access to any incident scene which is cordoned by the investigators.
 - ii. Representatives of the news media will be denied access:
 - 1. On private property at the owner or custodian's request; or if the owner or custodian is not present to permit or deny entry;
 - 2. To preserve evidence; and
 - 3. If presence seriously impedes the work of police, fire or medical personnel.
 - iii. Media personnel are granted access to major fires, natural disasters, or catastrophic events with proper ID subject to approval of the commander at the incident. They may be escorted while in the perimeter established for control. News media vehicles may be allowed if circumstances allow. Access to crime scenes requires permission of the investigator in charge.
- f. Media representative at scene:
 - i. The name of a victim in an incident will normally be released with the following exceptions:
 - 1. All records concerning reports of child abuse or neglect and all records generated as a result of such reports shall be confidential.
 - 2. The name, address, or other identifying fact or information of the victim of any sexual offense shall not be released.
 - 3. The name and address of a deceased victim will not be released until after notification of next of kin.
 - a. When a reasonable effort to locate the next of kin has failed, the commanding officer of the division actively involved in the case may release the information regarding the deceased.
 - ii. Any information which reveals personal assets of a victim of a crime, other than property stolen or destroyed during commission of the crime, will not be released.
 - 1. Prior to releasing the amount of money or property taken in a crime, consideration will be given to whether or not such release might jeopardize the investigation.
 - iii. Any information which would reveal the identity of a confidential informant will not be released.
 - iv. Any information revealing surveillance techniques, procedures, or members will remain confidential.
 - v. Any information which would reveal the identity of any undercover person of any criminal justice agency will not be released.
 - vi. The following information on an officer will not be released: home address, telephone number, photograph, spouse's name, name or location of spouse's employment, name of children and name or location of any school attended by children.
 - vii. The names of a detained person will not be released until such time as a criminal affidavit has been approved and notarized.
 - viii. The name of a suspect not in custody will not be released unless a warrant or capias has been issued.

- ix. The identity, testimony, or credibility of any witness will not be released if requested by the witness or if it appears the witness might be in jeopardy. This does not preclude releasing the identity of a crime victim if such release is not otherwise prohibited.
- x. Results of any examinations conducted will not be released. These include, but are not limited to: refusal to submit to any examination, polygraph, descriptions of evidence and existence of and/or text of any confessions.
- xi. Information regarding the existence or details of any internal affairs investigation shall not be released until that investigation is concluded.
- xii. Information which would hinder an investigation or jeopardize the outcome of a case will not be released. Such information would include:
 - 1. Opinions of agency members regarding the guilt or innocence of the accused;
 - 2. The merits of the case.
- g. When an individual is charged with a criminal offense and is sought by this law enforcement agency, photographs, or mug shots may be released to the media to help locate the individual. No departmental photographs, mug shots, video- tape, film, or composites of subjects in custody will be released otherwise to the media unless authorized by the Chief of Police or authorized designee.
- h. Release of information in criminal cases - juveniles
 - i. The name, address, or telephone number of any juvenile shall not be released in the following situations:
 - 1. When the juvenile (under 16) is suspected or accused of being delinquent or undisciplined, including traffic offenses.
 - 2. When the juvenile (under 18) is the victim of neglect, dependency, or child abuse.
 - 3. When the juvenile is a witness to an incident, except in the case of a traffic accident.
 - ii. The following information can be released in the case of a juvenile:
 - 1. Pertinent information including photographs if the juvenile is a runaway or missing person and the parent or guardian has given permission.
 - 2. Effective October 1, 1994, juvenile confidentiality laws were modified for children who are charged with or convicted of certain crimes. Section 985.04(2), F.S.S., should be consulted prior to the release of juvenile information to the media.
 - 3. In regards to a juvenile who has been prosecuted as an adult and found guilty of that offense or a lesser included offense, and the child may thereafter be treated in every respect as if an adult (information about his/her involvement may be released).
- i. Release of information in criminal cases -adults
 - i. The following information pertaining to adults shall not be released:
 - 1. The name or address of any witness to an incident.
 - 2. The above restrictions may be waived in unusual circumstances by the commanding officer of the division actively involved in the case or by the Chief of Police or his/her designee.
 - ii. The following information pertaining to adults may be released:
 - 1. The name, age, address, and similar background information of a person who has been charged, arrested, or cited for a violation of any statutes or ordinances.
 - 2. The text, substance, or nature of the charge.
 - 3. The circumstances surrounding an incident or arrest, such as the time, location, pursuit, possession, or use of a weapon.
 - 4. The name, address, and age of a victim.
 - 5. Additional information which may assist in an investigation, such as alerts for individuals or vehicles.
 - iii. Information released in criminal cases involving juveniles or adults shall be reported to the public information officer as soon as possible.
- j. Members authorized to release information

- i. The following members shall be authorized to release information to the news media in the event that the public information officer is not available:
 1. At the scene of an incident, supervisor in charge or command staffer at the scene shall assume temporary PIO duties.
 2. Information from agency files released only by command staff with authorization from the highest command within the affected area.
 3. Information concerning on-going criminal investigations released only by command staff, detective supervisor or the case detective having direct knowledge of the investigation.
 4. At any time that the PIO is not available, all news releases shall be directed to the Chief of Police or designee staff or any member authorized or having direct personal knowledge or accurate factual information.
- k. News release involving multi-agencies
 - i. In matters involving mutual efforts of the Palm Beach Gardens Police Department and other departments or agencies, the release of information shall be made by the department or agency in charge. The Public Information Officer shall coordinate media activities with Public Information Officers of other departments or agencies.
- l. Policies and procedures input
 - i. The Chief of Police or Public Information Officer may solicit input or request assistance from the news media to enhance the efficiency and effectiveness of police services.

INDEX AS:

- PUBLIC INFORMATION FUNCTIONS

RESPONSIBILITY INDEX

- CHIEF OF POLICE
- ASSISTANT CHIEFS
- BUREAU MAJORS
- SERGEANTS
- PUBLIC INFORMATION OFFICER

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APPROVED:

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