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| <b>DOUGLAS COUNTY SHERIFF'S OFFICE</b>              |   | <b>Policy and Procedure</b>                          |
| <b>Specific Personnel / Administrative Policies</b> |   | <b>P&amp;P-D-108</b>                                 |
| <b>News Media Information</b>                       |   |  |
| Effective Date: 11-26-12<br>Supercedes: 06-09-11    | Approval: Sheriff                           | Number of Pages: 8                                   |
| References:   | Reevaluation Date:<br>Annually or as needed | Standards: CALEA 54.1.1, 54.1.3,<br>ACA 4-ALDF-7F-01 |

## **I. POLICY**

The Douglas County Sheriff's Office will maintain an atmosphere of openness and cooperation with the news media limited only by mandates of law and the requirements of maintaining the integrity of criminal investigations. The information that is released to the news media must be devoid of prejudicial pretrial publicity and must not interfere with the rights of victims or with on-going criminal investigations.

Douglas County Sheriff's Office personnel will make every effort to cooperate with news media personnel and agencies.

It must be remembered that these are only guidelines and that there will undoubtedly be many instances where the procedures are not applicable. In those cases, contact your immediate supervisor for direction.

## **II. PROCEDURE**

The purpose of this news media procedure is to establish a structured response to news media inquiries, to ensure that accurate information is released in a timely fashion, and that information is released in a coordinated manner, as set forth in the guidelines of this policy.

### **A. Public Information Officer (PIO)**

The Sheriff shall designate a primary Public Information Officer (PIO) and other personnel that will be authorized to speak on his behalf. The PIO serves as a central source of information for release by the Sheriff's Office and responds to requests for information by the community and the news media. These Public Information Officers have the authority to cross command lines, if necessary, to carry out the directives of this policy. <7F-01>

### **B. Public Information Officer Responsibilities**

- The PIO or designee will ensure that information is released to the news media in compliance with all legal, ethical and policy requirements.
- The PIO or designee shall be responsible for preparing and releasing office media releases.<54.1.1b>
- The PIO or designee shall be available on a 24 hour basis for on call responses to the news media.

- The PIO or designee will be responsible for arranging and assisting at news conferences. <54.1.1c>
- The PIO or designee will be responsible for the release of information about victims, witnesses, and suspects of crimes that occur within Douglas County. <54.1.1d>
- The PIO or designee shall be responsible for coordinating and authorizing the release of information concerning confidential investigations and operations through the approval of the Captain of the effected division. <54.1.1e>
- The PIO or designee may invite news media input on any policy or procedural changes relating to the public information role.
- The PIO or designee will establish and maintain regular contacts with members of the local and Denver-metropolitan news media. <7F-01>

#### C. Others Authorized to Release Information

1. The Sheriff, bureau chief(s), division captains and lieutenants are also designated as Public Information Officers and have full authority to release information within their areas of responsibility.
2. Communications personnel and commissioned supervisors are authorized to release limited information in response to news media inquiries concerning in-progress events. This is most appropriate for small scale scenes and media attention. Printed guidelines as to the nature and scope of such limited releases are contained in (Appendix B) of this policy.
3. In the event of multi-agency response situations, the agency having the most direct responsibility for resolution of the situation will assume the lead public information role. In the event of unclear or conflicting responsibilities, the provisions of the Douglas County Emergency Operations Plan (public information section) will provide further guidance. In large-scale disaster situations, and in all other situations in which the Emergency Executive Board of Douglas County assumes control, the Emergency Executive Board will have authority to designate the lead public information officer and to assign such staff to the public information function as may be necessary. <54.1.1f> <7F-01>

#### D. Notification of PIO

Sheriff's Office members who become aware of newsworthy items should contact one of the designated Public Information Officers with the information as soon as practical. If a news release pertains to a human interest or feature story, such as promotions, awards, public relations items, etc., then Office members are authorized and encouraged to interact directly with members of the news media. However, a designated Public Information Officer should be notified before any interviews are conducted.

#### E. Press Releases

When the Public Information Officer releases information to the news media, it will generally be in the format of a press release. The release of an actual report or official record is not authorized. Reports that are classified as an open investigation are not authorized for public release. If the Public Information Officer releases

information to the news media, copies of the press release shall be disseminated to designated members of this office so that they are notified of the released information. The Public Information Officers of this Office will generally not delay the release of information in order to favor any particular news media representative or agency.

F. Photographing / Televising Accused Persons

Personnel of the Sheriff's Office shall not encourage or assist news media in photographing or televising the defendant or accused person(s) being held or transported in our custody, nor shall they unnecessarily prevent such person(s) from being photographed in public places. This section does not prevent the release of booking photos, as long as such release is in compliance with the requirements of (Appendix A).

G. Release of Criminal History

Under no circumstances will the release of criminal history of an arrestee be made to the news media.

H. Internal Investigation Information

No details of an Office internal investigation will be released to the press or other news media until the case has been brought to a logical conclusion. Discipline administered as a result of an internal investigation may be released to the media upon receiving authorization from an executive officer. The names of officers involved in shooting incidents will only be released after authorization has been obtained from an executive officer. Release of photos if requested by the news media will generally occur between 24 and 72 hours after the incident has occurred. Circumstances involving the incident/investigation may delay their release.

I. Media Staging Areas

Incident Commander at the scene of a crime, fire, natural disaster, other catastrophic event or incident that draws media attention will be responsible for determining and establishing a perimeter which members of the media and general public may not cross. Once the PIO arrives on scene they will determine the most appropriate area to stage the media. The boundary line over which media may not cross shall be a reasonable distance away from the scene in order to ensure the protection of the scene, yet giving the media an ample opportunity to adequately report the incident. It is the responsibility of the PIO on scene to make sure the media is appropriately informed of releasable information.<54.1.1a>

J. Media Access into Restricted Areas / Crime Scenes

The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence maybe damaged, altered, destroyed or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed or secured by Sheriff's Office personnel, the media may be allowed to enter by the appropriate division commander or ranking member on the scene. The media will not be allowed access to an area where the presence of the

media would jeopardize the life of, or present substantial risk of injury to any member of the Sheriff's Office or citizen. <54.1.3>

**III. PRINTED GUIDELINES (Appendix A)**

See appendix A for guidelines related to specific release of information to the news media prior to and after an arrest is made. Appendix A is an official part of this policy.

**IV. INQUIRY GUIDELINES (Appendix B)**

See appendix B for information concerning information authorized to be released by others than the PIO.

By Order of the Sheriff

## NEWS MEDIA INFORMATION - APPENDIX A

### *Prohibited Release of Information*

The following information **shall not** be released:

1. Comments or conjecture about the character or reputation of the defendant, or opinions regarding his guilt or innocence;
2. Information about the specific content of a confession, admission or statement by the accused;
3. The refusal of an accused to make a statement, or to submit to tests or examination;
4. Results of any examinations or tests;
5. Description or results of laboratory examination of physical evidence;
6. Re-enactment of the crime unless specifically requested by Investigations;
7. Revelation that the defendant directed investigators to the location of a weapon, contraband or other evidence;
8. Comments about the credibility of testimony;
9. The identity of the victim of any sexual offense or At-Risk Adult offense;
10. The identity of any juvenile unless charged as an Adult for a Class 1, 2, 3, or 4 Felony as specified by State Law;
11. Any misleading or false information;
12. Social Security Numbers;
13. If the information for the arrest was derived from an informant;

Reports to be **withheld** from the public:

1. Reports involving juvenile suspects, victims, or witnesses;
2. Runaway reports unless specifically authorized by Investigations;
3. Suicide or attempted suicide reports;
4. Child Abuse Reports;
5. Mental Health reports;
6. Protective detox holds – not as a result of a DUI arrest;
7. Reports involving At Risk Adult ;
8. Open cases with suspect information;
9. Cases with a Felony Filing Pending;
10. Incident Reports involving injuries to employees.

### **Before Arrest**

A. Information that **may** be released pertaining to victims and suspects prior to any arrest is limited to:

1. Deactivated, unfounded, or exceptional clearance reports excluding those cleared as agency assists, other jurisdiction, suspect incarcerated or suspect deceased;
2. A description of the offense including a brief summary of events;
3. Location, date and time of the offense;
4. Amount taken, injuries sustained, or damage resulting from the action;
5. Identity of the victim, except for a sex crime victim, juvenile and At-Risk Adults or a situation where the next of kin have not been notified;
6. Whether or not there are suspects;

7. Information about unidentified suspects; such as physical description, vehicle description, when the release will not hinder or jeopardize the investigation;
8. Identification of fugitive suspect(s) for whom a warrant has been issued;
9. Criminal background of fugitive when the public should be alerted to danger;
10. Method of complaint (officer observation, citizen, warrant, indictment);
11. Length of investigation and name of officer in charge of investigation;
12. Composite sketches or photographs of suspects may only be released with the approval of the lead investigator, and only if they serve to alert the public to danger or will aid in the identification of the suspect.

**B. Prohibited Release of Information Prior to Arrest:**

1. Identity of suspects who are interviewed but not charged;
2. Identity of any victim or witness where such information could subject them to danger or extreme embarrassmen;
3. Identity of sex crime victims or At-Risk Adults (The information should be general - race, sex, age);
4. Identity of juveniles when specifically restricted by state law;
5. Exact identifying information about the weapon or other physical evidence;
6. Any information that could be known only to the guilty party;
7. Information about valuable items not stolen;
8. Mug shot of a suspect, unless authorized by the investigating deputy, the DA's Office, the arresting agency, or the PIO.

**Release of Information Subsequent to Arrest**

**A. The following information may be released after the arrest of a suspect:**

1. Time and place of arrest;
2. Defendant's name, date of birth, residence, employment, marital status, and similar background;
3. Criminal Charges;
4. Facts and circumstances relating to the arrest, such as resistance, pursuit, possession or use of a weapon, description of contraband discovered;
5. Identity of the agency or unit responsible for the arrest, including the name of the arresting officer;
6. The name of the arresting officer, unless there are unusual circumstances where it is felt the officer would be jeopardized;
7. Duration of the investigation;
8. Pre-trial release or detention arrangements (including amount of bond, location of detention);
9. Scheduled dates for various stages in the judicial process;
10. If specifically requested, booking photos of adult arrestees may be released if the release will not adversely affect the investigation or taint future identifications of the arrestee.

*NOTE: The above media relations policy represents normal operating procedure for the Douglas County Sheriff's Office PIO unit and other media spokespersons. Deviations from the above policy may be authorized, at the discretion of the Sheriff or an executive officer when extraordinary events warrant appropriate adjustment to standard procedure.*

## **NEWS MEDIA INFORMATION - APPENDIX B**

### **I. Media Inquiries**

- A. Dispatchers and commissioned supervisors are authorized to release limited information in response to news media inquiries concerning in-progress events. The purpose of this type of initial release is to provide the news media with enough information to make decisions about sending reporters to the scene (which they are legally authorized). There are two methods of releasing this information, depending on the circumstances:
1. If only one inquiry is received and the nature of the incident does not suggest that additional inquiries will follow, the information outlined below may be released directly to the caller.
  2. If multiple inquiries are received or the nature of the incident suggests broad media interest, record the information outlined below. This information should be forwarded to the Offices' Public Information Officer(s). Callers identifying themselves as being with the news media should then be transferred to the Public Information Officers' mailbox.
- B. The initial release should be limited to the following information:
1. The date and time that the information is being released;
  2. The general nature of the incident, such as 'downed aircraft,' 'structure fire,' 'shooting,' etc. No specific information (such as number of victims, extent of damage or injuries, etc.) should be included;
  3. The address or location of the incident;
  4. Conclude the release with a statement indicating that this is all of the information available at this time, and that additional information will be released as it becomes available.
- C. If the nature of the incident suggests broad media interest, or if calls are received from the media requesting information beyond what is contained in the initial release, the on-duty supervisor of the division most directly affected by the incident should be notified (that is, the patrol supervisor for patrol incidents, the detentions' supervisor for jail incidents, etc).

The supervisor will then contact the appropriate on-duty or on-call PIO, bureau chief or division captain to determine who will handle the public information functions for the incident. <7F-01>

### **II. Public inquiries ("What's going on in my neighborhood?")**

- A. If the incident presents an imminent public safety concern (a situation requiring that people remain inside for their own safety or requiring evacuation), the citizen should be informed of that fact and instructed to tune to radio or TV news for further instructions.

If the incident is a high-profile event that does not present an imminent public safety concern (such as several patrol cars involved in a traffic stop), citizens should be assured that there is no danger and that no action is required on their part. These citizens should then be asked to contact the community resource unit during business hours.

- B. Under any other circumstances, the citizen should be asked to contact the Community Resource Unit during business hours. The Community Resource Unit will handle all such inquiries that are not of an emergent nature.