

COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Subject: PUBLIC INFORMATION RELEASE

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I. Purpose

To establish guidelines that will assist police department personnel in making news releases and to provide cooperation and assistance to news media with regards to cases and/or incidents over which the Covington Police Department has primary responsibility and jurisdiction.

II. Statement of Policy

It shall be the policy of the Covington Police Department to cooperate fully and impartially with properly identified representatives of the news media in their efforts to gather and disseminate factual information that is consistent with established procedures and where such activities do not subvert the ends of justice or infringe upon individuals rights of privacy, or upon individuals rights to a fair and impartial trial.

III. Discussion

The Covington Police Department recognizes the public's right to have access to public records and the news media's right to report matters of public interest. It also is the department's position that a professional working relationship be maintained between the police and the news media so both may accomplish their objectives.

News media representatives have an obligation to gather information, which is in the public interest. As long as the fulfillment of their task does not interfere with police objectives, they will be permitted to pursue their activities without interference from police personnel within the confines of the law. Information will be released to the media without partiality. No officer shall delay the release of information to favor any particular media representative or agency.

IV. Definitions

- A. NEWS MEDIA – Properly identified representatives of local, national and international news organizations.
- B. NEWS INCIDENT – The civil and law enforcement activities of the Covington Police Department in response to newsworthy public events. News incidents do not include discussions of the internal policies of the Covington Police Department or personal or private opinions concerning policy or procedures of

the department. Only the Chief of Police may make official comment on internal investigations and other sensitive matters.

- C. PUBLIC RECORDS – Except as specifically restricted herein by state or federal law, traffic accident reports, non-traffic accident reports, miscellaneous incidents, arrests or other criminal incident information of a routine nature are considered in the public domain and such information will be made available upon request to news media representatives.

V. Authority and Responsibility

- A. The officer(s) designated as Public Information Officers (PIOs) for the police department shall be responsible for the coordination and release of information by the department to the local media on normal day-to-day activities and shall also be available for on-call responses to the media. The Chief of Police or his designee shall also be available for high profile cases as the situation warrants.
- B. The PIOs shall inform all local news media of policy or procedural changes concerning the release of information or media access. They shall encourage local news agencies to participate in the formulation of the public information policy. They will provide local news agencies with any updated news release policies and procedures.
- C. The PIOs shall assist news personnel in covering routine news stories and shall arrange for or assist at news conferences.
- D. In absence of the PIOs, the watch commander shall have the responsibility for the release of the information.

VI. Investigation Information Release Authorization

- A. Only the Chief of Police, Assistant Chief or CID captain shall release investigative information. When the captain releases such information, he shall notify the PIOs as soon as possible. Investigative information, which may be released, is applicable only to cases over which the Covington Police Department has primary responsibility and jurisdiction.
- B. In investigations where there is a mutual effort by the Covington Police Department and another agency and the other agency has primary responsibility, the other agency will determine guidelines and control the release of information.
- C. What may be released – investigative information may be released unless otherwise restricted herein, including:
 - 1. The type or nature of an incident such as fire, accident, homicide, suicide, rape, robbery, assault, burglary, etc.
 - 2. The location, date and time, injuries sustained, damages and a description of how the incident occurred.
 - 3. Amount and type of property taken, including value when known.
 - 4. The identity and general address of a victim. See exceptions.
 - 5. Casualty figures, to include known dead or injured, may be released.

6. The name, age, and address of any adult charged with a crime.
 7. The fact that a juvenile has been taken into custody, including sex, age, general area of residence, and nature of the charge.
 8. Requests for aid in locating evidence, a complainant or a suspect. A person's race and sex may be released as descriptive information in such cases.
 9. Numbers of officers, or people, involved in an event or investigation and the length of the investigation.
- D. What should not be released – information which shall not be released includes:
1. The identity of any victim of a sex crime, abduction, spousal or child abuse, or related information which, if provided, would lead to the victim's identification.
 2. The identity of any juvenile under the age of seventeen (17) whom is a suspect or a defendant in any case over which the Juvenile Court of Newton County has jurisdiction. Note: if a juvenile is to be tried as an adult, a Superior Court judge may allow the name of the juvenile to be released.
 3. The identity of any critically injured or deceased person prior to the notification of next of kin. (Exception may be when notification has been attempted, but is not possible within a reasonable time, as determined by the Chief of Police).
 4. The specific cause of death, until determined by the state medical examiner or the county coroner.
 5. Investigative information and information of an evidentiary nature.
 6. Contents of suicide notes.
 7. Personal opinion not founded in fact.
 8. Unofficial statements concerning personnel or internal affairs matters.
 9. Home addresses and telephone numbers of members of the Covington Police Department.
 10. Valuables or cash overlooked by perpetrators.

VII. Arrest Information

- A. What may be released – certain facts may generally be released at the time of or immediately following an arrest and formal charging. These facts include:
1. The accused's name, age, description, residence, employment, marital status.
 2. The substance or text of the charge as contained in a complaint, warrant or indictment.

3. The identity of the investigating and arresting officer(s) and the length of the investigation. (Exception – identity of undercover officers will not be released.)
 4. The circumstances immediately surrounding an arrest.
 - a. Time and place of arrest;
 - b. Method of apprehension;
 - c. Resistance, and injury resulting from;
 - d. Possession and use of weapons by the suspect;
 - e. Description of items or contraband seized.
 5. Scheduled court dates, place of detention.
- B. What should not be released – arrest information, which shall not be released, except by the Chief of Police or his designee to aid an investigation or warning the public, generally falls into two categories.
1. After an incident, but before an arrest, or during an investigation, information should not be released regarding:
 - a. The identity or location of any suspect, except that the existence of a suspect may be acknowledged without further comment;
 - b. Results of investigative procedures such as lineups, polygraphs, fingerprinting, lab or ballistics tests. The fact that tests are performed may be acknowledged without further comment;
 - c. Unchecked leads, unverified information, specifics of “MO”, details known only to a suspect or officer, or information which may cause a suspect to flee to avoid apprehension;
 - d. Identity of a prospective witness;
 - e. Identity of a victim or witness if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim or witness in clear personal danger. (Consider “degree” carefully and state reasons clearly when withholding information).
 2. After an arrest and formal charging, but prior to adjudication, certain information is restricted to ensure constitutional guarantees of a fair and impartial trial. In addition, improper disclosure could form the basis for a legal defense. Therefore, during this sensitive period, information should not be released concerning:
 - a. Prior criminal record, character, or reputation of a defendant;
 - b. Existence or contents of any confession, admission, statement of the defendant, or the failure to make such;

- c. Performance or results of any tests or a defendant's refusal or failure to submit to investigative tests such as a polygraph examination or voice stress analysis;
- d. Identity, credibility, character statement or expected testimony of any witness or prospective witness;
- e. Statements, expected testimony, character, or credibility of any victim;
- f. Any opinion about the guilt or innocence of a defendant or the merits of the case, including arguments and evidence, or whether their use in court is expected;
- g. Possibility of a guilty plea, plea bargaining, or other disposition;
- h. Reports, transcripts, or summaries of proceedings from which the press and public have been excluded by judicial order.

VIII. Special Considerations

A. At the crime or incident scene

- 1. General access – Covington Police Department members shall extend every courtesy to properly identified news media representatives (reporters and photographers) who are actively covering an incident. These courtesies shall permit closer access than that granted to the general public and shall provide for vehicles and equipment to be located closer, so long as such courtesy does not interfere with either the mission of the department or with general traffic flow. In addition, where there is the danger of personal injury, access shall be restricted until the officer in charge determines the area is safe.
- 2. Direct access at a crime scene – direct access by media personnel shall be allowed only after all known evidence has been processed and the on-site investigation has been completed. This restriction is necessary to preserve the integrity of the scene. Once such integrity has been ensured, media mobility will not be restricted except that permission must be obtained from property owners or their representative when photographs, films or videotape are to be taken on private property.
- 3. Hostage, barricade situations – in hostage or barricade situations, the officer in charge shall designate a press staging area immediately upon arrival at the scene and may establish it closer to the scene when safe to do so.
- 4. Release of information – only the officer in charge may release information at the scene of an incident. In emergency incidents, media personnel should contact the patrol supervisor for the release of information.

B. At fire scenes and disaster scenes

- 1. Media access to, and movement within fire lines at fire scenes is controlled by the fire officer in charge. When news media arrive at such

events, the ranking patrol officer on the scene shall confer with fire officer in charge and assist in establishing an observation point for the media.

2. The person assigned to the ICS Command Function shall be responsible for controlling media access to disaster scenes and public information and maintain media relations. In his absence, media access will be limited to the on-scene command post.

C. Photographing, television, recording by news media:

1. In public places – News media representatives shall be allowed to freely photograph, film or videotape at the scene of any incident so long as their activity does not interfere with an investigation. It is proper to assist the media so long as the investigation or its prosecution is neither compromised nor jeopardized. Officers may take protective measures, such as covering a body, in order to prevent photographing or televising, if the officer in charge deems such actions necessary.
2. Suspects/accused persons – Suspects or persons in custody shall not be deliberately posed for photographs, telecasts or interviews. Department members will not pose themselves with a suspect or accused nor enter into any agreement to have a suspect or person in custody at a prearranged time and place to be photographed, televised or interviewed. No actions shall be directed towards the news media to prevent or impede their lawful right to photograph such persons at incident scenes or in other public places.

D. Interviewing persons in custody

News media representatives will not be permitted to interview persons that are in custody.

E. Confidential internal investigations

1. Confidential operations – confidential intelligence or investigative information will not be disclosed except with permission of the Chief of Police.
2. Internal investigations – Sensitive or investigative information (particularly the identity of officers involved) from the Internal Affairs officer will not be disclosed except with permission of the Chief of Police, or his designee.

F. Suicides – The fact that a suicide has occurred may be acknowledged, along with information describing how it happened. The name, address, age, sex, occupation of the victim may also be released after notification of next of kin.

The fact that a suicide note exists may also be acknowledged, without further comment. Contents of all such messages are considered confidential and shall not be made public.

G. Citizen's Request – Should a citizen request that information on an incident not be released or reported to the media, officers will explain that crime information is generally considered public information and therefore, normally available to news media. Officers will also explain that such a request will be noted in the official

report on the incident. Once so noted, the decision to publish unrestricted information about the event shall be left to the media. Officers may also verbally advise the watch commander of such requests whenever it is considered advisable to do so.

IX. Media Requests for Information

A. Routine Inquires

The Public Information Officers will handle major cases and unusual events, which typically generate a great amount of media interest. The PIOs shall provide a press release on all major cases including homicides, armed robberies, drug raids, etc., and any other information requested by the media other than that provided on incident and arrest reports.

(Note: Officers needing advice, counsel, or public information assistance at an incident scene are urged to request it. Such requests should be made by telephone rather than by voice radio).

B. Special Request for Information

Requests for information from specific employees that may be considered background, statistical, documentary, or of a special nature will be directed to the appropriate Watch Commander and/or the Chief of Police. News representatives making such requests may be referred by the appropriate division and that member will be promptly notified of the pending inquiry or interview.

When the initial request is made directly to an agency member by the media, the member should promptly notify the appropriate watch commander for coordination purposes prior to providing the information requested.

Members of the department may not use police department resources (personnel or equipment) to perform special research projects or gather extensive data in response to media requests for information not normally available to the department personnel.

X. News Releases, Features, Announcements

A. Responsibility for planning, developing, writing and distributing informational releases and articles about the programs and activities of the Covington Police Department and its members rests with the Public Information Officer.

B. Persons requesting information for press releases shall be allowed to receive all incident reports and arrest reports. The Records clerks will maintain a record of reports from which information is obtained. Access to public records by the media will be allowed Monday through Friday, from 08:00 A.M. until 5:00 P.M.

C. Newsworthy information concerning promotions, projects, programs or other activities should be forwarded, in writing, in advance of the requested date or by telephone when time doesn't permit or there is an urgent need to release the information by the Public Information Officer. Subject matter in press releases shall conform to guidelines described in this policy.

XI. Notification Requirement

Certain newsworthy incidents require immediate notification of the watch commander by the officer in charge of an incident scene.

1. Disasters resulting in loss of life or extensive property damage.
2. Fires resulting in multiple loss of life.
3. Aircraft, train accidents where fatalities occur.
4. Deaths of persons in custody.
5. School bus accidents involving any injuries.
6. Manhunts when an extensive search is involved.
7. Strikes, riots, civil disorders.
8. Shootings involving law enforcement officers.
9. Bomb threats, where a device is found.
10. Hostage, barricade situations where life is threatened or endangered over an extended period of time and when the Hostage Negotiation Team is called.
11. Accident involving hazardous materials.

XII. Media Participation in Policy

The contents of these procedures shall be furnished to local media representatives. All changes and updates to these procedures shall likewise be furnished. Local news agencies are invited and encouraged to participation in the formulation of policy as it pertains to this standard operating procedure.

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton

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Chief of Police