

FLORENCE POLICE DEPARTMENT GENERAL ORDER

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I. POLICY

It is the policy of the Florence Police Department to inform the community and the news media of events within the public domain that are handled by or involve this agency. Therefore, it is the policy of this agency to cooperate fully and impartially with news media representatives by providing the media with factual information on the day-to-day operational activities of the Department. The release of such information will be governed by whether or not the information, if released, could subvert the ends of justice or infringe upon individual rights of privacy or the right to a fair and impartial trial. The public's right to know will be considered in decisions regarding the release of information.

II. PURPOSE

This written order establishes guidelines regarding media relations and the release of information to the public through the news media.

III. SCOPE

This written order is applicable to all personnel.

IV. RESPONSIBILITY

All personnel are responsible for complying with this directive.

V. PUBLIC INFORMATION RESPONSIBILITY

It is the ultimate responsibility of the Chief of Police to release information to the public. This responsibility may be delegated to the following personnel:

1. To the employee designated by the Chief of Police to act as the PIO; or
2. To the senior, or highest ranking supervisor present at the scene, or on duty at the time an incident occurs; or
3. To supervisors with responsibility for a specific case/incident.

VI. PUBLIC INFORMATION FUNCTION

The person fulfilling the Public Information function will support the police department and its personnel in matters involving the news media by:

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- A. Being available for on-call responses to the news media;
- B. Preparing and distributing agency news releases;
- C. Facilitating news conferences;
- D. Coordinating, verifying, and authorizing the release of information about victims, witnesses, and suspects.
- E. Providing media releases and updates during crisis situations;
- F. Coordinating, verifying, and authorizing the release of information concerning confidential agency investigations and operations; and
- G. Assisting news personnel in covering routine news stories at the scenes of incidents.

VII. PREPARING AND DISTRIBUTING NEWS RELEASES

- A. It shall be the responsibility of each respective Division Commander to ensure that news releases are completed as often as necessary.
- B. News releases concerning criminal investigations and/or major incidents shall be completed by the supervisor, or investigator acting under the direction of a supervisor, in charge of the criminal investigation or in charge of the incident scene.
- C. All news releases should comply with the following guidelines:
 - 1. Written copies of news releases should be provided to news media representatives when requested.
 - 2. All news releases shall be approved by a supervisor prior to release. News conferences shall be approved by the Office of the Chief of Police.
 - 3. Written news releases may be prepared by a Commander, supervisor, or other personnel as designated by the Commander of each Division.
 - 4. Written news releases should be distributed to all representatives of the news media by facsimiles, telephone, or copy delivered in person, without partiality to the media organization.
 - 5. Copies of approved news releases should be forwarded to the Chief of Police.
 - 6. The subject matter of news releases should conform to the guidelines in this directive.
 - 7. News releases may be provided in person, via telephone, fax, email, or other necessary means.

VIII. AUTHORITY TO RELEASE INFORMATION

- A. No employee shall release any information that would jeopardize an active

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investigation, prejudice an accused's right to a fair trial, or violate any law.

- B. Only those authorized by the Chief of Police or his designee may release information to the media. All information released to the public must conform to the parameters defined herein.

IX. MEDIA ACCESS TO SCENES

- A. Members of the Florence Police Department should be courteous to the news media representatives at crime and critical incident scenes. Media access to scenes will be controlled so as not to interfere with legitimate police activities.
- B. Upon approval of the scene commander, courtesies extended to media may include allowing closer controlled access than that granted the general public, generally providing an opportunity to view the scene from an appropriate vantage point.
- C. This may also include allowing news media and their equipment to be located closer to the scene, so long as this does not interfere with the investigation or with general traffic flow. Where there is danger of personal injury, access shall be restricted until the supervisor determines the area is safe.
- D. Direct access by the media shall be allowed only after all known evidence has been collected. This restriction is necessary to preserve the integrity of the scene. After such integrity is ensured, media mobility shall not be restricted, assuming the media would generally have access. (Exceptions would include private property, etc.)
- E. In hostage or barricaded suspect situation, the supervisor in charge will designate a preliminary media area as soon as it is safe to do so.
- F. The photographing, televising, or recording of suspects, accused persons, or prisoners in custody will not be deliberately arranged for the media. Department members will not pose themselves with a suspect or accused, or enter into any agreement to have a suspect or person in custody at a prearranged time and place to be photographed, televised, or interviewed.
- G. No action will be directed against the news media to prevent or impede their lawful right to photograph such persons at incident scenes or in other public places.
- H. The burden of determining whether a photographed person is an adult or juvenile rests with the media representative. The Department will not be held responsible for publication of media photographs of juveniles in violation of state law.

X. FIRE SCENES, NATURAL DISASTERS & OTHER MUTUAL AID EFFORTS

- A. In a multi-jurisdictional or multi-agency investigation, such as fire, natural

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disaster, or other catastrophic events, access should be authorized by the lead investigative agency.

- B. The Incident Commander will be consulted prior to allowing access to any unauthorized person into the immediate area of an incident in which the other agencies (Fire, Emergency Management, etc.) are primarily involved.
- C. The P.I.O. or designee for the lead agency will be responsible for issuing news releases.

XI. INFORMATION PERMISSIBLE TO RELEASE

- A. Department members will comply with the Freedom of Information Act in an efficient and timely manner.
- B. Investigative information which may be released, unless otherwise restricted herein, includes:
 - 1. The type or nature of an incident (such as fire, accident, homicide, suicide, rape, robbery, assault, or burglary);
 - 2. The location, date and time, injuries sustained, damages, and description of how the incident occurred (so long as providing this information will not impede the investigation);
 - 3. The identity and general address (cite block number only) of a victim (consider exceptions);
 - 4. The name, age, and address of any adult charged with a crime;
 - 5. The fact that a juvenile has been taken into custody (no name), including sex, age, city of residence, and substance of charge;
 - 6. Requests for the communities' assistance in locating evidence, a complainant, or a suspect (include necessary accompanying information);
 - 7. Number of officers or people involved in an event or investigation and the length of the investigation; and
 - 8. Name of the officer in charge of a case, his or her supervisor, and division or unit assignment.

EXCEPTION: Investigative techniques and names of undercover or special assignment officers shall not be released.

XII. RESTRICTED INFORMATION

- A. Information which shall not be released in connection with investigations and/or operations, unless authorized by the Chief of Police, includes:
 - 1. The identity of any victim (adult or juvenile) of a sex crime, abduction, spouse or child abuse, or related information which, if divulged, would tend to lead to the victim's identification;

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2. The identity or location of any suspect, except that a suspect exists without further comment;
3. The identity of any juvenile 17 years of age or under who is a suspect or a defendant in any case over which the Juvenile Court of Lauderdale County has jurisdiction;
4. The identity of any critically injured or deceased person prior to the notification of next of kin;
EXCEPTION: When notification has been attempted but is not possible within a reasonable time, to be determined on a case by case basis.
5. The specific cause of death (may release the apparent cause of death if this information would not impede the investigation);
6. Investigative information and information of an evidentiary nature regarding a criminal case;
7. Contents of personal suicide notes;
8. Personal opinion not founded on fact;
9. Unofficial statements concerning personnel or internal affairs matters;
10. Home addresses and telephone numbers of members of the Florence Police Department;
11. Valuables or cash overlooked by crime perpetrators; and/or
12. The amount of money taken during a crime.

XIII. CONFIDENTIAL AGENCY INVESTIGATIONS & OPERATIONS

A. CONFIDENTIAL AND INTERNAL INVESTIGATIONS

1. Confidential intelligence or investigative information shall not be disclosed except by express permission of the Chief of Police.
2. Sensitive or investigative information (particularly the identity of officers involved) from internal investigations shall not be disclosed except by express permission of the Chief of Police.
 - a. When information is released on internal investigations, it will conform to applicable laws concerning the rights of officers.
 - b. When details of an internal investigation are to be released to news media, disclosure will be made only after the case has been closed. Names of specific officers involved in such investigations will not be released prior to the conclusion of the investigation, and then only at the direction of the Chief of Police.

B. ON-GOING CRIMINAL INVESTIGATIONS/OPERATIONS

1. Investigative/operational information will be released only by the person responsible for the investigation/operation upon approval of the respective Division Commander.
2. Media requests for investigative/operational information shall be referred to the supervisor in charge of the investigation/operation.
3. Investigative/Operational information which may be released is applicable only to cases and/or incidents over which the Florence Police Department has primary responsibility and jurisdiction.
4. In bank robberies, kidnappings, interstate flight or other federally controlled investigations/operations the federal agency in charge of the investigation will control the release of information. This federal agency may authorize the Florence Police Department to release information as appropriate.
5. Specific guidelines on what information may be released about an ongoing investigation are defined within this general order.

XIV. ARREST INFORMATION

A. INFORMATION PERMISSIBLE TO RELEASE: Certain facts may generally be released at the time of or immediately following an arrest and formal charging. Examples include:

1. The arrestee's name, description, address, employment, marital status (**except for juveniles**);
2. The substance or text of the charge as contained in a complaint, warrant, indictment, or information;
3. The identity of the person making the media release; and
4. The circumstances surrounding an arrest, such as:
 - a. Time and place of arrest;
 - b. Method of apprehension;
 - c. Resistance, and any resulting injuries;
 - d. Possession and use of weapons by the suspect;
 - e. Description of items of contraband seized;
 - f. The length of the investigation; and/or
 - g. Amount of bond, scheduled court dates, and places of detention.

B. RESTRICTED INFORMATION

1. Information after an event, but before a pending arrest or during investigation, shall not be released, except by authorization of the

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Chief of Police or his designee, to aid an investigation or warn the public. Such information may include:

- a. The identity or location of any suspect, except that the existence of a suspect may be acknowledged without further comment;
 - b. Results of an investigative procedure, such as a photo lineup, fingerprinting, lab or ballistic tests. The fact that test have been performed may be acknowledged without further comment.
 - c. Information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension, particularly unchecked leads, unverified information, specifics of "MO," details known only to a suspect or officer, or information which may cause a suspect to flee or avoid apprehension;
 - d. Identity or existence of a prospective non-victim witness;
 - e. Identity or existence of a victim/witness if such disclosure would prejudice an investigation to any significant degree or if it would place the victim in clear, personal danger. Consider "degree" and "danger" carefully, and state reasons clearly, when withholding such 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. Improper disclosure could form the basis for a legal defense. Therefore, during this sensitive period, information should not be released, except by the Office of the Chief of Police or his designee, regarding:
- a. Prior criminal record, character, or reputation of a defendant;
 - b. Existence, or contents of any confession, admission, or statement of a defendant, or a failure to make such;
 - c. Performance or results of any tests, or a defendant's refusal or failure to submit to investigative tests;
 - d. Identity, credibility, character, statement(s) or expected testimony of any witnesses or prospective witnesses;
 - e. Statement(s), prospective testimony, character, ore 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;

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- g. Possibility of a guilty plea, plea bargain, or other disposition such as “nolle prosequi”; or
- h. Reports, transcripts, or summaries of proceedings from which the press and public have been excluded by judicial order.

XV. MEDIA PARTICIPATION IN POLICY DEVELOPMENT

The contents of this general order will be furnished to all local news media. All changes to the general order will likewise be furnished. News agencies are invited and encouraged to participate in the formulation of Department policies by providing comments, feedback, and recommendations.

XVI. MEDIA CREDENTIALS

The Florence Police Department acknowledges representatives from recognized media organizations who carry and/or display photographic identification issued by their employer. Anyone else is considered a member of the general public.

XVII. ALTERNATIVE METHODS TO DISSEMINATE INFORMATION

It is the policy of the Florence Police Department to pursue alternative methods of disseminating information directly to the public. These may include pamphlets, local television programming, web sites, public appearances by department members, and/or other means.