

# TOWN OF CHEEKTOWAGA POLICE DEPARTMENT

Effective: June 16, 2015	Subject: <b>PUBLIC INFORMATION</b>
Rescinded:	

## GENERAL ORDER A-28-1

### Purpose:

The purpose of this order is to establish policy and guidelines for releasing information to the news media. This agency must have the support of the community to be successful. Establishing and maintaining an effective relationship with the news media is crucial to accomplishing this goal. This media relations policy establishes guidelines regarding media relations and the release of information to the public through the news media.

On-the-spot news conferences at the scene of a crime or other instances will be referred to the Public Information Officer (PIO) or his designee, to ensure concise, accurate and timely information to the public. A candid, open-door policy is our aim. We shall never cease to invite the scrutiny of the news media and community alike. We shall continue to pursue a policy of forthrightness and transparency.

### Policy:

#### **I. Responsibility to the Media:**

Whenever there is an event of major proportions, the Chief of Police or his designated representative will assume responsibility for the release of information to the media.

#### **II. Responsibilities in releasing information**

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

- A. Public Information Officer (PIO) or PIO Designee:  
The PIO is the primary contact for the news media.
- B. Supervisors:  
Supervisors with responsibility for a specific case or incident may be the secondary contact for the news media in the absence of the PIO.
- C. Other Employees:  
The agency head, PIO, or supervisors may direct other employees to respond to media inquiries.

### Procedures:

#### **I. Media Access:**

Agency personnel shall be courteous to news media representatives at crime and critical incident scenes. While a news person may be permitted in the area of a crime scene or a

serious police incident, they do not have the authority to be within the crime scene or area which has been secured to preserve evidence or at any location where their presence jeopardizes police operations. Members of the media are neither implied nor expressly exempt from any municipal, state or federal statute. The safety of all parties at the scene will be the first priority.

No member of this agency shall prohibit the media from news-gathering practices, including photography and interviews, outside the established perimeter.

Only the PIO or his designee shall release information to the news media at crime and critical incident scenes.

At critical incident scenes, members of the agency shall work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public.

## **II. Information Release:**

A. The following information may be made available for publication after an incident or concerning an ongoing criminal investigation:

1. Basic information about the crime or incident
2. If an arrest is made, the defendant's name, age, address and other pertinent background information.
3. The identity of the investigating and/or arresting officer(s). The length of the investigation and when appropriate, the names of assisting police agencies.
4. The circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons and a description of items seized at the time of the arrest.
5. For non-criminal incidents, a copy of an incident report may be made available to the media at Headquarters. In the event that no report has been taken, the PIO or his designate may release the details of the incident. The individual releasing the information to the news media shall take reasonable steps to ensure the accuracy of the information.
6. The Town of Cheektowaga Police Department will adhere to the fair trial-free press guidelines as established in New York State.

B. In addition to the restrictions imposed by the rules of conduct, members of the Department shall not release information falling into the following categories:

1. Information which may jeopardize the successful conclusion of an investigation (access to crime scene may be restricted for this reason);
2. Arrest records;
3. Admissions or confessions made by individuals;
4. Victims of sex offenses;
5. Juvenile defendants;
6. Witnesses;

7. Personal opinions about the individual's character or information about his arrest or criminal record.
8. Home address, telephone numbers, and familial information of law enforcement personnel
9. Deceased or critically injured persons before next of kin are notified.
10. Information furnished by members of the Department to promote publicity for themselves.

### **III. Photographs:**

- A. Members of the news media and the public may take pictures of events which occur in public places. Other pictures in regards to crime scenes first must have permission obtained from either the Chief of Police and/or designated officer in charge.
- B. Suspect photographs will not be released without authorization of the Chief of Police or his designee.
- C. Employees shall not pose any suspect/defendant or witness for photographing.
- D. Departmental photographs may be released to the news media **ONLY BY THE CHIEF OF POLICE OR HIS DESIGNEE.**

### **IV. Scope and Content of the Release of Information:**

- A. The scope and content of each release of information should be determined according to the facts of each situation.
  1. Information relating to a particular unit or other division of the Department shall be released by the PIO, or if the PIO designates or is not available, the official in command of that unit or division.
  2. Officials in command of details assigned at the scene of a special event or emergency shall make a reasonable effort to provide appropriate information to press representatives on the scene. For this purpose, the PIO may designate a subordinate available to act as a press liaison officer.

### **V. Release of Information to Private Sector:**

- A. The following guidelines will be adhered to when requests for information from agency files are received:
  1. Information should not be given over the telephone;
  2. Military personnel will be provided with arrest record information if they produce a signed release from the individual they are doing the background on;
  3. The Court's District Attorney and other police agencies will be provided with information upon request;
  4. Request for computer information (data, arrest information, insurance code, etc.) will not be given to the public;
  5. Accident reports will be made available to citizens upon request, in person, during normal business hours or online at [www.cpdny.org](http://www.cpdny.org) at any time

6. Private sector inquiries for arrest information or information on police reports will be advised that they can apply for same under U.S. Law, Title 28. Information requests are processed from 8 a.m. to 4 p.m. Monday through Friday, exclusive of legal holidays.
7. Section 2 of Local Law Number 2 of the Town of Cheektowaga entitled "A Local Law Entitles Fees for Certain Town Records" shall govern the fee for accident and police reports.

\* Victims of crime will receive the reports free as per Criminal Procedure Law.

8. In addition to Town mandated fees under Local Law 2, the Police Department will charge the fees for employment fingerprints, pistol permit fingerprints and record checks.

## **VI. Coordination with other Law Enforcement Agencies:**

When officers of this Department are working in conjunction with another agency, it shall be the responsibility of the agency in control of the investigation to release information to the news media subject to prior agreement between the agencies and authorized by the Chief of Police.

## **VII. Juveniles and Youthful Offenders:**

Incidents or arrests involving juveniles or arrests for which the person could be adjudicated as a youthful offender shall be handled in the same manner as adults, except that suspects' names, addresses, photographs and other identifying information shall not be disclosed.

## **VIII. Responsibility of Officers to Supply Information:**

Frequently, due to public expectations and because of his accessibility, an officer is called upon to supply information, both related and unrelated, to the law enforcement function. Officers will appropriately refer any questions in regards to the incident to the designated public information officer if one is present or his/her immediate supervisor.

## **IX. Front Desk and Dispatcher Responsibility:**

- A. Upon receiving a request from media for information regarding a criminal event, Public Safety Dispatchers:
  1. Will confirm whether or not the event occurred and the date, time, location. They can also confirm if an arrest has been made or the description of suspects.
  2. Will read, e-mail or fax press releases.
  3. Will notify the PIO or Watch Commander with the request for further follow-up.
  4. Will Not release names of suspects, victims, or witnesses.
  5. Will Not comment on the status of any investigation.

Public Safety dispatchers shall be authorized to notify the media in regards to hazardous road conditions and public safety information.

**X. Digital Outdoor Sign:**

The digital public information sign will be controlled on a limited access basis by those employees authorized by the Chief of Police. Personal or political messages are not authorized. The information authorized for placement on the sign will be restricted to:

1. Messages that are police or court related.
2. Messages of public interest.

**XI. Ethics**

It is the policy of this agency to treat members of the media professionally and ethically. It is expected that the media will respond in a like manner and follow ethical guidelines established by their profession. Members of the agency who believe they were treated unprofessionally should contact the PIO.

<u>Date:</u>	<u>Chief of Police:</u>
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