

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

INFORMATION, PUBLIC AND PRESS
SUBJECT

DATE: March 1, 2005

NO: C-5

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Public information Officer
Information, Public and Press
Press Release

I. POLICY

- A. Public information will be made readily available to members of the media and citizens upon request. Such information shall be released in accordance with departmental procedures and law.

II. LAW

- A. Section 6254(f) of the Government Code defines information which must be made available to victims, the public, and the news media.

Normally, information shall be released unless such release would endanger the safety of a person or the successful completion of an investigation.

III PUBLIC INFORMATION OFFICER (P.I.O.) DUTIES

- A. The Public Information Officer reports to the Chief's Office and is responsible for the following functions:
1. Department liaison with all media interests
 2. Coordination of media requests for employee interviews, interviews with the Chief of Police, media news conferences, and answer questions regarding departmental policy and procedures
 3. Preparation and distribution of news releases
 4. On-scene coordination of media at major incidents
 5. Clearinghouse for information requests from outside the department
 6. Department Media Relations Trainer
 7. All other duties as directed by the Chief of Police

IV. P.I.O. RESPONSE

- A. The Public Information Officer's work schedule is normal business hours, Monday through Friday. As deemed necessary, the P.I.O. may be called after hours to coordinate and handle media requests. A command level officer must authorize after-hour response.
- B. Major incidents the P.I.O. may be called to:
1. Officer-involved shootings
 2. Homicides
 3. Major chemical spills or other major hazards, especially those requiring evacuation
 4. Major tactical operations
 5. SWAT team operations
 6. Aircraft accidents
 7. Any other situation authorized by the Watch Commander
- C. When practical, department personnel will provide the P.I.O. advance notice of actions likely to generate interest and or media inquiries.

V. PROCEDURE

A. Public Addresses

1. Members representing the department shall not speak to groups, hold formal news conferences, or otherwise address the public with respect to departmental operations without permission of the Chief's Office, a Command Officer, or the P.I.O.

B. News Releases

1. Except as provided in Section VI,a,1., official news releases shall be made only by the Chief's Office or Public Information Officer (P.I.O.) . Normally, statements regarding litigation involving the Police Department or the City of Stockton, Internal investigations, disciplinary matters, and officer-involved shooting investigations, will be made by the Chief's Office specific designee.

VI. GUIDELINES FOR THE RELEASE OF INFORMATION

Authorized members of the department shall release information to the media and public consistent with the following guidelines:

A. Releasable information

1. Incident information

- a. Time, substance, and location of all complaints or requests for assistance.
- b. Time and nature of response thereto, including to the extent such information is recorded.
- c. Time and date of reports of incidents.

2. Prior to arrest

- a. Factual description of the offense, including brief summary of events.
- b. Location and time of the offense, and time and method of reporting.
- c. Injuries sustained, property loss, or damages resulting from the action. (Do not attempt to diagnose injuries, merely use general descriptions.)
- d. Identity, age, and address of the victim, except juveniles, sex crime victims, addresses and names are not to be released, unless the victim authorizes the release.
- e. Identity of deceased victims shall not be released without clearance from the San Joaquin County Coroner's Office.
- f. Description of outstanding suspects and/or vehicles. Actual identity (including photographs) of outstanding suspects may be released only if it will: (1) aid in the investigation; (2) assist in the apprehension of the suspect; or (3) warn the public of danger.
- g. Weapons involved (general descriptions).
- h. Identification of involved officers unless it would jeopardize the operation or their safety.
- i. Request for assistance from the public to obtain evidence.

3. Releasable information following arrest (in addition to pre-arrest information)

- a. Name, race, sex, age (DOB), address, and occupation of all persons arrested, except for juveniles.
- b. The arrestee's physical description, including hair and eye color, height, and weight.
- c. Date, time, and location of arrest and booking.
- d. Amount of bail set (if known).
- e. Circumstances surrounding arrest including resistance, pursuit, and force or weapons used by officers of suspects.
- f. Time and manner of release of suspect.
- g. All charges on which suspect is being held.
- h. Duration of the investigation.

4. All information on the Stockton Police Department Booking Screen, with the exception of juvenile offender information, is public information and may be released at any time.

B. Decision not to release information

1. The decision not to release information about a particular crime or incident, or the name of a victim or reporting party, must be made by a command officer after consideration of the requirements of Government Code Section 6254(f).

C. Victims' requests for non-disclosure of information

1. Consideration should be given to victims' requests for no publicity or no public disclosure of crimes they are involved in. Such consideration will take the form of a request at the beginning of the police report of the incidents. Victims shall be informed that the provisions of Government Code Section 6254(f) require the release of certain information.

The choice to publish same rests with each media organization. Therefore, no department member shall ever guarantee to a victim or reporting party that a case will not receive publicity. Government Code Section 6254(f) does provide that victims of sexual assault may request their names and addresses not be released. If the victim so requests, their name and address will not be released.

D. Non-releasable information

The following information shall not be released to the media, unless authorized by the Chief of Police, or his designee.

1. Prior to arrest:
 - a. Identity of suspects (see section VI.A.2.f for exception)
 - b. Results of investigative procedures
2. Following an arrest or at any other time:
 - a. Prior criminal record, reputation, or character of suspects or victims.
 - b. Identity or personal information about juvenile suspects or victims.
 - c. Existence or content of any confession or statement given by a suspect or the refusal to make a statement.
 - d. Opinions about the possibility of a plea of guilty to the charged offense, a lesser offense, or any other disposition.
 - e. Performance on any examinations or tests.
 - f. Photographs or mug shots, unless they are used: (1) to aid in the arrest of the suspect; or (2) to aid in the investigation; or (3) to warn the public of danger.
 - g. Identity, testimony, or credibility of prospective witnesses.
 - h. Any personal opinion as to the suspect's guilt, innocence, or merits of the case.
 - i. Any information which is known to be inadmissible in court.
 - j. References to quality of evidence, such as ballistic tests, fingerprints, polygraph, or laboratory tests.
 - k. Information which may be inflammatory or prejudicial to a defendant's rights
 - l. Any investigative "keys," (i.e., information which could be known only to the suspect).
 - m. Any comments regarding the suspect's mental state or the effects alcohol or drugs might have had on the mental state of the suspect at the time of the crime.

E. Traffic accident information

1. In the case of traffic accidents, officers may release the names, ages, and addresses of involved parties, except juveniles, and may name the hospital receiving the injured parties. However, officers shall not make statements as to the extent of injuries. In the case of fatalities, names shall not be released until verification of family notification has been received from the Coroner's Office.

F. Posing of suspects for photographs

1. Members shall not remove or pose suspects solely for the reason of allowing photographs for media purposes. Nothing in this section shall be construed as prohibiting the taking of unposed photos/film of suspects in public places.

- G. Interview of suspects by media
 - 1. Suspects in custody shall not be subjected to media interviews. Suspects requesting interviews with the media will be allowed to do so only with approval of the detective responsible for follow-up on the incident, or his/her supervisor.
- H. Juvenile victims/suspects
 - 1. Information identifying juvenile victims and/or suspects will be made available to the public (including the news media) only when authorized by the presiding judge of the Juvenile Court.
 - 2. Information regarding the nature of the crime may be released, but under no circumstances will the name of the juvenile suspect or victim be released without court approval. (Refer to General Order H-3)

VII. MEDIA ACCESS TO ACCIDENT, DISASTER, CRIME, AND TACTICAL OPERATION SCENES

- A. Disaster and Accident Scenes
 - 1. Disaster and accident scenes may be closed to the public pursuant to Penal Code Section 409.5, however, news media representatives are exempt from this restriction. If a disaster or accident has been identified and secured, authorized media shall be permitted free access to the affected area, after being advised of any existing danger. Department members shall not decline the rescue of news media personnel who are in danger, but they will not provide an escort into or out of dangerous areas. In general, authorized members of the news media are to be permitted free movement in the area as long as they do not hamper, deter, or interfere with the law enforcement or public safety functions.
- B. Crime scene access
 - 1. Crime scenes may be closed to all unauthorized persons including the news media. Crime scenes, which are located in area of public access, may be opened for media inspection after any search, preservation, and processing of evidence has been completed and the scene is secured. Reporters and/or photographers shall be kept sufficiently distant from a crime scene being searched or preserved to protect it from being disturbed, or evidence from being destroyed or contaminated.
 - 2. News media representatives have no right of access to private property greater than the general public. Therefore, they are subject to any public access restrictions of the owner or person in charge of the property when a crime scene is located on private property.
- C. Tactical operations access
 - 1. The scene of a departmental tactical operation is the same as a crime scene, except that authorized news media may be permitted within the outer perimeter of the scene, subject to any restrictions as set forth by the incident commander. The news media, including reporters and photographers, may be allowed access to the best possible location, as determined by the incident commander.
 - 2. The Public Information Officer, or other designated person, shall be assigned to keep the news media briefed. Department members shall not jeopardize a tactical mission in order to accommodate the news media, but every effort shall be made to keep them well informed of the progress of the operation.

VIII. MULTIPLE AGENCY OPERATIONS

- 1. If the police department is involved with other agencies in incidents or matters of mutual responsibility and concern, department personnel will cooperate and coordinate fully with those agencies in releasing public information. Generally, the agency of primary jurisdiction should make appropriate news releases citing assisting or secondary agencies. This effort will generally be coordinated with the P.I.O. and incident commander.