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| | SUBJECT | | EFFECTIVE DATE |
| | PUBLIC INFORMATION / MEDIA RELATIONS | | 03/22/2022 |
| OVERSIGHT CHIEFS OFFICE | | | |
| DISTRIBUTION: ALL MANUALS | AMENDS/SUPERSEDES/CANCELS: P&P #509 dated 12/08/2016 | | |

I. PURPOSE:

This policy establishes guidelines governing the relationship between Division personnel and members of the press, access of media personnel to events of community interest (accident scenes, criminal investigation, and disasters), and release of information to both the news media and the general public.

II. POLICY:

It is the policy of the Hampton Police Division to encourage the cooperation and assistance of personnel with the media in covering news stories and events. An atmosphere of openness and candor enables members of the media to give the public an accurate report of events of community interest. This, in turn, establishes a relationship of trust between the Division and the community and maintains the support of the public that the Division needs to operate effectively. The Hampton Police Division will release information to the public through the use of social media as well as representatives of the various news media affiliates and at the same time protect the rights of individuals and prevent disclosures of confidential police information. Cooperation with the media, however, is not to be interpreted as allowing any individual, whether of the media or not, to interfere in any way with any police investigation or law enforcement operation. No member of the Division shall be interviewed or release information without the authorization of the Chief of Police or his designees.

III. PROCEDURE:

A. RELEASE AUTHORITY

1. As a general rule, all release of information to the news media and the general public will be the responsibility of the Chief of Police or his designees. The Chief of Police will appoint a Public Information Officer(s) (P.I.O.) who will serve as the official representative(s) and point of contact for the Hampton Police Division concerning all information releases. The P.I.O. will report directly to the Chief of Police.

APPROVED:
CHIEF OF POLICE



2. Information released to the news media and the public will be factual in nature. Personnel releasing information will refrain from giving opinionated statements.
3. Unit Commanders and their Sergeants are delegated the authority as well as the responsibility to release information to the press within their particular areas of responsibility. During non-administrative hours (1630-0800) Monday through Friday and 1630 hours Friday through 0800 hours Monday, release of information to the news media will be coordinated through the Public Information Office. Prior to the release of any information, the on-call Public Information Officer will be contacted via Division issued cell phone.
4. During non-administrative hour (1630 – 0800) Monday through Friday and 1630 hours Friday through 0800 hours Monday the Public Safety Communications Center may receive media inquiries verifying the existence of ongoing incidents. The Emergency Communications Supervisor shall release the following: 1-Location of the incident; 2-Type of incident; 3-Time complaint was received; 4-If units are on the scene; 5-When the incident involves injuries, whether the injuries are life threatening or non-life threatening (when known).
5. The on-call P.I.O. will be notified in writing of the details of all news releases made by Unit Commanders or their Sergeants immediately following the release to ensure consistency.

B. FUNCTIONS OF THE PUBLIC INFORMATION OFFICER

1. Furnish information to the Chief's Office, in conjunction with the Operations Branch Commander, Sector Commanders, and Unit Commanders, regarding major incidents that are likely to generate more than the routine news interest.
2. Assist the Chief of Police in preparing replies to media correspondence and Freedom of Information requests.
3. Establish and maintain good rapport and working relationship with members of the news media and members of the Division.
4. Respond to or refer to the day-to-day requests for information that may be generated from either the media or the general public concerning Division activities.
5. Assist media personnel in covering routine news stories, and at the scenes of incidents.

6. Available to answer questions concerning the Division and respond to any major incident likely to attract broad news media attention. If the on-call P.I.O is required to respond to the scene of an incident during non-administrative hours, they will do so within two hours.
7. Assist Division Staff officers in working with the media.
8. Arrange for and assist at all news conferences, as required or requested, and provide adequate facilities for these conferences.
9. Release information on major incidents, to include victim and suspect information consistent with the requirements of law and Division Policy.
10. Identify news agencies and keep a current roster of agency phone numbers and reporters assigned to the police beat.
11. Prepare and distribute Division news releases.
12. Assist police personnel in understanding their responsibilities for the dissemination of public information.
13. Coordinating the release of information concerning confidential agency investigations and operations.

C. RIGHTS OF THE NEWS MEDIA

1. Representatives of the news media have an absolute right to photograph and report events which transpire in public view but must do so in a peaceful manner without causing any physical damage, destroying any evidence or interfering with an investigation.
2. In accordance with the United States Supreme Court decision *Wilson v Lane* (119 S. Ct. 1999), representatives of the news media **SHALL NOT** be allowed to accompany any member of the Hampton Police Division into any private areas protected under the Fourth Amendment of the United States Constitution. This does not preclude the media from witnessing, photographing or video taping law enforcement activities that take place in public areas.
3. The mere presence of a reporter or photographer at an accident, crime, or disaster scene located on public property does not constitute an unlawful interference and he/she should not be restricted unless it interferes with the investigation or execution of duties by police personnel. Members should understand that they have no specific right to deny news media representatives the opportunity to take photographs or video tape of police operations or crime scenes from behind “police lines”, even if the scene in question is one the member

feels would be in “poor taste” to photograph. Representatives of the news media may not resist, obstruct or oppose a police officer in the lawful execution of his legal duties. (Reference – Code of Virginia 15.2-1714).

D. RELEASE OF INFORMATION

1. The following information concerning on-going criminal investigations may be made available to the news media:
 - a. Type of incident/crime
 - b. Location of incident/crime
 - c. Summary of occurrence
 - d. If injuries are present, whether the injuries are life threatening or non-life threatening. Non-specific descriptions are permitted such as a gunshot wound. However, specific details, such as the number of injuries or location, shall be withheld to protect the rights of the victim and to preserve the criminal investigation.
 - e. Identity of accused (Adults only – after warrant(s) are obtained)
 - f. A mugshot of the accused will be made available to the news media, upon request (adults only). (It is not the responsibility of the Hampton Police Division to provide mugshots to the news media that are in the custody of another law enforcement agency)
 - g. The victim’s age, gender, and city of residence. The name of the victim(s) shall not be released unless the victim is deceased as the result of a criminal act, i.e. homicide and the next of kin has been notified. The Chief of Police or his designees maintain the right to release the name of a victim in cases of extenuating circumstances.
2. The following information is not to be released to the media:
 - a. The existence of any confession, admission of guilt, or statement made by the accused, or failure or refusal to make a statement.
 - b. The results of any examination or tests conducted or refused by the accused.
 - c. The identity, testimony, or credibility of any perspective witness.

- d. Any opinion of Division personnel regarding the guilt or innocence of the accused.
- e. Past criminal history of the accused.
- f. Information regarding evidence prior to trial.
- g. Identity of juveniles who are charged with a crime.
- h. The identity of victims when death occurs (release may be made after notification of the next of kin).
- i. Information received from other law enforcement agencies without their concurrence in releasing the information.
- j. Interpretation of Policy. (Questions relating to interpretation of policy should be directed to the Chief of Police or duly authorized administrative officer).
- k. All personnel issues concerning any member of the Division.
- l. Internal investigations. Unless specifically authorized by the Chief of Police, no details of an internal investigation will be revealed to the news media.
- m. Statements or opinions concerning other law enforcement agencies. (i.e., Policy & Procedures, incidents, activities, personnel).

E. NOTIFICATION AND RESPONSE OF THE P.I.O.

- 1. The Emergency Communications Center shall immediately notify the P.I.O. of any major incidents likely to attract broad news media attention or at the request of the Unit Commander. Examples include but are not limited to:
 - a. Homicides
 - b. Shootings with potentially life-threatening injuries
 - c. Police Officer-involved shootings
 - d. Fatality accidents
 - e. Serious accidents with potentially life threatening injuries
 - f. Police pursuits involving serious accident / injury
 - g. Police Officer deaths (on or off duty)
 - h. Tactical Team (SWAT or MTR) operations
 - i. Bank robberies
 - j. Endangered missing persons or runaways
 - k. Kidnappings

- l. School bus accidents involving major injuries
 - m. Civil Disturbances
 - n. Aircraft / Train disasters
 - o. Weather related events or natural disasters that may result in loss of life, extensive property damage or major road closures
 - p. Any other type of incident that may attract news media attention
2. Upon notification, the P.I.O. will make and maintain contact with the supervisor / officer in charge of the scene, determine if a P.I.O. response is necessary, and if appropriate what location is to be used as an assembly point for the media.
3. Twitter will be utilized by the P.I.O. to advise the media and the public of major incidents and “breaking” news stories.
4. Once the location has been established, all releases to the media will be made from that location. It will be the responsibility of the P.I.O. to maintain contact with the supervisor / officer in charge to insure that up-to-date and accurate information is provided to the media and the public.

F. PRESS RELEASES

1. Information of interest to the public and the media may be released by the Chief of Police or his designee through the use of social media and/or a formal press release. These releases will be developed by the Chief of Police or his designee and provide details in reference to critical incidents, “breaking” new events, weather related events, community events, etc.
2. Formal press releases and releases of information will be made available to all media and the public. Notification and dissemination of information will be made to media outlets and the general public through the utilization of Twitter, to include formal press releases. Original copies of all formal written press releases will be kept on file in the Public Information Office.

G. NEWS CONFERENCES

1. From time to time situations may arise that require the Chief of Police or his designee to conduct a press/news conference. Press/news conferences will be conducted on an as-needed basis and will deal with subjects having a Division-wide impact (i.e. police-involved shootings, policy statements, program implementation/assessment, injury or death of Division personnel, crisis situations, or any situation deemed necessary by the Chief of Police or his designee).

2. Notification of an upcoming press/news conference will be made via Twitter and/or the media email distribution list. If the circumstances dictate, a press release will also be disseminated after the conference detailing the information provided during the press/news conference.
3. Some cases that may draw a significant public interest can also present certain logistical considerations for press conferences such as attendance limitations to maintain room capacity and space considerations for broadcasting equipment. In those circumstances, attendance should be limited to qualified mass media outlets only and closed to the public.
4. Qualified mass media outlets are defined as television, radio, or newspaper organizations that have broadcasting and/or publication abilities that extend beyond social media or other internet presence. The public information office will maintain a list of qualified mass media outlets and add those originations to the media email distribution list.
5. In multi-agency / jurisdiction events, liaison with the news media and the general public will be coordinated with those persons exercising overall control of the operation.

H. MEDIA IDENTIFICATION

1. All media representatives working with the Division will be encouraged to obtain official news media credentials from their respective agencies. A photograph should be affixed to their credentials.
2. Any representative without such identification may receive police information only after verification.
3. Any deviation from the above-stated procedures may result in the denial of media privileges by the Office of the Chief of Police. If such denial is made, the respective agency will be notified.

I. CHANGES IN POLICY

1. Members of the local media will be involved in development / changes in policy affecting public information should the need arise to make additions, deletions, or other changes in policies and procedures which affect the media. The P.I.O. will be responsible for making a reasonable effort to notify the local news media of any policy and procedure changes concerning public information which affect them.

2. This is not intended to seek the permission of the news media to make necessary changes in public information policies and procedures. However, it is desirous to gain media input and cooperation in a continuing effort for mutual understanding and appreciation for the roles and responsibilities of the media and the Hampton Police Division.