

Departmental Directive

TITLE: RELEASE OF INFORMATION

POLICY:

It is the policy of this Department to cooperate fully in the releasing of information to the media so long as it does not infringe upon the obligations of the agency or the rights of the defendant, victim or reporting parties. Officers should be open in their dealing with the public and supply requested information within the guidelines set forth.

PROCEDURE:

I. Release of Information

A. Responsibility to Provide Public Information

1. This agency exists to serve the people and is accountable to the people for the fair and impartial enforcement of the law. Likewise, this agency has an obligation to provide accurate timely information regarding law enforcement activities to the people. The constitutionally free press is essential to our democratic society and serves as the public informer and common advocate. Within established law and without compromise for justice or infringement upon individual rights, members of this Department will cooperate fully in meeting the relevant needs of the news media in providing public information.

B. Making the Information Available

1. The Santa Cruz Police Department will be proactive in the release of information pursuant to established guidelines and state law. The Department shall notify members of the media on a timely basis, matters of public concern that could affect public safety. The amount of information released will be dependant on the specific case and will be limited to information that does not jeopardize the safety of the victim or specific information that could risk the integrity of the case. General information that affects public safety shall be released by the on-duty supervisor prior to the end of their shift. The "press release" format will be used for this purpose. The supervisor shall route the press release to the Records Section for distribution during normal business hours. After hours, the Supervisor is responsible for distribution of the release.

a. Statistical, Budgetary and Departmental Planning:

Information may be obtained through the Office of the Chief of Police during normal business hours.

b. Recruitment, Training and Personnel:

Information may be obtained through the Deputy Chief of Administration during normal business hours.

c. Major Crimes and Narcotics:

Information should be obtained from the Investigation Section Commander during normal business hours. On Saturdays and Sundays and other than business hours, information may be obtained from the on-duty Watch Commander or Supervisor if a Watch Commander is not on-duty. This does not alleviate the requirement of the on-duty supervisor to release general information that affects public safety prior to the end of their shift.

d. Field Operations:

Information such as major accidents or activities in progress should be obtained from on-duty command personnel of the Operations Division. In the absence of the Watch Commander, information may be obtained from the on-duty Supervisor.

e. Department Policy:

Information will be released by the Office of the Chief of Police during normal business hours.

f. Photographs:

Photographs of "wanted" persons will not be released unless authorized by the unit to which the case is assigned.

g. Requests for crime prevention information should be referred to the Community Services Section.

2. Inquiries About Operational Policy:

All news releases pertaining to operational policy will emanate from the Office of the Chief of Police. Individual members receiving such inquiries will refer the representative to that office. Division Commanders may respond to such requests at the direction of the Chief of Police.

3. Public information and communication is a direct responsibility of management personnel. This responsibility may be delegated operationally within Department guidelines. The Department supervisor or manager most familiar with the investigation, crime or incident should be designated to respond to media inquiries.
4. The primary format shall be a written press release. All written press releases shall be on the official "SCPD Media Release Form". Only a Supervisor or Manager may issue a written press release. All releases shall be approved by the on-duty or on-call Manager of the Division issuing the release.
5. Radio and TV recorded press releases shall be authorized only by supervisors or management staff, consistent with Department goals. The granting of personal interviews for radio and TV broadcasts shall be at the convenience of departmental staff. In keeping with our obligations to foster good media relations, all recording/camera interviews shall be done in good taste and on matters of significant importance. No personal opinions, either stated or implied, will be permitted.

C. Consistency

1. Members of this agency shall cooperate and strive for consistency in releasing information to the media for public dissemination. Information that is normally released should not be withheld based solely on a decision relating to the personal prominence of those involved. Conversely, information generally not routinely distributed should not be put forth solely as a result of personal prominence.

D. Restricted Information

1. Normally, statements of policy expressing official positions of the Department, official responses to criticism of the Department, or statements pertaining to pending on-going civil litigation involving the Department shall be made only by the Chief of Police or persons designated by the Chief of Police. Likewise, statements about internal investigations, disciplinary matters, and officer involved shootings shall be made only by the Chief of Police or designated persons.

E. Crime and Disaster Scenes

1. The ranking Department member present at a disaster or crime scene is responsible for providing relevant, timely and accurate information to the news media.

- a. Disaster and accident scenes may be closed to the public pursuant to 409.5 PC; however, news media representatives are exempt from this restriction. As soon as 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 are not obligated to 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 scenes may be closed to all unauthorized persons including the news media. Crime scenes which are located in areas of public access may be opened for media inspection by the supervisor in charge of the scene 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. News media representatives have no right of access to private property greater than the general public and therefore 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. Photographs Taken by the Media:

Department members will not interfere with the media taking pictures. The Department expects the cooperation of the media in protecting the identity of "undercover" officers.
- d. The scene of a department 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 Watch Commander (or designee). The news media, including reporters and photographers, shall be allowed access to the best possible location as determined by the Watch Commander (or designee). A designated officer or other 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 on the progress of the operation.

F. Multi-Agency Coordination

1. When the 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 (venue agency) should make appropriate news releases citing assisting or secondary agencies. At any time other agencies assist this Department in an operation or investigation, the assistance will be noted in any news release.

G. Cooperation with Other Law Enforcement Agencies

1. The Department maintains a close working relationship with other law enforcement or law enforcement-related agencies and makes available information concerning techniques and procedures developed or used by the Department. The Department, when possible, will disseminate to interested outside agencies the documentation of research projects, experiments or programs implemented by the Santa Cruz Police Department.

H. Information Concerning Department Operations

1. The supplying of operational information will be conducted so that only information which is authorized will be released.

I. Criticism of the Criminal Justice System

1. The Department shares responsibility in the criminal justice system with the judiciary and other law enforcement and prosecuting agencies. All elements of the system work toward common objectives and each element is functionally complementary to the other.
2. The cooperation and harmonious working relationships that are essential in attaining these objectives are impaired by unnecessary criticism directed towards others engaged in the administration of criminal justice. Department members should be aware of the effects of comments they make that might be interpreted as being critical of other law enforcement agencies or individual members of the judiciary.

J. Relation to the Courts

1. Department members should regard themselves as officers of the court, assisting in the fair and impartial administration of law. Members will treat the courts and court officers with respect, realizing that such is necessary for the maintenance of our system of due process. The right to public disagreement with the courts will be reserved.

K. Victim-Witness Confidentiality

1. The address and telephone information of a victim of sexual assault offenses, or victim or witness of a violent crime, **is protected from public record**. If the victim of sexual assault offenses requests confidentiality, the name of the victim will also be protected. This information may only be released to the District Attorney or other law enforcement agencies, or by the specific authorization of the Records Manager.

L. Juvenile Information

1. The names of any juvenile involved in a criminal case shall not be released whether they are a victim, suspect, witness or other.



HOWARD SKERRY
Chief of Police