

CHAPTER 54
PUBLIC INFORMATION

DISCUSSION: The Hattiesburg Police Department recognizes the right of the public to be fully and accurately informed on all matter of public safety and that the news media is responsible for providing this information to the public. The Department is committed to assisting the community at large, maintaining services to educate and inform the public on topics concerning public welfare. The policy of the Department, therefore, shall be to maintain a relationship with the members of the news media that is built on trust, cooperation, mutual respect and one which will generate a free flow of information between the Department and the news media.

54.1.1 Agency Commitment

- A To operate effectively, law enforcement agencies must obtain the support of the public they serve.
- B The Hattiesburg Police Department is committed to informing the community through the News Media about events of the public concern.

54.1.2 Public Information Function

- A It shall be the responsibility of the Chief of Police, or a designee thereof, to act as the official spokesman of the Hattiesburg Police Department in conducting and maintaining an active liaison with the News Media. The Department, when requested, will provide complete and accurate information, within legal and investigatory limitations, as quickly as practicable, to all accredited media representatives. These representatives shall judge whether or not the information is newsworthy.
- B. The public information function shall include:
 - 1. Assisting news personnel in covering routine news stories and major incidents.
 - 2. Time permitting, available to the media at night and on weekends.
 - 3. Preparing and distributing news releases.
 - 4. Arranging for and assisting at news conferences.
 - 5. Coordinating and authorizing the release of information about victims, witnesses and suspects of major crimes.
 - 6. Assisting in crisis situations.
 - 7. Coordinating and authorizing of the release of information concerning confidential investigations and operations.

- C. Press releases should be written on departmental letterhead and should be constructed in the following format:
1. Date, time, case number and nature of incident.
 2. A brief, factual description of the incident.
 3. The name, age and address of adults charged with crimes and the nature of the charges.
 4. The fact that a juvenile has been taken into custody, including the juvenile's sex, age, and general area of residence. (The name and address of juveniles seventeen (17) years of age or older who have been taken into custody for a felony offense or any juvenile having been previously adjudicated twice for felonies or unlawful possession of a firearm who have been previously found guilty of three (3) or more misdemeanor offenses, may be released.)
- D. Before providing information to the News Media or responding to inquiries from media representatives, the following police requirements will be carefully considered:
1. Impact on any investigation or operation.
 2. Personal safety of crime victims.
 3. Personal safety and integrity of informants.
 4. Protection of constitutional rights of persons accused or charged of a crime.
 5. Effect of pretrial publicity on any criminal case.
- E. No statements regarding Departmental personnel matters or official positions on any matter shall be made without the express authorization of the Chief of Police or his designee.
- F. Copies of reports, records or other official Departmental documents shall not be given to the News Media without authorization of the Chief of Police.

54.1.3 Responsibility of Public Information Function

The public information function shall be assigned by the Chief of Police. The Public Information Officer (PIO) will act as a point of control for disseminating information to the community, to the media and other criminal justice agencies.

54.1.4 Press Briefings and Press Releases

- A The Public Information Officer (PIO) shall meet with the News Media as needed to release newsworthy items.
- B The Chief of Police, his designee or the PIO will be responsible for arranging and assisting with press conferences for major case investigations or emergencies.
- C Press releases shall be prepared by supervisory officers on an as-needed basis, concerning any major incident that is considered newsworthy. Press releases shall be available at the Police Department and shall be distributed to all local News Media at the same time.
- D Members and employees are encouraged to prepare professional articles and materials for publication; however, prior to publication of any article or material that identifies him/her as an employee of the Police Department, specific authorization must be obtained from the Chief of Police.
- E No favoritism shall be shown in releasing news items. Newspaper, radio and television representatives shall be given equal opportunity to obtain all legitimate news. This does not prevent a reporter from developing an individual story or a feature article on his own initiative.
- F Daily news releases will be held on the 2nd floor in the Detective Division between 0700 and 0730 hours Monday thru Friday. (Saturday, Sunday, and holidays by telephone through the on duty supervisor in the Squad Room)

54.1.5 Alternate Releasers of Information

When the PIO is not available at the scene of any incident that requires an immediate agency spokesman, any of the following may release information to the News Media.

- A. Operations/Direct Support Bureau Commanders
- B. Operations Division Commanders
- C. On-scene Commander

54.1.6 News Media Credentials

The Hattiesburg Police Department recognizes valid identification from accredited news agencies, including but not limited to, press credentials issued by the Chief or other area law enforcement agencies. Appropriate media privileges are extended to properly identified news media representatives due to the public purpose served by such agencies. The PIO has the responsibility for issuing media credentials.

- A. Any credentials so issued shall clearly identify:

1. Purpose.
 2. Authorization.
 3. Effective date(s).
 4. Name of news organization.
 5. Other pertinent information.
- B Revoking credentials - Complaints initiated by police personnel against accredited news media personnel shall be documented in an Inter-Departmental Memorandum and forwarded to the Chief's Office through the chain of command. In cases of serious violations of police policies or procedures relating to news media cooperation, the Chief may refer the complaint for investigation and make a recommendation as to the type of action to be taken.
- C When a decision has been made by the Chief to revoke the Department's recognition of an individual employee or associate of an accredited news agency, a letter shall be sent to the individual employers or sponsors citing the specific violation and informing the affected new agency of the action to be taken.

54.1.7 Access of Media Representatives

- A Official News Media representatives shall be admitted within police lines, but not within the actual crime scene during active investigations.
- B Official News Media representatives shall be permitted within police lines of a major disaster or other public emergency. They should be notified of any present or potential danger and that under such conditions the Police Department is not responsible for their physical safety.
- C The on-scene Commander of any incident may deny access to any member of the Media if, in his opinion, their presence may inhibit, threaten or compromise legitimate police activity or objectives.

54.1.8 Release of Information on Active Cases by Police Personnel

- A The ranking officer in charge of an active police operation or investigation may respond to legitimate inquiries for routine information from the News Media if the time, place and circumstances permit. If there is any doubt as to whether such information should be divulged, these inquiries will be referred to the Chief of Police or PIO. In some cases, it will be requested that a particular report on a crime not be released to the press; however, at no time will any person be given assurances that such a request can be honored.

- B Media contacts concerning active criminal investigations shall be reported to the PIO.
- C Routine requests from the media for information about crimes or incidents that have occurred may be answered by the Bureau/Division Commander or the supervisor that is on duty. Under no circumstances shall representatives of the media be told no one is available to answer their questions.
- D The following information can be released to the News Media (with the exceptions noted in Section 54.1.2).
1. The identity of the victim (after notification of the next of kin if victim is dead or seriously injured).
 2. The name, age, residence, occupation and family status of the accused.
 3. Any information necessary to aid in the apprehension of the accused or to warn the public of any danger the accused may present.
 4. The facts and circumstances of an arrest, including the crime, place of arrest, any pursuit that took place, resistance made, or use of weapon.
 5. The identity of the investigating or arresting officers and the length of the investigation.
 6. The type of evidence seized.
 7. A brief description of the type offense committed.
 8. The time and place of any court hearing.
 9. Amount of bond.
- E The following information CANNOT be released to the News Media without the approval of the Chief of Police.
1. The prior criminal record of the accused.
 2. The character or reputation of the accused.
 3. The existence or the contents of any confession, admission or statement made by the accused or the failure or refusal of the accused to make any statement (except that it may be stated that the accused denies the charges made against him) .
 4. The results of any examination or tests made or the failure or refusal of the accused to submit to any examination or tests. The exception is made where

the test results or the act of refusal is part of the charge or arrest record. For example: in a DUI, the refusal to take the BAC test results in additional penalty and subsequently becomes part of the arrest.

5. The identity, testimony or credibility of any prospective witness.
 6. Any opinion as to the guilt or innocence of the accused or to the possibility of a plea.
 7. The name, age or residence of any Police Officer involved in an incident or offense.
 8. Any opinion as to the merits of a case.
 9. Information received from another law enforcement agency (unless they have agreed to such a release).
 10. The interviewing of any person in custody by representatives of the News Media, unless the accused requests or consents in writing to such interview after being adequately informed of his rights to consult with an attorney and of his right to refuse to grant an interview and the conditions thereof have been expressly approved by the Chief of Police.
 11. The deliberate posing of any person in custody for photographing or televising by representatives of the News Media.
 12. The identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity.
 13. The identity of victims or witnesses, if such disclosure would prejudice an investigation to any significant degree or if it would place the victim in personal danger.
 14. The results of any investigative procedure such as lineups, polygraph test, fingerprint comparison, ballistics test or other procedures; (The fact that these test have been performed may be revealed without further comment.)
 15. Information that may be of evidentiary value in criminal proceedings.
- G. The identity of the following persons SHALL NOT be revealed to the News Media without the direct approval of the Chief of Police.
1. Any person under the age of 18 taken into custody or accused of a crime unless:
 - a. Any person age 17 that has been arrested for a felony.

- b. Any person ages 13 - 16 who commits a felony where a weapon is used.
 - c. Any act attempted or committed by a child which if committed by an adult would be punishable under state or federal law by life imprisonment or death.
 - d. Juveniles twice adjudicated for felonies or unlawful possession of firearms (must be requested) .
- 2. Any complainant.
 - 3. Any neglected child.
 - 4. Any victim of a sexual offense.
 - 5. Any person taken into custody because of mental illness.
- H. In the case of a sudden or accidental death or serious injury, the identity of the victims will not be revealed to the News Media until the next of kin are notified at which time the information will be promptly disseminated.

54.1.9 Special Considerations - Criminal Matters

- A Departmental personnel shall extend every reasonable courtesy to news media representative at crime scenes. This may include closer access of personnel and equipment than available to the general public to the degree that it does not interfere with the police mission or the movement of traffic.
- B The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed, and secured by the Department, the media may be allowed to enter by permission of the commanding officer at the scene.
- 1. On private property, photography, film or videotape recording requires the permission of the owner or the owner's representative.
 - 2. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts, or interviews, nor shall Departmental personnel pose with suspects or accused persons in custody.
 - 3. When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual(s). No Departmental photographs, mug

shots, videotape, film or composites of subjects in custody shall otherwise be released to the media unless authorized by the Chief of Police or his authorized designee.

- C. At the scene of major crimes, such as hostage and barricade situations, the officer in charge shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.
- D. The fact that a suicide or suspected suicide has occurred may be reported to the media together with factual information describing how it happened. The name, age, address, sex, and occupation of the victim may also be released following notification of next of kin. The fact that a suicide note also exists may also be acknowledge without further comment. The content of such note is personal and confidential and shall not be released except as provided by law.

54.1.10 Special Considerations - Noncriminal Matters

- A. At the scene of significant accidents, man-made or natural catastrophes, the principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the police, fire, medical or other emergency relief workers.
- B. Media access to and movement within fire lines shall be controlled by the fire officer in charge. In consultation with the fire officer in charge, the ranking police officer at the scene shall establish an observation point from which the media may observe and photograph the incident.
- C. News media representatives should not be prevented from access to any area solely because of the possibility of their injury or death. If this is the ONLY consideration, the media representative should be advised of the) danger and allowed to make the decision to enter on their own volition.
- D. Sensitive information relating to internal investigation of police officers shall not be released without the expressed permission of the Chief of Police.
- E. Daily administrative reports or criminal activity will be made available on a routine basis to media representatives. Statistical reports of criminal activity will also be made available to the media.
- F. Media representative shall be denied access to the contents of investigative or incident reports and records, where release of the information would:
 - 1. Interfere with law enforcement proceedings, including pending investigations.
 - 2. Deprive a person of the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information.

3. Constitute an unwarranted invasion of the personal privacy rights of another person.
4. Reveal the identity of an individual who has furnished information to the department under confidential circumstances.
5. Disclose investigative techniques and procedures, thereby impairing future effectiveness of the Department.
6. Endanger the life or physical safety of any person.

54.1.11 Release of Information-Mutual Effort with Other Agencies

In instances in which more than one agency is involved, the agency having primary jurisdiction shall be responsible for releasing or coordinating the release of information. For example, the release of information about a major fire would be the responsibility of the Fire Department, even though the police provided traffic assistance.