

WEST PALM BEACH POLICE DEPARTMENT

II-13 PUBLIC INFORMATION

EFFECTIVE: 09/15/2005

CALEA Standards: 54.1.1 – 54.1.3

CFA Standards: 28.01 – 28.04

I. POLICY: The West Palm Beach Police Department has established guidelines for media relations and the release of information to the news media or other members of the general public. This Department will maintain a relationship of support, mutual respect, cooperation, and openness when providing the news media or the community with information regarding public safety concerns and awareness of Departmental mission. The Department will keep our citizens informed through the timely release of accurate information and news.

II. FUNCTIONS OF PUBLIC INFORMATION OFFICER:

A. The Public Information Office (PIO) is established under the control of the Chief of Police and will be responsible for maintaining continuous liaison between the Department, the public and the news media.

B. The duties of the Public Information Officer include, but are not limited to the following:

1. Preparation, coordination, and/or authorization to release information concerning victims, witnesses, suspects, and those investigations or operations that is confidential.
2. Coordination of public meetings with outside agencies, organizations, communities, and/or community leaders whenever dissemination of information is in order to address public safety concern or to promote public awareness.
3. Providing assistance to news personnel in covering routine news stories.
4. Preparation and/or distribution of news releases.
5. Availability for on-call responses to the news media.
6. Arranging for and/or assisting at news conferences.
7. Meet monthly or when needed with PIO's from other departments and media representatives to discuss police/media issues.
8. Assisting in crisis situations within the Department
9. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.
10. Any other duties as assigned by the Chief of Police.

III. AUTHORITY TO RELEASE INFORMATION:

A. The Chief of Police, Public Information Officer, and/or any member having direct personal knowledge of a case may release accurate, factual information relating to the member's knowledge of the case unless prohibited by other portions of this policy or Florida State Statute.

B. Information released to the news media will be disseminated equally to any inquiring legitimate news organization.

C. Members of the Department who are authorized to release information will not release opinions regarding the guilt or innocence of the accused or comment on the merits of the case.

D. Members, other than those referred to in paragraph A (above), are not required to participate in an interview with media personnel. However, no member is prohibited from speaking with media personnel.

E. Members of the Department receiving inquiries or requests about a specific incident or operational activities will refer the media representative to the Public Information Officer. In the absence of the PIO, any Division Commander or the Shift Lieutenant can notify the Public Information Officer regarding the inquiry or request.

F. Personnel authorized to release information.

1. The following personnel will be authorized to release information to the news media in the event the Public Information Officer is not available:

- a. At the scene of an incident - command staff or supervisor in charge at the scene may assume temporary PIO duties.
- b. Information from agency files - released only by command staff with authorization from highest command officer within the affected area.
- c. Information concerning ongoing criminal investigations - released only by command staff, Criminal Investigations Division Lieutenant or the case detective having direct knowledge of the investigation.

IV. FREQUENCY OF NEWS OR PRESS RELEASES:

A. News releases and/or press conferences will be made when necessitated by specific occurrences, crimes and/or investigations occurring within the City, or at the discretion of the Chief of Police. News information regarding civil litigations against the Department or members will be released only by the Chief of Police or a designee.

B. All newsworthy information concerning changes in Departmental policy or administrative procedures will be released by the Public Information Officer unless prohibited by Florida State Statute. Information regarding internal discipline, internal investigations, personnel matters, and complaints against Department members will be released only by the Chief of Police or a designee, or when authorized by the City Administrator and approved by the City Commission.

1. Specific employee information to be released will include:

- a. Name, age, position, and date of hire, the division or assignment within the Department.

C. Authority of Division Commanders:

1. Command officers have the authority to respond directly to inquiries from representatives of the news media concerning their respective commands within the guidelines of this directive. Command officers who will be unavailable to meet with media personnel regarding major crimes, accidents, or unusual events should provide the Public Information Officer with information to respond to media inquiries.

D. Identification of Media Representatives:

1. Members of the Department will require adequate identification of media representatives prior to permitting access to controlled and/or secured areas. Media representatives will include reporters, photographers, camera operators, and/or other media personnel.

2. Press credentials or media identifications are the responsibility of the individual media representative.

3. When press credentials are rejected, notification will be sent to the media representative's employer citing specific violations explaining why the representative is no longer in good standing with the Police Department.

4. Representatives of the news media are not exempt from municipal, state or federal laws.

E. Access to incident scenes:

1. The general public will be denied access to any incident scene which is cordoned off by the investigators.
2. Representatives of the news media may remain on the perimeter of certain scenes, but will be denied access in the following instances:
 - a. On private property at the owner or custodian's request;
 - b. If the owner or custodian is not present to permit or deny entry,
 - c. To preserve evidence, and/or
 - d. If presence seriously impedes the work of police, fire or medical personnel.
3. Media personnel are granted access to major fires, natural disasters, or catastrophic events with proper identification except when the scene is not secured or their presence conflicts with paragraph 2 (above). They will be escorted while in the perimeter established for control. News media vehicles may be allowed if circumstances dictate.

F. Restrictions on the release of information by members.

1. The name of a victim in an incident will normally be released with the following exceptions:
 - a. All records concerning reports of child abuse or neglect and all records generated as a result of such reports will be confidential;
 - b. The name, address, or other identifying fact or information of the victim of any sexual offense will not be released;
 - c. The name and address of a deceased victim will not be released until after notification of next of kin.
 - 1) When a reasonable effort to locate the next of kin has failed, the commanding officer of the division actively involved in the case may release the information regarding the deceased.
 - d. Any other applicable restrictions contained in Florida State Statutes.
2. Any information which reveals personal assets of a victim of a crime, other than property stolen or destroyed during the commission of the crime, will not be released.
 - a. Prior to releasing the amount of money or property taken in a crime, consideration will be given to whether or not such release might jeopardize the investigation.
3. Any information which might reveal the identity of a confidential informant will not be released.
4. Any information which might reveal surveillance techniques, procedures, or personnel will remain confidential.
5. Any information which would reveal the identity of any undercover person of any criminal justice agency will not be released.

G. The following information about an officer will not be released unless contrary to Florida State Statute:

1. Home address,
2. Home telephone number,
3. Photograph,
4. Spouse's name,
5. Name or location of spouse's employment,
6. Names of children, and
7. The name or location of any school attended by children.

H. The name of a detained person will not be released until a criminal affidavit has been approved and notarized.

I. The name of a suspect who is at large will not be released unless a warrant or capias has been issued, or unless authorized by a supervisor.

J. The identity, testimony, or credibility of any witness will not be released if requested by the witness or if it appears the witness might be in jeopardy. This does not preclude releasing the identity of a crime victim if such release is not otherwise prohibited.

K. Results of any examinations conducted will not be released. These include, but are not limited to:

1. Refusal to submit to any examination,
2. A polygraph,
3. Computerized Voice Stress Analysis (CVSA),
4. Descriptions of evidence, and
5. Existence of and/or text of any confessions.

L. Information regarding the existence or details of any Internal Affairs investigation will not be released until the investigation is concluded.

M. Information which would hinder an investigation or jeopardize the outcome of a case will not be released.

V. RELEASE OF INFORMATION IN CRIMINAL CASES - JUVENILES:

A. The name, address, or telephone number of any juveniles **may not** be released:

1. When the juvenile (less than 16) is suspected or accused of being delinquent or undisciplined.
2. When the juvenile (less than 18) is the victim of neglect, dependency, or child abuse.
3. When the juvenile is a witness to an incident, except in the case of a traffic accident.

B. The following information can be released in the case of a juvenile unless contrary to Florida State Statute:

1. Pertinent information including photographs if the juvenile is a runaway or missing person and the parent or guardian has given permission.
2. The name, photograph, address, and crime or arrest of a child who has been charged with an offense which, if committed by an adult, would be a felony may be released or found by a court to have committed three or more violations of law which, if committed by an adult, would be misdemeanors.
3. In regard to a juvenile who has been prosecuted as an adult and found guilty of that offense or a lesser included offense, and the child may, thereafter, be treated in every respect as if an adult. Information about his or her involvement may be released.

VI. RELEASE OF INFORMATION IN CRIMINAL CASES - ADULTS:

A. The following information pertaining to adults **may not** be released:

1. The name or address of any witness to an incident.
2. The above restrictions may be waived in unusual circumstances by the Commanding Officer of the division actively involved in the case, or by the Chief of Police or a designee.

B. During an on-going investigation the following information pertaining to adults may be released:

1. The name, photograph, age, address, arrest history with this Department, and confirmation of the existence of other criminal history, if any, obtained during an active investigation of a person who has been charged, arrested, or cited for a violation of any statutes or ordinances, may be released.

a. Requests for criminal history information beyond Department arrest records will be referred to F.D.L.E.

b. During an on-going investigation photographs of the subject will not be released prior to a line-up or if the subject is a juvenile.

2. Information regarding sex offenders and sexual predators.

3. The circumstances surrounding an incident or arrest, such as the time, location, pursuit, possession, or use of a weapon.

4. The name, address, and age of a victim, except for a victim of a sexual offense.

5. Additional information which may assist in an investigation.

C. Information released in criminal cases involving juveniles or adults will be reported to the Public Information Officer as soon as possible.

VII. NEWS RELEASES/MULTIPLE AGENCIES:

A. In matters involving mutual efforts of the West Palm Beach Police Department and other departments or agencies, the release of information will be made by the department or agency in charge.

VIII. MEDIA REVIEW OF PUBLIC INFORMATION POLICIES AND PROCEDURES:

A. To achieve more effective working relationships between the Department and media personnel, the Department will involve media representatives in the development of significant changes in policies and procedures relating to the public information function. These reviews will be on an as-needed basis or following a policy revision.

IX. REFERENCE:

- F.S.S. 119 Public Records.
- F.S.S. 775.21 The Florida Sexual Predators Act.
- SOP # II-9 Mutual Aid-Operation Assistance and Voluntary Cooperation.
- SOP # IV-23 Computer Voice Stress Analysis.

Delsa R. Bush, Chief of Police

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Job Title Task Files: Shift/Division Commander, Supervisor