

## Media Relations

### 323.1 PURPOSE AND SCOPE

Best Practice MODIFIED NYSLEAP- 8.7 - 28.1

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities. The Public Information Officer will make this policy available for members of the media and will also consider feedback from the media in future policy development regarding media relations.

### 323.2 POLICY

Best Practice

It is the policy of the Syracuse Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

### 323.3 RELEASE OF INFORMATION

Agency Content

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

Members shall not release information to the media until the PIO has been notified.

The unauthorized and uncoordinated release of information to the news media, even if such information is not considered unusually sensitive, is prohibited.

Under no circumstances, except as herein stated, are employees (sworn or civilian), to release any information (internal communications verbal or otherwise, internal documents, etc.) pertaining to any police activities, directly or indirectly, to members of the news media or members of the public without receiving approval from the Chief of Police.

#### 323.3.1 INFORMATION THAT MAY BE RELEASED TO THE MEDIA OR PUBLIC AFTER AN ARREST HAS BEEN MADE

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The following information may be released to the news media after an arrest has been made:

- (a) The arrested person's name, age, residence, employment, marital status and similar background information.
  1. If the arrested person is under 18, only the age and gender shall be released.
  2. Booking photos shall only be released for a specific law enforcement purpose (endangered missing person, threat to the public, etc).

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- (b) Substance or text of the charge, such as a complaint/information and when appropriate, the identity of the complainant. Information shall not be released if it would identify (or tend to identify) the victim of a sex crime.
- (c) Identity of the investigating and arresting officer and length of the investigation, so long as this does not compromise an undercover or on-going investigation.
- (d) Circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and/or use of weapons, and a description of items seized at time of arrest.

#### 323.4 RESPONSIBILITIES

Best Practice MODIFIED NYSLEAP- 8.7 - 28.1 (A)

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, designated Public Information Officers (PIOs) may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

##### 323.4.1 PIO RESPONSIBILITIES

Agency Content

Members of the Office of Public Relations shall be responsible for the following:

- (a) Assisting media personnel in covering news stories at the scenes of incidents
- (b) Preparing and distributing agency media releases
- (c) Arranging for, and assisting at media conferences
- (d) Coordinating and authorizing the release of information about victims, witnesses, and suspects
- (e) Developing procedures for releasing information when other public service agencies are involved in a mutual effort
- (f) Providing guidelines for the use of social media by the agency
- (g) Assisting media personnel in conveying routine news stories.
- (h) Being available for on-call responses to the news media
- (i) Responding to requests for information by the media
- (j) Consulting with and assisting other members of the department regarding media and public requests for police information, reports and statistical data, information concerning confidential agency investigations and operations, ongoing criminal investigations, and information regarding the application of Article 6 of the Public Officers Law (Freedom of Information Law), Civil Rights Law-Right of Privacy, Family Court Act and other applicable laws governing the release of information.
- (k) Maintain the department's website

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#### 323.4.2 COMMAND OFFICER RESPONSIBILITIES

##### Agency Content

The Commanding Officer of Departmental components will be responsible for the dissemination of information to the Duty Chief or PIO, from his/her respective unit.

In the absence of the Commanding Officer, the highest-ranking officer within the unit will disseminate information to the Duty Chief or PIO for release to the media, or for media requests for specific information.

News release information may be in the form of a written press release, requests for interviews, or requests for the re-production of certain police department documents that fall under the Freedom of Information Act.

In the absence of the PIO, the Duty Chief may designate a Command Officer to act as the department's PIO. In such instances the Command Officer shall assume the responsibilities of the PIO, as described in this policy, until relieved of such duties.

When a Command Officer is designated to act as the Public Information Officer, the PIO shall be notified as soon as possible of the content of the material that was released, and the circumstances. Such notification may be verbal or written, but must occur as soon as practical after the release.

#### 323.5 PROVIDING ADVANCE INFORMATION

##### Best Practice NYSLEAP- 8.7 - 28.1 (A), 28.1 (C)

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police. This includes deliberate exposure of a person in custody to members of the media for purposes of photography or video.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

#### 323.6 MEDIA REQUESTS

##### Best Practice MODIFIED NY\_CALEA6.13 - 54.1.1 (f) NYSLEAP- 8.7 - 28.1 (A), 28.1 (B)

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, their authorized designee. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from the Chief of Police or the PIO.

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- (b) In situations involving multiple agencies, government departments, or other organizations where applicable, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police or PIO. Under these circumstances the member should direct the media to the agency handling the incident.

### 323.7 ACCESS

**Best Practice** NY\_CALEA6.13 - 54.1.1 (a), 54.1.3 NYSLEAP- 8.7 - 28.1 (A), 28.1 (B)

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities as required by law.

Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid media credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.
  1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
- (c) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express written consent of the person in custody.
- (d) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

#### 323.7.1 CRITICAL OPERATIONS

**Best Practice** **MODIFIED** NY\_CALEA6.13 - 54.1.3

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through the Chief of Police or the PIO.

#### 323.7.2 TEMPORARY FLIGHT RESTRICTIONS

**Federal** **MODIFIED** NY\_CALEA6.13 - 54.1.3

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Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the scene commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

### 323.8 CONFIDENTIAL OR RESTRICTED INFORMATION

State **MODIFIED** NY\_CALEA6.13 - 54.1.1 (e) NYSLEAP- 8.7 - 28.1 (A)

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

Restricted information includes, but is not limited to:

- (a) (a) Information that identifies or relates to the arrest and disposition of a juvenile delinquent (Family Court Act § 301.2; Family Court Act § 381.3).
- (b) Information concerning the arrest and disposition of a youthful offender, or a youth apparently eligible for youthful offender status, shall not be released without written consent of the Family Court (CPL § 720.15).
- (c) Information concerning incidents involving persons whose identities are classified as private or confidential under state law (i.e., sex crime victims).
- (d) Identifying information concerning deceased individuals.
  - (a) Information may be released upon verification of the decedent's identity when notification has been made to the decedent's family, and the release is approved by a supervisor.
- (e) Information contained in the personnel record of any member, unless otherwise specifically allowed by law.
- (f) Criminal history information.
- (g) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (h) Information pertaining to pending litigation involving this department unless authorized by the Chief of Police.
- (i) Information obtained in confidence.
- (j) Any information that is otherwise privileged or restricted under state or federal law.

### 323.8.1 EMPLOYEE INFORMATION

State **MODIFIED** NYSLEAP- 8.7 - 28.1 (D)

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The identities of officers involved in shootings or other critical incidents may only be released to the media after 72 hours and upon the notification to involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

All such requests must be processed in accordance with the Records Maintenance and Release Policy. Requests should be reviewed and fulfilled by the Records Access Officer, or if unavailable, the Watch Commander or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy, public records laws, and the New York State Freedom of Information Law (Public Officers Law § 87).

### **323.9 TRAINING**

#### **Agency Content**

Members assigned as Public Information Officers or designated to perform that function shall receive continual training for the position.