

# DIRECTIVE 54.1 PUBLIC INFORMATION

<b>Issue Date: 05/13/2020</b>	<b>By Order of Chief of Police</b>
<b>Rescinds: (Issue 08/24/2015)</b>	<b>CALEA Standards</b>
<b>Pages: 6</b>	<b>Referenced: 54.1.1; 54.1.2; 54.1.3 &amp; 54.1.4</b>

**This directive consists of the following sections:**

- [54.1.1 Activities](#)
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## **POLICY AND PROCEDURE:**

News media representatives have an obligation to gather information, which is in the public interest, and as long as their tasks do not interfere with police objectives, they will be permitted to pursue their activities, within the confines of the law and without interference from police personnel.

It is the policy of the Miami Township Police Department to cooperate fully and impartially with authorized media representatives in their efforts to gather factual, public information pertaining to activities of the department. However, these activities cannot unduly interfere with departmental operations, infringe upon individual rights or violate the law. Officers and employees should be aware that their first obligation is to the investigation at hand and that reports containing important information should be completed before conversing with the media. The department recognizes the public's right to the accessibility of public records and the news media's right to report on matters of public interest. The Ohio Revised Code Section 149.43 governs access and the release of public records. The policy of this department is to release all information as required by law.

The Chief of Police shall be the designated Public Information Officer (PIO) and will be responsible for the public information function as it relates to media assistance and media releases.

The Chief of Police or designee shall be the designated Public Information Officer (PIO) and will be responsible for the public information function as it relates to authorization and release of public records governed under Ohio Revised Code 149.43.

### 54.1.1 Activities

#### *Assisting Media Personnel in Covering Stories at Scenes of Incidents*

Miami Township Police Department shall assist news personnel in covering routine news stories and at the scene of incidents. The Chief of Police may authorize any employee to assist the media for all incidents in progress. Officers and employees should be aware that their first obligation is to the investigation at hand and that reports containing important information should be completed before conversing with the media.

#### *Preparing and Distributing Media Releases*

The Miami Township Police Department issues media releases for the following purposes:

- Information to inform the community of items or events of interest, such as crime prevention and safety campaigns, upcoming agency events and other department activities.
- Information designed to inform the news media and public of details regarding an incident of interest that has already occurred.

All media releases must be approved by the Chief of Police before dissemination. Media releases may be distributed to area news sources as well as any other requesting agency.

#### *Arranging for and Assisting at Media Conferences*

The Chief of Police shall approve all media conferences. The Chief of Police or his/her designee shall be responsible for releasing information at all news conferences.

A media release shall be prepared which specifically states the date, time and location of the media conference.

#### *Coordinating and Authorizing the Release of Information About Victims, Witnesses and Suspects*

Information about cases and statistics will be available from the agency when requested by the media and public. Normally, requests of this type are handled through the Records Section.

The Chief of Police shall be the designated Public Information Officer (PIO) and will be responsible for the public information function as it relates to authorization and release of public records governed under Ohio Revised Code 149.43.

In instances where members of the Department are either actively involved in or have just concluded a police action, care should be exercised before releasing public records. Police personnel should consult with the Chief of Police or his/her designee if they have

any questions as to what information is appropriate to be released concerning a police report.

Records personnel shall complete the Public Records Request Form RC100. While the requestor is not required to complete the form, the person releasing the record will complete and sign the form indicating the release.

Persons releasing police records shall redact victim, witness and suspect information as required by ORC 149.43. Redaction means obscuring or deleting information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a record in Section 149.011 ORC.

- Personal Identifiers - Personal identifiers means social security numbers, except for the last four digits; financial account numbers, including but not limited to financial account numbers, employer and employee identification numbers and a juveniles name in an abuse, neglect, or dependency case, except for the juveniles initials or a generic abbreviation such as 'CV' for Child Victim.
- Medical Records
- Information concerning cause of death shall not be released by members of this agency pending determination by the Coroner's Office, as provided in ORC 313.19.
- Suicide Note – The original suicide shall be copied and forwarded to the Coroner's office with a copy of the Death Report. Suicide notes are to be handled cautiously as they may be processed for fingerprints, trace evidence and/or handwriting analysis. All original suicide notes will be logged into the MTPD property room. Any copies of a suicide note are exempt from public record as provided in ORC 313.10. Any requests for copies should be referred to the Coroner's Office. The Coroner's Office may contact the department and request we forward a copy of the suicide note to a family member. Should this occur, it must be documented on a supplemental narrative to the death report.
- If fingerprints or photographic records of juveniles are taken in accordance with ORC 2151.313, they are not public record.
- LEADS/NCIC Records.
- Information on victims, witnesses or suspects as described in Confidential Law Enforcement Investigatory Records.
- Trial Preparation Records – Any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.

Miami Township Police Department personnel shall not release the following information unless authorized by the Chief of Police.

- Information concerning the prior criminal record, character or reputation of the accused.
- Mug shot of an accused person.

- Information regarding the existence of any confession, admission of guilt, or statement made by the accused or the failure or refusal by the accused to make a statement.
- Results of any examinations or tests conducted or refusal by the accused to submit to these examinations or tests.
- Information concerning the identity, testimony, or credibility of any prospective witness, excluding if such information would not prejudice an investigation or place the witness in danger.
- Opinions regarding the guilt or innocence of the accused shall not be relayed in any manner.
- Opinions regarding the merits of the case or the quality of evidence gathered.

*Coordinating and Authorizing the Release of Information Concerning Confidential Agency Investigations and Operations*

ORC 149.43 states the following records concerning confidential agency investigations and operations are not public record and are exempt from release:

- Confidential Law Enforcement Investigatory Record – Any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil or administrative nature, but only to the extent that the release of the record would create a high probability of disclosure of any of the following:
  - The identity of a suspect who has not been charged with the offense to which the record pertains, or of an information source or witness to whom confidentiality has been reasonably promised.
  - Information provided by an information source or witness to whom confidentiality has been reasonably promised, when information would reasonably tend to disclose the source's or witness's identity.
  - Specific confidential investigatory techniques or procedures or specific investigatory work product.
  - Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness or a confidential information source.

Agency operations shall include police officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter or EMT familial information.

Agency operations shall include comments or information concerning personnel matters, internal investigations, or personal opinion not founded in fact. No employee shall release these types of information unless specifically directed to do so by the Chief of Police.

### *Procedures for Releasing Information When Other Public Service Agencies are Involved*

Other service agencies refer to all public service agencies, i.e. Fire Department, Coroners Office, Children's Protective Services, etc. In instances where more than one agency is involved, the agency having primary jurisdiction shall be responsible for releasing or coordinating the release of information. The Chief of Police or any other person designated by the Chief of Police may assist the primary agency with preparing information for release to the media concerning the actions of this Department.

### *Guidelines for Use of Social Media by Agency*

Miami Township Police Department endorses the secure use of social media to enhance communication, collaboration and information exchange, streamline processes, and foster productivity. Social media provides a new and potentially valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention and related objectives.

- Social media content shall adhere to applicable laws, regulations, and policies including all information technology and records management policies.
- Pages will clearly indicate that any content posted or submitted for posting is subject to public disclosure.
- Department personnel approved to post on social media platforms will conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.

This policy is not meant to address one particular form of social media rather social media in general, as advances in technology will occur and new tools will emerge.

#### **54.1.2 Policy Input**

The media will be encouraged to submit comments and recommendations concerning development of policies and procedures relating to public information. By allowing media representative to participate in the process, Miami Township can receive input that leads to a more effective working relationship between the Department and media personnel. All input received from media personnel shall be forwarded to the Chief of Police through written communication.

#### **54.1.3 Media Access**

The access of news media representatives, including photographers to Critical Incidents shall be controlled as follows.

The IC shall use department or Township Public Information Officers (PIO) or designate a Public Information Officer to assist with providing information to the public and maintaining media relations. The PIO formulates informational releases for the news

media, other agencies, and personnel as directed by the Incident Commander. The PIO shall be the designated spokesperson for the release of information to the media.

The Incident Commander may allow media past the perimeter of a scene established for the general public and may be allowed to bring their equipment, vehicles, etc. inside the general perimeter as long as their movements will not interfere with control and containment of the scene and as long as their personal safety is not in jeopardy.

The access of news media representatives, including photographers to crime scenes that are not critical incidents shall be controlled by the officer in charge of the scene with the approval of the Chief of Police or his/her designee. No media representatives shall be admitted to a crime scene until all evidence has been processed.

After the evidence has been processed and the scene secured, the media may be allowed past the perimeter of a crime scene established for the general public and may be allowed to bring their equipment, vehicles, etc. inside the general perimeter as long as their movements will not interfere with the investigation and as long as their personal safety is not in jeopardy.

Department personnel shall not permit the media to enter upon private property without the owner's consent to photograph, film or videotape.

#### **54.1.4 Public Information Officer Training**

The person(s) designated as Public Information Officer (PIO) and/or designated PIO(s) shall receive training for the position of PIO.