DAVIS POLICE DEPARTMENT
POLICE MEDIA RELATIONS &
RELEASE OF PUBLIC INFORMATION
Policy and Procedure 1.30-A

DEPARTMENT MANUAL

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Public information

I. POLICY

Release of information to the public will be in accordance with this policy and local, state, and federal law.

It is the policy of the Davis Police Department to cooperate fully and impartially with authorized news media and representatives in their efforts to gather factual, public information pertaining to the activities of the Department. Cooperation will be extended as long as the media’s activities do not unduly interfere with department operations, infringe upon individual rights, or violate the law.

II. DEFINITIONS

Police Chief- The Chief Executive Officer of the Davis Police Department or their designee.

News Media Representative- Those individuals who are directly employed by agencies of electronic or print media such as radio, television, and newspapers. Freelance workers in this field are to be regarded as other members of the general public, unless otherwise designated by the Police Chief.

Public Information- Information that may be of interest to the general public regarding policy, procedures, or events involving the Davis Police Department. In addition, it can be other news worthy information that is not legally protected, which does not unduly interfere with the mission of the Department, infringe upon the rights of a defendant, or compromise legitimate safety and privacy interest of officers, victims, witnesses, and others.

Public Information Officer (PIO)- Members designated by the Police Chief to serve as the central source of information for media releases by the Department, and responds to requests for information by the news media.

III. PROCEDURE

A. Duties of the PIO

1. Assist news media personnel in covering routine news stories and at the scene of incidents.

2. Assist the news media on an on-call basis.

3. Prepare and distribute news releases.

4. Arrange for, and assist at, news conferences.
5. Coordinate and authorize the release of information.

6. Coordinate the release of authorized information concerning confidential agency investigations and operations.

B. Public Information

1. The public shall have reasonable access to the Daily Log Information (available on the web at davispd.org) and operations of the Davis Police Department as governed by this policy. When information must be denied the basis for that denial shall be fully explained.

2. The Davis Police Department recognizes authorized identification from all local, national, and international news organizations. Failure of media personnel to present authorized identification may provide sufficient grounds for restricting access to incident scenes.

3. Public information shall be released as promptly as circumstances allow without partiality and in an as objective manner as possible.

4. Any initial release of information will be notated that it is a preliminary release of information and subject to change upon further investigation.

5. The ranking officer at a crime or incident scene may release information of a factual nature to the public/media as governed by this policy or refer the inquiry to the PIO. Where the officer is unsure of the facts or the propriety of releasing information, the public/media representative shall be referred to the PIO.

6. To ensure accuracy, written statements shall be released only following review by the supervisor of the specific incident or involved officer(s) and after at least two department administrators have reviewed the information. The written statement will have the names of the two administrators on it and a copy of the written statement will be scanned and attached to the original police report.

7. Dispatch shall inform the Watch Commander as soon as possible about events or activities that may have media interest.

8. The Watch Commander shall be responsible for ensuring the PIO or the appropriate Division Commander is informed of events that may have media interest.

C. Release of Investigative Information

From the initial stage of a major criminal investigation or incident until the completion of trial or disposition without trial, police personnel shall refer all requests for information to the PIO.

1. Information which may be released in connection with investigations:
   a. The type and nature of an event or crime.
   b. The location, date, time, injuries sustained, damages, and general description of how the incident occurred.
   c. Type, quantity and estimated value of property taken.
   d. The identity and approximate address of victims with the exception of sex crime victims, victims exercising their rights under 293 PC, victims exercising their rights under any statute allowing confidentiality, and in other cases where reprisals or intimidation may be a concern.
   e. Requests for aid in locating evidence, a complainant, or a suspect.
f. Numbers of officers or people involved in an event or investigation, and the length of investigation.

2. Information which **may not** be released in connection with investigations of an event or crime, unless specifically authorized by the PIO and lead supervisor in charge of the case, and subject to legal considerations, include:

   a. The identity of a suspect prior to arrest unless such information would aid in the investigation or the apprehension of the suspect or serve to warn the public of potential danger.
   
   b. The identity of any victim of a sex crime or victim who has exercised their rights as outlined in 293 P.C., victims exercising their rights under any statute allowing confidentiality, or any related information, which if divulged could lead to the victim’s identity.
   
   c. The identity of the victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim or witness in potential danger.
   
   d. Identifying information pertaining to a juvenile arrestee 13 years of age and under. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Police Chief (Welfare and Institutions Code § 827.5).
   
   e. The identity of a critically injured or deceased person prior to notification of next to kin and any specific cause of death unless officially determined by the medical examiner. **All inquires about the identity and the cause of death in death cases shall be referred to the Yolo County Coroner’s Officer, unless prior agreement was reached with the Deputy Coroner handling the case.**
   
   f. The results of any investigation procedure such as lineups, polygraph tests, fingerprint comparisons, ballistic tests or other procedures (the fact that these tests have or will be conducted may be revealed without further comment).
   
   g. Information which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of an “MO”, details of the crime known only to the suspect and the police, or information that may cause the suspect to flee or more effectively avoid apprehension.
   
   h. Information that may be of evidentiary value in criminal proceedings.

D. **Arrest Information**

1. Following arrest, issuance of an arrest warrant or filing of an information of indictment, **it is permissible** to release:

   a. **For adults;** the accused person’s name, age, residence, occupation, and family status.
   
   b. The time and place of arrest, whether pursuit or resistance was encountered, whether either the officer(s) or the suspect(s) used weapons, and a limited description of the contraband seized.
   
   c. The identity of the arresting officers and the duration of the investigation unless the officers are engaged in undercover operations.
   
   d. The amount of bond, scheduled judicial proceedings, and place of the suspect’s detention.
   
   e. The nature, substance, and text of charges, including a brief description of the offenses charged.
2. Following arrest and formal charging of a suspect, but prior to adjudication, the following types of information **should not** be released without the express permission of the Police Chief.

   a. Prior criminal conviction record, character or reputation of the defendant.
   b. Existence or contents of any confession, admission, or statement of a defendant, or his failure or willingness to make a statement.
   c. Performance or results of any tests, or a defendant’s refusal to submit to tests such as a polygraph.
   d. Identity, statement, or expected testimony of any witness or victim.
   e. Any opinion about the guilt or innocence of a defendant or the merits of the case.
   f. Any opinion or knowledge of the possibility of a plea of guilty to offense(s) charged or a lesser offense or other pretrial actions.
   g. The identity, testimony, or credibility of prospective witnesses.
   h. Any information known to be inadmissible in court.

E. Special Considerations-Criminal Matters

1. Departmental personnel should extend every reasonable courtesy to news media representatives at crime scenes. This may include closer access of personnel and equipment than available to the general public to the degree it does not interfere with the police mission or the movement of traffic.

2. The news media shall not be allowed access to an area or scene of an incident or crime where there is a possibility 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 police department, the media may be allowed to enter with the permission of the commanding officer at the scene.

   a. On private property, photography, film, or videotape recording requires the permission of the owner or the owner’s agent.
   b. Suspects or accused persons, in custody, shall not be posed. Arrangements shall not be made for photographs, telecasts or interviews, nor shall Department personnel pose with suspects or accused persons in custody.
   c. 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. No departmental photographs (other than mugshots), videotape, film, or composites of subjects in custody shall otherwise be released to the media unless authorized by the Police Chief.

3. 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 considerations permit. The PIO may move the location if needed.

F. Special Considerations-Non-criminal Matters

1. All suicide information will be released only after consultation with the Coroner’s Office and only with their approval. Assuming approval is given, the fact that a suicide or suspected suicide has occurred may be reported to the public 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 be acknowledged without further comment. The content of such notes is personal and confidential and shall not be released except as provided by law.

2. At the scene of significant accidents, or man-made or natural disasters, the principals of media cooperation shall be maintained to the degree they do not interfere with the mission of police, fire, medical, or other emergency operations.

3. The fire department “officer-in-charge” will control the media’s access to and movement within fire lines. 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.

   a. At the discretion of the fire officer-in-charge, an inner perimeter may be established for the media from which to record the event.

4. News media representatives should not be prevented from access to any area solely because of the possibility of their injury or death (409.5 PC). If this is the only consideration, the media representative should be advised of the danger and allowed to make the decision to enter on his or her own volition. In addition, the media personnel should be advised the emergency personnel might control the manner and duration of the media’s egress from the disaster scene. For example, at the scene of hazardous material spill, the media personnel and their equipment may be subject to a decontamination process.

5. Sensitive information relating to internal investigations of police officers shall not be released without the express permission of the Police Chief.

6. Statistical reports of criminal activity will also be made available to the public via properly submitted public records requests.

7. The public shall be denied access to the contents of investigative or incident reports and records where release of the information would:

   a. Interfere with law enforcement proceedings, including pending investigations.
   b. Deprive a person of the right to a fair trial or impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information.
   c. Constitute an unwarranted invasion of personal privacy rights of another person.
   d. Reveal the identity of an individual who has furnished information to the department under confidential circumstances.
   e. Disclose investigative techniques and procedure, thereby impairing future effectiveness of the Department.
   f. Endanger the life or physical safety of any person.

Darren Pytel
Police Chief
11/01

Revised:

2/04: III, B, 6, Changed “Watch Commander” to “supervisor of the specific incident”
III, C, 1, c, Added value.
11/17: minor clean up to make sections more clear
4/18: revisions on release of information
Reviewed: 1/03, 11/05, 1/08, 03/10, 10/11, 03/16, 12/17, 5/19