
News Media Relations

346.1 PURPOSE AND SCOPE

This policy provides guidelines for media and digital media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

346.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Police Chief, however, in situations not warranting immediate notice to the Police Chief and in situations where the Police Chief has given prior approval, Captains, Watch Commanders and designated Public Information Officer(PIO) may prepare and release information to the media in accordance with this policy and applicable law.

346.2.1 MEDIA REQUEST

Any media or digital media request for information or access to a law enforcement situation shall be referred to the designated department media representative (generally the Public Information Officer), or if unavailable, to the first available supervisor. Prior to releasing any information to the media, all police department employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative;
- (b) In situations involving multiple law enforcement agencies, 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(s) to the media regarding any law enforcement incident not involving this department without direct authorization from the Public Information Officer or his/her designee.

346.2.2 DISTRIBUTION OF PRESS RELEASES

Press releases will be prepared by the Public Information Officer (PIO) or his/her designee. When not available, the press release will be prepared by a Department supervisor. A copy of the press release, if not authored by the PIO, will be forward to his/her office.

The Police Chief will be notified through the appropriate Chain of Command of press releases if applicable.

In addition, the press release will be:

- (a) E-mailed to the appropriate City Council/CMO lists.

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- (b) E-mailed to the appropriate school district and other business entities.
- (c) E-mailed if necessary to the media.
- (d) E-mailed to appropriate Department staff when necessary.
- (e) Posted on our social media platforms, blog and website when appropriate.
- (f) Updated and redistributed as necessary.

346.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

- (a) The media representative shall produce valid press credentials or other valid identification that should be prominently displayed at all times and escorted by the PIO or his/her designee.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. 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 department Public Information Officer or other designated spokesperson.
 - 2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch 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 should be contacted (14 CFR 91.137).
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).
- (d) Media interviews with individuals who are in custody should not be permitted.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through the Public Information Officer or if one is not available the supervisor.

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346.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers 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 news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Police Chief or his/her designee.

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

346.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a weekly information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Records Department. This log will generally contain the following information:

- (a) The date, time, location, case number, type of crime, bail amount (if applicable), extent of injury or loss, and names of individuals (except confidential informants, juveniles and victims of certain crimes, like domestic violence) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation
- (b) The date, time, location, case number, name, birth date, physical descriptors, occupation (if given) and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim or witness be publicly released without prior approval of a competent court. 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 Watch Commander (Welfare and Institutions Code § 827.5).

Information concerning incidents involving certain sex crimes and other offenses set forth in Government Code § 6254(f) shall be restricted in accordance with applicable statutory provisions.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if

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unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.).

346.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

- (a) Confidential peace officer personnel information (See the Personnel Files Policy)
 - 1. The identities of officers involved in shootings or other major incidents may only be released to the media pursuant to consent of the involved officer or upon a formal request filed and processed in accordance with the Public Records Act.
- (b) Copies of traffic collision reports (except to the involved parties and their authorized representatives) (Vehicle Code § 20012)
- (c) Criminal history information
- (d) Probation or parole status
- (e) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation
- (f) Information pertaining to pending litigation involving this department
- (g) Information obtained in confidence
- (h) Health information
- (i) Location of transport to a specific hospital

Any information that is otherwise privileged or restricted under state or federal law. (Government Code § 6254(k)).

346.5 GUIDELINES FOR DISSEMINATING PUBLIC INFORMATION

According to Government Code § 6254(f), "State and local law enforcement agencies shall make public the following information except to the extent that disclosure of a particular item of information would endanger the safety of the person involved in an investigation or would endanger the successful completion of the investigation or a related investigation."

346.5.1 PRE-ARREST

Information regarding the commission of a crime and the resulting investigation may be made available prior to the making of an arrest, the issuance of an arrest warrant or the filing of formal charges. These releases may include:

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- (a) General information relating to the crime (e.g. type of crime, extent of injury or damage, value of property taken).
- (b) Date and time the crime was discovered.
- (c) Victim's name, age and city and state of residency. (The victim's physical address shall not be released).

346.5.2 POST-CUSTODY

When a person has been arrested for the commission of a crime, information which the public has a right to know includes the following: injuries, property or weapons involved.

- (a) Injuries, property or weapons involved.
- (b) The full name, current address and occupation of individuals arrested, except juvenile suspects or victims of domestic violence and other violent crimes. There are certain situations, especially violent or gang-related situations, where furnishing the suspect's name and address might result in retaliation or other subsequent violent acts. If this possibility appears to exist, the PIO shall coordinate with investigating officers and handle all inquires from the media representatives requesting the information. This action is supported by Government Code § 6254(f) as it applies to divulging information to victims.
- (c) Arrestee's date of birth and physical description.
- (d) Time and date of arrest; time and date of booking.
- (e) The location of the arrest and factual circumstances surrounding the arrest.
- (f) The amount of bail.
- (g) All charges the individual is being held on, any outstanding warrants from other jurisdictions and any probation or parole holds.
- (h) Date, time, substance and location of all complaints or requests for assistance received, the time and nature of response. The name and age of victim except victims of sexual assault, domestic violence, juveniles and rape.
- (i) The general description of the injuries, property or weapons involved.
- (j) Booking photos can be released to the media, but are done so on a case-by-case basis where the severity of the crime, or potential for reoccurrence, warrants the public display of the photo.

346.5.3 INFORMATION WHICH MAY NOT BE RELEASED

- (a) Any prejudicial statements about suspects or arrestees.
- (b) Any comment on a suspect's prior criminal history or arrest record.

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- (c) Do not move or pose suspects solely for the purpose of allowing photographs or news film to be taken. However, do not prevent photographers from taking un-posed pictures in public places.
- (d) Photos and/or digital imagery that captures elements of a crime, or the crime scene, should not be released to include, but not limited to, personal property, license plates and any other potential visual that may compromise the investigation.
- (e) Any information known to be inadmissible as evidence in at trial.
- (f) The names of juvenile suspects or arrestees.
- (g) The names of deceased persons, including suspects and victims, until confirmation has been received from the coroner's office that the next of kin have been notified.
- (h) Any information which would endanger the safety of any person involved in the case, or the successful completion of an investigation.
- (i) Any observations about the defendant's character or reputation.
- (j) Any statements, admissions or alibis attributable to the defendant which would either jeopardize the prosecution of the case or make implications about the defendant's reputation or character.
- (k) Any reference to specific investigative procedures such as fingerprints, polygraph examinations, ballistic tests, or any laboratory tests, or the accuser's refusal to take tests shall not be released without prior approval from Investigations Supervisor.
- (l) Any statements concerning the evidence in the case, whether it is anticipated that the evidence will be used in trial, shall not be released without prior approval of Investigations Supervisor.
- (m) Any hint or suggestion that the suspect is responsible for a series of crimes that may have been in the news. If the suspect is arrested and charged, those specific charges may be released.
- (n) Any statements concerning the identity, credibility or testimony of a possible witness.
- (o) Any statement indicating that the suspect has refused to make a statement or has invoked his Fifth Amendment rights.
- (p) Any expression of an opinion of the defendant's guilt or innocence, or matters relating to the merits of the particular case.
- (q) Contents of suicide notes may not be released. The fact that a note was found at the scene may be released.
- (r) The identity of injury victims shall not be released pending the verification or knowledge that the victim's family has been notified.
- (s) The possibility of a plea of guilty to the offense charged or a lesser offense.

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- (t) Speculation regarding the outcome of an investigation past or present.

Information not prohibited for release by law may be released at the direction of the Police Chief or his/her designee..