

Keith Porch, Chief of Police

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GENERAL ORDER 54

PUBLIC INFORMATION AND COMMUNITY RELATIONS

EFFECTIVE DATE: May 1, 2019

SUMMARY OF REVISIONS:

INDEX OF STANDARDS

54.1 PUBLIC INFORMATION

54.1.1 PUBLIC INFORMATION FUNCTION

54.1.2 MEDIA REVIEW OF PUBLIC INFORMATION DIRECTIVES

54.1.3 NEWS MEDIA ACCESS AT INCIDENTS (LE1)

54.1.4 PUBLIC INFORMATION OFFICER TRAINING

PURPOSE: The purpose of this chapter is to establish agency accountability and provide guidance for the public information function in writing and to provide specific guidance to personnel regarding the release of information about prior criminal records and activities of adults and juveniles.

54.1 PUBLIC INFORMATION

54.1.1 PUBLIC INFORMATION FUNCTION

A. The Mansfield Division of Police is committed to informing the public and news media of events that affect the lives of citizens in the community with openness and candor, by providing media personnel access to or details of incidents. The agency shall provide the media access to the public information function, and **assist media personnel in covering news stories at the scenes of incidents.**

– The public information function of the Mansfield Division of Police is defined as follows. The Chief of Police is the official spokesperson for the Division of Police. That role is normally delegated to the respective Bureau Commander as facts and circumstances warrant. The Chief of Police will be notified and coordinate all formal press conferences held pertaining to matters related to the Division of Police. Bureau Commanders shall act as public information officer(s) (PIO) for any information relevant to their bureaus. The Deputy Chief of Police, a Bureau Commander, the supervisor in charge of a shift, or designated personnel may release information to the media at the scene of an incident; from agency files, or concerning an ongoing criminal investigation, as long as

the release of information would not jeopardize investigations and would not violate the constitutional rights of victims/complainants/suspects, in accordance with applicable law. (Ohio Revised Code §149.43, §2907.02 to §2907.07, §2907.11, §2151.313, §2151.14, §2151.358, §5503.10, §2953.32, State ex rel. Beacon Journal Publishing Company 1994, 70 Ohio St. 3d 605, §1345.05, §109.28).

– Division of Police Records personnel will be responsible for the ongoing routine release of records to media personnel in accordance with this policy.

B. Media releases shall be prepared as necessitated by specific occurrences in the agency's service area or to address specific issues or concerns of the agency.

– Information about cases and statistics will be available from the agency when requested by the media.

– Media release information shall be provided to the media in an equitable manner.

– When a news release has been issued, the following persons or functions in the agency will receive a copy which may be distributed in electronic format; 1) Communications Center; 2) All Bureau Commanders; 3) Deputy Chief of Police 4) Chief of Police 5) Director 6) Mayor 7) City Council

C. If the need for information is such that a **media conference** is warranted, the Office of the Chief or a designated PIO will make arrangements and assist the media and agency personnel in setting up a news conference.

– The Chief of Police will designate the agency spokesperson for a media conference based on the facts and circumstances surrounding the incident.

D. The PIO will coordinate and authorize the **release of information about victims, witnesses, and suspects** according to the following guidelines:

– Information concerning the identity, testimony, or credibility of any prospective witness shall not be released to the media, except that the PIO may release the identity of witnesses if such information would not prejudice an investigation or place the witness in danger. Such release or withholding of information shall conform with Ohio Revised Code 194.43 (A)(1)(b).

– Upon the request of a sexual assault victim or offender, the judge shall order any information concerning the case and any victim or offender name for crimes being investigated or prosecuted under sections 2907.02 to 2907.07 of the Ohio Revised Code not be released, in accordance with Ohio Revised Code 2907.11.

– If a **juvenile has been fingerprinted and photographed** on the basis of an arrest or custody, the fingerprints, photographs, and “other records” (other records may include the juvenile’s statement or investigator’s report if they would identify the juvenile, (2004 Ohio Sunshine Laws Update) relating to the arrest or custody **must not be disclosed**.

– If a **juvenile has not been fingerprinted and photographed** on the basis of an arrest or custody, all juvenile records pertaining to the arrest are **treated no differently that adult arrest records** as they pertain to discovery or public disclosure.

– Juvenile probation records (Ohio Revised Code §2151.14) or sealed or expunged juvenile records (Ohio Revised Code §2151.358) shall not be released, except as otherwise provided by Ohio law.

E. The designated PIO will coordinate and authorize the release of information concerning **confidential agency**

investigations and operations in accordance with the following guidelines;

- Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose his identity, shall not be released;
- Specific confidential investigatory techniques or procedures or specific investigatory work product shall not be released;
- Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source shall not be released.

Other records or information which will not be released or are subject to release under special conditions are as follows:

- Medical records shall not be released, in accordance with Ohio Revised Code §149.43.
- Absolutely no information shall be released concerning a "trial preparation record", which is defined in Ohio Revised Code §149.43 "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."
- County coroner's autopsy records and reports of homicide victims are exempt for public disclosure as specific investigatory work products pursuant to Ohio Revised Code 149.43 (A)(2)(c).
- Any information obtained from LEADS/CCH/NCIC is exempted from disclosure. (Ohio Revised Code §5503.10)
- Records sealed under court order are exempt from release. (Ohio Revised Code 2953.32)
- Social security numbers are exempt from release. (*State ex rel. Beacon Journal Publishing Company* 1994, 70 Ohio St. 3d 605)
- Attorney General investigation files relating to consumer protection or charitable trust investigations as exempted under Ohio Revised Code §1345.05 (A)(7) and Ohio Revised Code §109.28.
- Opinions regarding the guilt or innocence of the accused shall not be relayed to the media in any manner.
- Comments or information concerning personnel matters, internal investigations, or personal opinion shall not be released to the media unless specifically approved by the Chief of Police.

F. In instances in which more than one agency is involved, the agency having primary jurisdiction and/or the incident commander shall be responsible for releasing, or coordinating the release of, information.

- Our PIO will support this effort in any way possible

G. Information posted and/or released onto Divisional social media pages shall be approved by a member of Command Staff and/or the Division's designated PIO **prior** to being posted.

54.1.2 MEDIA REVIEW OF PUBLIC INFORMATION DIRECTIVES

– The agency will involve the media in the development of new or changes to existing directives, policies and procedures relating to the public information function. It will be the responsibility of the Office of the Chief to seek input from the media in an effort to insure effective working relationships between the division and media personnel.

54.1.3 NEWS MEDIA ACCESS AT INCIDENTS (LE1)

The **access of news media** representatives, including photographers, to the **scene of incidents where access would interfere with operations** shall be controlled by the incident commander or his/her designee.

– Upon approval from the Incident Commander or his/her designee, the media may be allowed 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 the on-site investigations and as long as their personal safety is not in jeopardy.

54.1.4 PUBLIC INFORMATION OFFICER TRAINING

Division personnel assigned as a Public Information Officer (PIO) shall receive training in media relations as soon as practical to enable them to effectively interact with the media on behalf of the Division. Personnel chosen as PIO's shall normally be a member of the supervisory staff and will be assigned as directed by the Chief of Police.