

# East Haven Police Department



Type of Directive: <b>Policies &amp; Procedures</b>	<b>No. 306.3</b>
Subject/Title: <b>News Media Relations and Public Information</b>	Issue Date: <b>July 10, 2023</b>
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Issuing Authority: <b>Honorable Board of Police Commissioner</b>	Review Date: <b>Annually</b>
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	Amends: <b>N/A</b>

## I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department regarding the East Haven Police Department's release of information to the news media and the general public.
  1. These procedures satisfy the requirements of Connecticut public records law without compromising criminal investigations or violating the legitimate privacy rights and safety concerns of either crime victims or witnesses.

## II. POLICY

- A. It is the policy of the East Haven Police Department in keeping with the letter and the spirit of openness to cooperate fully with authorized news media representatives in their efforts to gather factual, public information. At no time shall this commitment interfere with departmental operations, infringe upon individual rights, compromise investigations, or violate the law.
- B. Is the policy of the East Haven Police Department to maintain openness with the community by communicating accurate and timely information on police matters to all who live in, work in and visit East Haven.
- C. The Department will not release the names of victims of crimes where the victim is dead or has sustained serious injuries until the next of kin or significant other has been notified.

D. It is the policy of the East Haven Police Department not to release information which is in violation of state or federal law.

### **III. DEFINITIONS**

- A. Public Information: Information that may be of interest to the general public regarding policy, incidents or events involving the Department, as long as release of that information does not compromise operations or violate the law. Public information includes police reports made available by request from the public through the Department's Records Division. This definition does not restrict the information that employees routinely provide to members of the public, for example, on topics such as laws, regulations, procedures and ordinances; how to access services and to obtain help and assistance; and information about the Town and transportation-related directions.
- B. News Media Personnel: News media personnel are those individuals who are directly employed by agencies of the electronic or print media, such as radio, television, and newspapers.
- C. Public Information Officer (PIO): The department's Public Information Officer (PIO) manages all contacts with news and information media and serves as the Department media spokesperson in most cases.

### **IV. GENERAL GUIDELINES AND CONSIDERATIONS**

The East Haven Police Department's goal in sharing public information is to make the Department's motives, policies, practices and operations as transparent as possible for the community we serve. Part of maintaining transparency is providing accurate and timely information to the public through the various news and information media.

There should be only one spokesperson, a Public Information Officer, for the Department at any one time. The senior officer at the scene of an event should be the person who responds to media inquiries until relieved by the Public Information Officer.

Authorized personnel will be expected to release public information with openness and candor, while maintaining the privacy rights of individuals and the integrity of criminal investigations. The Department is committed to informing the community and the news media of events within the public domain that are handled by or involve the Police Department.

### **V. PROCEDURES**

- A. The Chief of Police will designate the officer to serve as the PIO.
  1. When on-duty and when called in from off-duty at the direction of the Chief of Police the PIO will serve in most cases as the Department media spokesperson. The Chief may designate him or herself or another ranking officer(s) to serve as spokesperson for some matters.

2. The PIO shall
  - a. Use social media and e-mail to inform the news media and the public about police-related matters, including the use of these media for press release distribution.
  - b. Manage the Department's relationships with the news media.
    - 1) Receive and respond to complaints from news media personnel. The PIO shall be responsible for communicating timely responses to complainants on the status and the outcomes of their complaints.
    - 2) Apprise news media personnel of changes in Department practices and policies that may affect access for the news media.
  - c. Speak with, answer questions from, and provide interviews to the news media. Release authorized information regarding criminal activity, minor offenses, motor vehicle violations, and other Police Department related information.
    - 1) Manage the search for information requested by the news media and release all such information that is authorized for release by law.
    - 2) Assist credentialed news personnel in covering routine news stories, and at the scene of incidents.
    - 3) Authorize and manage the release of information about victims, witnesses and suspects.
    - 4) Authorize and manage the release of information concerning Department investigations and operations.
  - d. Engage the community through the Department's social media accounts by:
    - 1) Providing crime prevention tips.
    - 2) Soliciting tips for unsolved crimes.
    - 3) Sharing crime statistics.
    - 4) Notifying the public on events that may have an impact on the community such as special events, public hazards, or missing/endangered persons.
    - 5) Providing information on where to locate the Department's Policies and Procedures online.
  - e. Prohibited activity on the Department's social media accounts include:
    - 1) Conducting Political activities.
    - 2) Posting confidential information as outlined within this Directive.

- 3) Any content that goes against State Law and Department Policy and Procedures.

B. All officers at the rank of sergeant and above will be authorized and trained to release information to the news media and to the public.

C. News Media Access to Incident Scenes

1. Departmental personnel shall extend every reasonable courtesy to news media representatives at crime scenes.
2. Members of the news media, including photographers, shall be granted unrestricted access to the perimeter (e.g. safe public areas) of crime scenes, motor vehicle accident scenes, major fires, natural disasters, catastrophic events, etc.
  - a. At no time shall a police officer allow a news media representative to enter the perimeter of a crime scene, accident scene, fire/rescue scene, or other major incident scene, unless the officer in charge of the scene directs him or her to do so.
  - b. The activities of media representatives may be restricted if those activities seriously hamper police operations or if those activities threaten to worsen a dangerous or volatile situation. Whenever police reasonably believe it is necessary to prohibit all but emergency personnel near a crime or incident scene, they may bar entry by media representatives.
  - c. On private property, photography, film, or videotape recording requires the permission of the owner or the owner's representative.
3. The PIO or Officer in Charge may address news media personnel at a News Media Area away from the scene but as convenient as feasible for police and media professionals alike.
  - a. The PIO shall manage the establishment and operations of the News Media Area.
  - b. In the absence of the PIO the Officer in Charge shall manage this task.
  - c. The News Media Area will not be set up within the immediate area of the control center of the Tactical Command Post.
  - d. There should be sufficient space to accommodate those who wish to be in attendance.
4. News media vehicles may not violate the traffic laws.
  - a. At the scene of an incident or at a News Media Area officers should extend whatever parking privileges are possible, providing such privileges do not endanger the public safety, hamper the flow of traffic or interfere with public safety operations.

5. The PIO or Officer in Charge shall release public information to the news media as promptly as circumstances allow.
  - a. Before providing information to the news media or responding to inquiries from media representatives, the PIO or designated spokesperson shall consider the necessity to
    - 1) Prevent interference with, or hampering of a police investigation.
    - 2) Preserve evidence.
    - 3) Protect the safety of the victims of the crime or witnesses from retaliation or harassment.
    - 4) Protect the identity of confidential informants.
    - 5) Apprehend the perpetrators of a crime.
    - 6) Protect the constitutional rights of persons accused of crimes.
    - 7) Avoid prejudicial pretrial publicity.
    - 8) Preserve the privacy of certain victims and witnesses.
6. Following a Deadly Use of Force incident, the PIO, the Chief of Police, and/or his/her designee shall follow the procedures outlined in this directive. Any information released shall be authorized by the Chief of Police, the State's Attorney's Office, and/or the Office of the Inspector General.

**D. Information That Shall Not Be Released.**

1. Fingerprints, witness statements, information from COLLECT/NCIC or other information protected by exceptions to Connecticut's Freedom of Information Act.
2. Police reports (except automobile accident reports) are not to be released without prior approval from the Chief of Police or his/her designee, the designated Keeper of the Records, records personnel, or the PIO. Police reports may be redacted or withheld in accordance with Connecticut's Freedom of Information Act or in accordance with other Connecticut General Statutes.
3. Juvenile arrest records or juvenile diversion records.
4. Criminal histories.

**E. Releasing Information on Criminal Investigations**

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

2. The PIO will coordinate with the Chief of Police on when information will be released and what will be said during these briefings. At the direction of the Chief or the Officer in Charge the PIO may confer with the State's Attorney's Office prior to releasing any information to the news media.
3. Information that may be released in connection with investigations and with the authorization of the commander of the investigation includes the following categories.
  - a. The type or nature of an event or crime.
  - b. The location, date and time, injuries sustained, damages, and a general description of how the incident occurred.
  - c. Type and quantity of property taken.
  - d. Request for aid in locating evidence, a complainant, or a suspect.
  - e. Number of officers or people involved in an event or investigation, and the length of the investigation.
  - f. Photographs or mug shots of an individual charged with a criminal offense and sought by law enforcement authorities.
  - g. Name of the Officer in Charge of a case, his or her supervisor, and the officer's assignment.
  - h. Personnel shall not under any circumstances release the name of any undercover officer.
4. Information that may not be released in connection with investigations of an event or crime includes the following categories.
  - a. The identity of any victim of a sex crime or any related information that, if divulged, could lead to the victim's identity.
  - b. The name of any undercover law enforcement officer.
  - c. The identity of victims or witnesses, if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim or witness in personal danger.
  - d. The identity of any juvenile, less than 18 years of age, who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court.
  - e. The identity of any complainant less than 18 years of age.
  - f. The identity of any critically injured or deceased person prior to notification of next of kin.

- g. The results of any investigation procedure such as lineups, polygraph tests, or other procedures. The fact that these tests have been performed may be revealed without further comment.
- h. Information which, if prematurely released, may interfere with the investigation or apprehension of a suspect, such as the nature of leads, specifics of a modus operandi, details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension.
  - i. Statements by, or identifying information about, a confidential informant.
  - j. Information that may be of evidentiary value in criminal proceedings can be withheld if the information falls into one of the exclusions to Connecticut's Freedom of Information Act. These may include but not limited to, the content of narrative statements of victims or witnesses; the location of surveillance locations; method of surveillance; or confessions or statements by criminal defendants or suspects.
  - k. Specific cause of death, unless officially determined by the medical examiner.
- l. The home addresses or telephone numbers of any members of the Police Department.

5. Information that May be Released Regarding Suicides

- a. The fact that a suicide or suspected suicide has occurred may be reported to the media.
- b. The name, age, address, sex and occupation of the victim may also be released following notification of the next of kin.
- c. The fact that a suicide note exists may be acknowledged without further comment. The content of such note is personal and confidential, and shall not be released except as provided by law.
- d. The information regarding the suicide of a juvenile may be withheld if withholding the information is consistent with the law.

F. Information that May be Released Regarding Department Professional Standards Investigations.

- 1. State law and the Collective Bargaining Agreement shall control the PIO's release of information on internal investigations.
- 2. Information regarding Internal Affairs investigations should be reviewed with the Chief of Police and/or Town Attorney prior to release.

G. Information that May be Released Regarding Arrests.

1. The accused person's name, age, residence, occupation, and family status, unless the accused is less than 18 years of age, or is taken into custody because of mental illness.
2. The time and place of arrest, whether a pursuit was involved or resistance was encountered, whether weapons were used, charges placed against the suspect, and description of contraband seized.
3. The identity of the arresting officers and the duration of the investigation, unless the officers are engaged in undercover situations.
4. Any information relative to the amount of bond, scheduled court dates, and the place of the suspect's detention.

**H. Information that May Not be Released Regarding Arrests.**

1. Following arrest and formal charging of a suspect, but prior to adjudication, the following categories of information shall not be released.
  - a. Information concerning the character or reputation of the defendant.
  - b. Existence or contents of any confession, admission, or statement of a defendant or his/her failure or unwillingness to make a statement, unless described in the incident/arrest report.
  - c. Statements or expected testimony of any witness or victim.
  - d. Any opinion about the guilt or innocence of a defendant or the merits of the case.
  - e. Any opinion, knowledge, or speculation of the potential for a plea bargain or other pretrial action.
  - f. Any information relative to the identity of juvenile defendants (less than 18 years of age).
  - g. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts, or interviews, nor shall department personnel pose with suspects or accused persons in custody.
  - h. No departmental photographs, mug shots, videotape, film, or composites of subjects in custody shall otherwise be released to the media unless authorized by the Chief of Police or his or her designee, or the PIO.
- I. The Department will maintain a weekly arrest log of incidents that is open to the news media and the public on our website.