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| Geneva Police Department<br><b>GENERAL ORDERS</b>  |   | <b>NEWS MEDIA AND POLICE RELATIONS</b>  |  |
| <input type="checkbox"/> new:<br><input checked="" type="checkbox"/> rescinds: Policy & Procedure 28.1-3<br><input type="checkbox"/> amends: |   | <b>cross-reference:</b><br><br><b>Accreditation/Recognition standards:</b><br>C.A.L.E.A.:<br>NYS L.E.A.P.: 28.1; 28.2; 28.3 |  |
| <b>effective date:</b><br>7.8.05   | <b>issue/amend date:</b><br>7.8.05 / 2.19.15 / 11.12.19 |   |  |

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| <b>I. PURPOSE</b>      | The purpose of this General Order is to establish and describe policies and procedures for the release and dissemination of information to the news media and general public.   |
| <b>II. DEFINITIONS</b> | <p><b>A. <u>Public Information:</u></b> Newsworthy information that may be of interest to the general public that is not legally protected; does not compromise the legitimate safety and privacy interests of any person including officers, victims, witnesses, or others; does not unduly interfere with the mission or any legitimate activity of the Department; does not infringe upon individual rights; and does not infringe upon the rights of a suspect or defendant.</p> <p><b>B. <u>News Media:</u></b> Any organization, business, agency, or other entity that publishes or broadcasts any form of public communication by the press, radio, television, film, video, computer medium, or other form or public communication, e.g., radio, television, newspapers, wire services, etc.</p> <p><b>C. <u>Media Representative:</u></b> Those individuals who are directly employed by a news media entity.</p> <p><b>D. <u>Public Information Officer (PIO):</u></b> The Department PIO serves as a central source of information for release by the Department and the primary point of contact between the Department and the media, responds to requests for information by the news media and the community, and generally coordinates the relationship of the Department with the news.</p> |
| <b>III. POLICY</b>     | <p><b>A.</b> It is the policy of the Geneva Police Department (GPD) to:</p> <ol style="list-style-type: none"> <li>1. Strive to maintain an effective and positive atmosphere when dealing with both the general public and the news media; and</li> <li>2. Furnish the general public and news media with public information in a courteous, impartial, unbiased and timely manner.</li> </ol> <p><b>B.</b> The GPD <b><u>will not</u></b> release information that:</p> <ol style="list-style-type: none"> <li>1. Is legally protected;</li> <li>2. May compromise the legitimate safety and privacy interests of any person including officers, victims, witnesses, cooperating persons or entities, or others;</li> <li>3. May unduly interfere with the mission or any legitimate activity of the Department;</li> <li>4. May result in an infringement upon individual rights;</li> <li>5. May infringe upon the rights of a suspect or defendant.</li> </ol>   |

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| <p><b>III. POLICY (CONT.)</b></p> | <p><b>C.</b> The public information function is the responsibility of all members of the GPD as set forth in this Order.</p> <p><b>D.</b> The Chief of Police and/or his Designee may release information to the news media as set forth in this Order. Non-supervisory personnel <b>may not</b> release information to the news media, members of the public or other persons or entities outside of the Department unless authorized by the Chief of Police or his Designee.</p>  |
| <p><b>IV. PROCEDURES</b></p>      | <p><b>A. <u>Public Information Officer</u></b></p> <p>1. While the responsibility for disseminating information on a particular case may be delegated, the single point of control for the public information function, including the information that is passed on to the general public, the news media, or to other criminal justice agencies, is the Chief of Police. The Chief of Police will function as the primary Public Information Officer (PIO) for the GPD and he may designate/delegate a secondary PIO with the following exceptions:</p> <p>a. At the scene of an incident and in the absence of the Chief, the supervisor in charge may release public information of a factual nature to the media as governed by this Order. If the supervisor in charge is unsure of the facts or the propriety of releasing the information, he shall refer the inquiry to a Department Lieutenant.</p> <p>b. Authorization for the release of information from agency files is restricted to the Chief of Police or a Department Lieutenant.</p> <p>c. With the approval of the Chief of Police or a Department Lieutenant, information regarding a continuing investigation may be released.</p> <p>d. Whenever the Chief of Police is unavailable for approval to release information, approval for release should be sought from a Department Lieutenant.</p> <p><b>B. <u>Daily / Weekly News Release</u></b></p> <p>1. The Chief of Police will designate an individual who will release Daily / Weekly Blotter news.</p> <p><b>C. <u>General Guidelines for Cooperation with the Media</u></b></p> <p>1. Authorized media representatives shall have reasonable access to the Chief of Police and other Department personnel, when authorized by the Chief of Police.</p> <p>2. When a request for information by a media representative must be denied, the basis for the denial shall be fully and courteously explained. Citing one or more of the factors set forth in § III (B) shall be considered a full explanation.</p> <p>3. This Department recognizes authorized identification from all local, national, and international news media organizations. If a GPD member is not personally familiar with an individual as an authorized media representative, failure of that person to present proper identification will provide grounds to deny access to requested information or to incident scenes.</p> <p>4. Public information will be provided to media representatives as promptly as circumstances allow, without partiality and in as objective a manner as possible.</p> |

**IV. PROCEDURES  
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5. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be verified.
6. GPD members shall not interfere with the pursuit of public information by media representatives except to the extent provided otherwise in this order.
7. GPD members may advise victims, witnesses, or other civilians of their right to refuse news media interviews, but will not obstruct such interviews if the civilian is willing to participate. However, such interviews will not be permitted to impair an operation, investigation, or other police activity.
8. GPD members will ensure that information provided to the media is factual and accurate. At no time will members provide information without factual basis and in no event shall members provide opinions.
  - a. Example: At the preliminary stages of a death investigation before sufficient facts are gathered, members should not publicly speculate as to whether the death was a homicide, suicide, or due to natural causes. In such cases, the media should be advised that the Department is conducting a “death investigation” and provide further details as they become available.
9. Media representatives will not be admitted into any private area of the Public Safety Building (PSB) without the permission of the Chief of Police or Department Lieutenants.
10. Non-supervisory personnel receiving media requests for information will refer the media representative to a supervisor. Officers and investigators will provide reasonable assistance to media representatives in contacting an on-duty supervisor to the extent such assistance does not impair their duties and responsibilities.
11. The on-duty OIC will be responsible to notify the Chief of Police and Department Lieutenants of significant events that may have news media interest.
12. Any time a significant operation or event is anticipated that would be expected to generate media interest, the supervisor of such operation or event should plan and coordinate media issues in advance with the Chief of Police and Department Lieutenants. In the event of an unanticipated event or incident, (e.g., a major crime or a tactical situation), the Chief of Police or Department Lieutenants may coordinate media issues.
13. In any multi-agency operation, investigation, or activity, the “lead agency” will be responsible for release of information to the media. The ranking GPD officer involved in any such operation, investigation, or activity will coordinate this and consult with the Chief of Police as appropriate.

**D. Information That Normally May Be Released About an Event, Incident, Investigation, or Crime**

1. The following information about an event, incident, investigation, or crime, may be released by the Chief of Police or his Designee, unless it appears that release of such information in a particular case will implicate one or more of the factors set forth in §III (B) of this Order.
  - a. The type or nature of the event, incident, or crime may be released.
  - b. The date, time, location, and a general description of the event, incident, or crime may be released.
  - c. A description of the nature and seriousness of injuries sustained may be released.

**IV. PROCEDURES  
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- d. The identity, age, and approximate address of a crime victim may be released **unless**:
  - 1. The person is the victim of a sexual offense;
  - 2. The next-of-kin have not yet been notified; or
  - 3. There is reason to believe reprisals or intimidation may be used against the victim or other persons (e.g., family members).
- e. Requests for assistance in locating a victim, complainant, witness, or evidence may be released.
- f. The quantity, value, or other information about controlled substances, property, or other assets that have been seized may be released **unless** doing so would impair further investigation.
- g. The agencies involved in the event, incident, or investigation may be released.
- h. The number of officers, investigators, or other personnel involved in an event or investigation, and the length of the investigation may be released.
- i. The name of the arresting or investigating officer(s) or the GPD member in charge of an incident, event or investigation, his or her supervisor, and bureau, shift, or unit of assignment may be released **unless** the officer or investigator is in an undercover assignment in which case no information will be released.

**E. Information That May NOT Be Released About An Event, Incident, Investigation, or Crime.**

- 1. The identity or photograph of a suspect prior to arrest may not be released unless authorized by the Chief of Police in cases in which the release of such information may aid in apprehending the suspect or serve to warn the public of potential danger.
  - a. Identifying or associating someone with a criminal investigation prior to the filing of charges may be unfair, highly prejudicial, or both. In deciding whether to release such information these factors should be carefully weighed against the anticipated benefits of release, e.g., public safety or potential assistance in apprehending the suspect.
- 2. The identity of any victim of a sexual offense or related information that, if divulged, would tend to identify the victim or lead to discovery of the victim's identity, may not be released.
  - a. **NO** information will be released which could potentially lead to the identity of the victim of a sexual offense. For example, the location of occurrence will not be released if that information could assist in ascertaining the victim's name as a property owner, resident, proprietor, employee, etc.
- 3. The identity of victims or witnesses or other persons connected with a case may not be released if such disclosure would prejudice or impair an investigation, or if it would place such persons or other persons (e.g., family members) in danger.
- 4. The identity of any juvenile who is a suspect, defendant, or respondent in a case subject to the jurisdiction of Family Court may not be released.
  - a. In the event any juvenile is charged as an adult pursuant to pertinent provisions of law, GPD members will consult and coordinate with the District Attorney's Office prior to any release of information.

**IV. PROCEDURES  
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5. The identity of any seriously injured or deceased person may not be released prior to notification of next-of-kin.
6. The results of an investigative procedure may not be released. This includes line-ups, show-ups, photographic identifications, polygraph or other deception detector tests, fingerprint tests, scientific tests, ballistic tests, or other procedures.
7. Information which, if prematurely released, may interfere with an investigation, apprehension, or prosecution may not be released. Depending upon the circumstances of a particular case, such information may include leads or tips received, specifics of the crime known only to the perpetrator and police, specifics of the "M.O.", or information that may cause the suspect to flee or more effectively avoid apprehension.
8. The specific cause of death may not be released unless officially determined by the Medical Examiner.
9. The home address and phone number of any member of the Department may not be released.
10. To facilitate police operations or investigations, the GPD may agree to keep the involvement, assistance, participation or cooperation of a person, business, organization, or other entity confidential. Department members will not release or divulge the identity or any other information that could lead to the identity of any person, business, organization, or other entity in such cases.
  - a. Prior to releasing information regarding the involvement, assistance, participation or cooperation of a person, business, organization, or other entity, the releasing Department member will confirm whether a confidentiality agreement exists.

**F. Arrest Information**

1. Following an arrest, and in keeping with the New York State Fair Trial/Free Press Guidelines, it is permissible for the Chief of Police or his Designee, to release the following information unless directed otherwise or it appears that release of such information in a particular case will implicate one or more of the factors set forth in §III (B) of this order.
  - a. The accused's name, age, residence, marital status, occupation and similar background information may be released.
  - b. The date, time, and place of arrest may be released.
  - c. Facts pertaining to the arrest may be released including whether flight or resistance was encountered, whether weapons were involved, charges placed against the suspect, and a description of any contraband seized.
  - d. The identity and assignment of investigating and arresting officers may be released **unless** such officers are engaged in undercover assignments.
  - e. The amount of bail or bond set, scheduled court dates, and place of the defendant's detention may be released.
2. The arrest photograph of the suspect may be released only with the permission of the Chief of Police.
  - a. **Note:** In cases in which witness identification procedures are yet to be conducted the photograph of the suspect will not be released until all identification procedures are completed.

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- b. Whenever the photograph of a suspect is released any photographic identification numbers will be covered so that such numbers will not be visible.
3. Once a defendant has been arraigned, any request for further information beyond the basic arrest information outlined above in § IV (F) should be referred to and coordinated with the District Attorney's Office.
4. The following types of information or opinions **will not** be released without the express permission of the Chief of Police:
  - a. Prior criminal conviction or arrest record;
  - b. Statements or opinions regarding the character or reputation of the defendant or a prospective witness;
  - c. The existence or contents of an admission, confession, or other verbal statement of the defendant, or his failure or unwillingness to make a statement;
  - d. Performance or results of any polygraph or other deception detection device, or defendant's refusal or failure to submit to such a test;
  - e. The identity or address of any witnesses;
  - f. Statements concerning the credibility or anticipated testimony of the victim or any witness;
  - g. Any expressed or implied opinion about the guilt or innocence of the defendant or the merits of the case;
  - h. Any opinion, information, or statement connecting the defendant to an uncharged crime or crime pattern;
  - i. Identity of the defendant's family so as not to bring undue distress suffering to persons not directly involved in the crime;
  - j. Any information or opinion on the possibility or existence of pre-trial negotiations or plea bargains, or the possibility of the defendant pleading guilty to crime charged or a lesser offense.

**G. News Media Access to Incidents and Crime Scenes**

1. Media representatives shall be granted unrestricted access to the perimeter (safe public areas) of crime scenes, major fires, natural disasters, catastrophic events, etc.
2. Upon authorization by the on-scene incident commander, media representatives who are properly identified by their credentials, may be allowed access to areas normally closed to the general public for the purpose of obtaining information or photographs. The news media will not be allowed access to any area or scene where there is a possibility that evidence may be damaged, destroyed, or altered or the investigation otherwise impaired. Access will not be allowed to any area or scene if the investigation or prosecution would be impaired by the publication or portrayal of evidence. In the event it is necessary to exclude a media representative from the scene of an incident, it shall be done with tact and in a professional manner.
3. On private property, photography, film, or videotape recording by the media requires the permission of the owner or a representative of the owner.

**IV. PROCEDURES  
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4. GPD members will not prevent the photographing of defendants in public places outside the courtroom. Suspects or accused persons in custody shall not be posed nor shall arrangements be made for photographs, telecasts, or interviews with such persons. GPD members will not pose suspects or accused persons in custody.

Approved By

**MICHAEL J. PASSALACQUA**  
*CHIEF OF POLICE*