

# CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject: MEDIA RELATIONS

## INTRODUCTION

As a responsible law enforcement agency, the Barstow Police Department seeks to maintain cordial relations with local and regional news media and to provide the public with reasonable information concerning departmental activity.

To provide sufficient information to media representatives without compromising the privacy of individual citizens or the integrity of the judicial process, the Barstow Police Department has developed guidelines for the release of information.

## POLICY

1. Employees of the Barstow Police Department having access to information concerning departmental activities shall refrain from discussing such information in any context not directly related to job performance. That is, employees are not authorized to discuss departmental activities or to participate in interviews except as noted herein.
2. Information concerning activities of the Barstow Police Department shall be released only by, and at the discretion of, the Chief of Police or a designated representative.
3. For purpose of this policy, designated representatives authorized to release information on behalf of the Barstow Police Department shall be limited to the Police Lieutenant and to officers holding the rank of Police Sergeant.
4. Police Patrol Officers acting as Watch Commander or as Officer in Charge of an assigned shift are authorized to release information on behalf of the Barstow Police Department as is the designated Court Officer.
5. Employees failing to comply with provisions of this policy shall be subject to disciplinary action in accordance with provisions of the City's Employee Discipline and Employee Termination policies.
6. Information released in accordance with this policy shall conform to provisions of the department's Confidential Information Policy.

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## RELEASABLE INFORMATION

1. Pursuant to Section 6254(f), California Government Code, the Barstow Police Department shall release the full name, current address, and occupation of every individual arrested by the Department; the individual's physical description including date of birth, color of eyes and hair, sex, height and weight; the time and date of arrest; the time and date of booking; the location of the arrest; the factual circumstances surrounding the arrest; the amount of bail set; the time and manner of release or the location where the individual is currently being held; and all charges the individual is being held upon; including any outstanding warrants from other jurisdictions and parole or probation holds.
2. Pursuant to Section 6254(f) California Government Code, the Barstow Police Department shall release the time, substance, and location of all complaints or requests for assistance received by the Department and the time and nature of the response thereto, including, to the extent such information regarding crimes alleged or committed or any other occurrence, the time and date of the report; the name, age and current address of the victim, except that the address of the victim of any crime defined by Section 261, 264, 264.1, 273a, 273d, 286, 288, 288a or 289 of the Penal Code shall not be disclosed; the factual circumstances surrounding the crime or incident; and a general description of any injuries, property or weapons involved.
3. Public disclosure of the foregoing information is not required if such disclosure "would endanger the safety of a person involved in an investigation or a related investigation."

## NON-RELEASABLE INFORMATION

1. The name and address of a juvenile defendant.
2. Statements concerning a defendant's criminal record.
3. The existence of or the contents of any confession, admission, or statement given by the defendant EXCEPT it may be stated that a defendant denies charges made against him.
4. Statements concerning the credibility of ANY witness.

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5. Statements containing the results of any examination or test, such as ballistics tests or polygraph tests, or statements concerning a defendant's refusal to submit to such tests.
6. Opinions concerning the guilt, innocence or character of a defendant.
7. Statements predicting the outcome of a trial.
8. Statements which may potentially influence the outcome of a trial.
9. Statements purporting to represent the official position of the City of Barstow or the Barstow Police Department without approval of the Chief of Police, or, in his absence, without approval of the Police Lieutenant.

## INSPECTION OF DOCUMENTS

1. Representatives of the media may inspect the following documents, during normal business hours, i.e., Monday through Friday, 8:00 a.m. to 5:00 p.m. if they so desire:
  - a. Daily Activity Log
  - b. Log of Reportable Items
  - c. Radio Log
  - d. Desk Complaint Forms
2. The aforementioned documents shall be released to media representatives ONLY by the Chief of Police, the Police Lieutenant, the on-duty Watch Commander or the Court Officer.
3. A copy of the Log of Reportable Items shall be placed in the media boxes at the Barstow Police Department following completion of each shift. The Watch Commander on the succeeding shift shall be responsible for assuring that such copies are distributed in a timely manner. Media representatives desiring copies of other releasable documents noted in this order may obtain such copies from any individual authorized to release such documents. Copies of all documents, including the Log of Reportable Items, shall be edited by the releasing officer to preclude the release of any information not defined as public record pursuant to Section 6254(f), California Government Code.

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4. Media representatives desiring full information concerning any incident noted in the aforementioned documents and deemed public information pursuant to Section 6254(f) California Government Code, may secure such information from any officer authorized to release information on behalf of the Barstow Police Department.
5. Information provided to media representatives pursuant to Section 6254(f) California Government Code, may be provided in that form deemed most appropriate by the releasing officer. That is, such information may be provided verbally or through releasing copies of booking sheets, copies of face pages of criminal reports or other means provided, however, only that information to which the public is entitled by law will be released.
6. Prior to releasing any document to the press, the releasing officer shall assure that the release of information does not jeopardize or potentially jeopardize the investigation or successful prosecution of a case or endanger the health, safety and welfare of the parties thereto.
7. Sensitive information contained in any of the aforementioned documents may be marked "NOT FOR PRESS" by the releasing officer. It is hoped that representatives of the media will honor this notation and refrain from publishing or broadcasting information that may compromise the ability of the Barstow Police Department to provide effective law enforcement services of the community.

## JUVENILES

The California Supreme Court in the case of TNG vs. Superior Court 4 Cal 3d 767 (1971) ruled that the Juvenile Court has the exclusive authority to determine the extent to which juvenile records and identification may be released to third parties. The TNG case does NOT prohibit law enforcement agencies from releasing information to media representatives concerning the agencies from the facts and nature of crimes allegedly committed by juveniles. It does, however, PROHIBIT a law enforcement agency from identifying juvenile defendants under the age of 18 years who have been arrested, detained or made a ward of the court without first obtaining written consent of the Juvenile Court.

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## PRESS RELEASES

1. Under normal circumstances, officers of the Barstow Police Department will not be required to initiate press releases of any kind nor will any officer of the department be interviewed concerning any incident without approval of the Chief of Police or, in his absence, of the Police Lieutenant.
2. If, in the opinion of the on-duty Watch Commander, an officer of the Barstow Police Department is involved in an incident of such magnitude to require a press release, the Watch Commander may instruct such officer to prepare a press release in a format approved by the Chief of Police. All such press releases will be completed by the assigned officer prior to the completion of his scheduled shift and shall be approved by the Watch Commander prior to release to media representatives.
3. All press releases issued by the Barstow Police Department shall contain only releasable public information as defined in Section 6254(f) California Government Code.
4. Requests from media representatives for information not contained in an approved press release shall be referred to the Chief of Police, the Police Lieutenant, the on-duty Watch Commander or the Court Officer for appropriate action.

## PRESS CONFERENCES

1. The Chief of Police or, in his absence, the Police Lieutenant, shall conduct personal press conferences with media representatives in the event of serious occupationally related injury or occupationally related death of a sworn officer of the Barstow Police Department or of any member of the Barstow Police Reserve Organization; in any incident involving the death of a citizen as a result of police action; and in any incident deemed a major incident by the Chief of Police.
2. Incidents such as outstanding arrests, lifesaving acts by officers and citizens and certain criminal information may be worthy of a press conference and should be the subject of such a conference if deemed desirable by the Chief of Police.

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3. Shift sergeants and officers in charge of an assigned shift should contact the Chief of Police during off duty hours if appropriate to advise him of a major incident occurring within the Barstow Police Department.

## PHOTOGRAPHS

1. Officers of the Barstow Police Department shall not deliberately pose a person in custody for photographing or televising by representatives of the news media.
2. Unposed photographing and televising of a defendant in public places is not inappropriate and officers of the Barstow Police Department shall not interfere with such photographing or televising unless such photographing or televising interferes with bona-fide police duties or presents a threat to the health, safety and welfare of media representatives or the defendant.

## OTHER PRESENTATIONS

Employees of the Barstow Police Department shall not address public gatherings; appear on radio or television; lecture on "police" or related subjects; prepare articles other than approved news releases for publication; release, divulge, or discuss investigative information or any matter relating to the Barstow Police Department while representing themselves as having an official capacity in such matters without approval of the Chief of Police or, in his absence, without approval of the Police Lieutenant.

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