

BATON ROUGE POLICE DEPARTMENT

General Order
No.139

Effective Date
11-01-1994

Revised Date
02-24-2015

Subject: Media Relations and Public Information

Reviewed 9/1/16

POLICY

It is the policy of this department to inform the community of events within the public domain that are handled by the Police Department and to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the department, as long as these activities do not unduly interfere with departmental operation, infringe upon individual rights or violate the law.

DEFINITIONS

Public Information

Information that may be of interest to the general public regarding policy, procedures or events involving the department or other newsworthy information that is not legally protected under LRS Title 44.

News Media Representatives

Those individuals who are directly employed by agencies of the electronic or print media such as radio, television and newspapers. Free-lance workers in this field are to be regarded as other members of the general public unless otherwise designated by the Chief of Police.

Media Relations Office

The department's Public Information Office serves as a central source of information for release by the department and responds to requests for information by the news media and the community. All releases of official department information shall be coordinated through the Public Information Office.

PROCEDURES

I. Authority to speak for the department

- A. The following persons are authorized to publicly communicate official departmental positions:
1. Chief of Police
 2. Media Relations Office
 3. Commander of Uniformed Patrol Bureau
 4. Chief of Detectives
 5. Legal Advisor
 6. Chief of Staff
 7. Administrative Services Commander

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II. Release of information

- A. In the following situations, **no** information shall be released to the news media except by the Chief of Police, a Public Information Officer or any individual specifically designated by them to do so:
1. Officer-involved shootings.
 2. Officer-involved traffic accidents with serious or fatal injuries to any party.
 3. Officer-involved incidents of any other type which result in serious or fatal injuries to any party or which appear likely to result in a substantial lawsuit.
 4. Interpretations or explanations of department policy that purport to or could reasonably be construed to be an official statement of the Department.
 5. Incidents involving "public figures" as victims or where the notoriety or position of the person involved is likely to cause increased media interest.
 6. Departmental internal investigations.
 7. Intelligence investigations or matters.
 8. Undercover investigations.
- B. In the following situations, field personnel (investigating officer or his/her supervisor) are authorized and encouraged to release basic information at the scene, consistent with guidelines found in this policy. The officer releasing such information shall be responsible for notifying the Public Information Office as quickly as practicable of what information was released, and to whom:
1. Non-fatal traffic accidents.
 2. Non-life threatening shootings/ stabbings/batteries.
 3. Misdemeanor calls.
- C. In the following situations, a Public Information Officer should be called to the scene, but basic information may be released by the senior investigating officer, consistent with guidelines found in this policy, pending the arrival of the Public Information Office representative:
1. Likely or confirmed traffic fatalities.
 2. Likely or confirmed homicides.
 3. Hazardous materials incidents (at direction of the Fire Incident Commander).
 4. Explosives incidents.
 5. Hostage situations.
 6. Natural disasters.
 7. Situations involving civil disorder or mass arrests.
- D. In the following situations, all requests must be cleared through the Public Information Office **prior to** commitment or use of department personnel, equipment, or the Department's uniform and badge:

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1. Talk shows/guest appearances.
2. Feature stories.
3. Commercials/PSA's.
4. Motion picture or television productions.
5. Ride-alongs by news media.
6. Press conferences.
7. Other interviews concerning department matters.

E. Any of the above appearances by off-duty officers not in uniform and not purporting to represent the Department require no clearance.

III. Duties of Public Information Office

The department's Public Information Officers are available to:

1. Assist news personnel in covering routine news stories, and at the scenes of incidents.
2. Coordinate and minimize investigative interference due to media presence or interest.
3. Assist the news media on an on-call basis.
4. Prepare and distribute news releases.
5. Arrange for, and assist at, news conferences.
6. Coordinate and authorize the release of information about victims, witnesses and suspects.
7. Assist in crisis situations within the agency.
8. Coordinate the release of authorized information concerning confidential departmental investigations and operations.
9. Carry out special assignments as directed by the Chief of Police.
10. Coordinate and provide statistical data as needed for public dissemination through the media.
11. Respond to the requests from the public for information.
12. Serve as departmental liaisons to other departments and agencies.

IV. Cooperation with the Media

A. Authorized news media representatives shall have reasonable access to the Public Information officer(s), the Chief of Police or his designee and operations of the department as governed by this policy. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained.

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- B. This department does not normally issue credentials, but recognizes authorized press identification cards (no photocopies) issued by the Louisiana State Police or any other legitimate law enforcement agency. In the absence of such identification, media personnel should possess a valid station or organization identification badge. News media representatives will be given the same access to an incident or scene as any member of the public, and may be given closer access with the permission of the ranking supervisor or a Public Information Officer. **The possession of any type of media identification does not automatically entitle the bearer to special access to any incident or crime scene.**
- C. Public information shall be released to the media as promptly as circumstances allow, without partiality and as objectively as possible.
- D. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be authenticated.
- E. Written statements or news conferences on behalf of the department shall be released only following approval of the Chief of Police or his designee.
- G. The department's communications center shall inform the Office of Public Information as soon as possible upon receipt of information about events or activities that may have media interest.

V. Public Records Law

- A. All public records requests shall be considered within the guidelines set forth in LRS Title 44, Public Records and Recorders. Any questions of whether a document is considered a public record shall be referred to the Legal Advisor or the Media Relations Office prior to the information being made public.
- B. State law mandates that the initial report of any officer investigating a complaint is a public record, and must contain the following information:
 - 1. A brief narrative description of the alleged offense.
 - 2. The name and identification of each person charged with or arrested for the alleged offense.
 - 3. The time and date of the alleged offense.
 - 4. The location of the alleged offense.
 - 5. The property involved.
 - 6. The vehicles involved.
 - 7. The names of investigating officers.

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VI. Investigative Information

- A. From the initial stage of a criminal investigation until the completion of trial or disposition without trial, police personnel shall refer all requests for information to the Public Information Office, with the exception of those releases authorized in Section II, subsections B and C.

- B. Information that may be released in connection with an investigation of an event or crime includes:
 - 1. The type or nature of an event or crime
 - 2. The location, date and time, injuries sustained, damages and a general description of how the incident occurred.
 - 3. The identity of a victim by age and sex, until an arrest has been made in the case.
 - 4. Requests for aid in locating evidence, a complainant or a suspect.
 - 5. Name of the officer in charge of a case, his supervisor and division or unit assignment (exception: the name of any undercover officer will not be released).

- C. Information that **may not** be released in connection with an investigation of an event or crime, unless authorized by the Chief of Police or his designee, includes:
 - 1. The identity of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger.
 - 2. The identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity.
 - 3. The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in personal danger.
 - 4. The identity of any juvenile who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court, unless the juvenile is wanted for a violent offense and presents a danger to the safety of the public by remaining at large.
 - 5. The identity of any crime victim under 18 years of age at the time of the offense.
 - 6. The identity of any critically injured or deceased person prior to notification of next of kin.
 - 7. The results of any investigative procedure such as lineups, polygraph tests, fingerprint comparison, ballistics test or other procedures (the fact that these tests have been performed may be revealed without further comment).
 - 8. Information which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of an "MO," 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.
 - 9. Information that may be of evidentiary value in criminal proceedings.

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10. Specific cause of death unless officially determined by the medical examiner.
11. The home address or telephone number of any member of the department.

VII. Arrest Information

- A. Following arrest, issuance of an arrest warrant or filing of an information or indictment, it is permissible to release:
 1. The accused person's name, age, residence, occupation and family status.
 2. The time and place of arrest, whether pursuit 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 operations.
- B. Following arrest and formal charging of a suspect, but prior to adjudication, the following types of information **may not** be released without express permission of the Chief of Police:
 1. Prior criminal conviction record, character or reputation of a defendant.
 2. Existence or contents of any confession, admission or statement of a defendant, or his failure or unwillingness to make a statement.
 3. Performance or results of any tests, or a defendant's refusal or failure to submit to tests such as a polygraph.
 4. Identity, statement or expected testimony of any witness or victim.
 5. Any opinion about the guilt or innocence of a defendant or the merits of the case.
 6. Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

VIII. Special Considerations -- Criminal Matters

- A. Department personnel shall extend every reasonable courtesy to news media representatives at crime scenes. This may include closer access of personnel and equipment than available to the general public to the degree that it does not interfere with the police mission or the movement of traffic. Such access may be granted only by the commanding officer or a Public Information Officer.
- B. The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed and secured by the department, the media may be allowed to enter by permission of the commanding officer at the scene or a Public Information Officer.

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- C. Entry by the media or public onto private property requires the explicit permission of the owner or the owner's representative.
- D. Suspects or accused persons in custody shall not be posed, nor arrangements made for photographs, telecasts or interviews, nor shall department personnel pose with suspects or accused persons in custody.
- E. It is the policy of this department that news media will be notified of arrests in major cases and this policy recognizes the compelling interests of the media in documenting such instances. Department personnel, therefore, shall not unduly interfere with such documentary efforts when a suspect is located in, or transported through, a public area in the course of standard arrest procedures.
- F. When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual. No department 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, a Public Information Officer or their authorized designee.
- G. At the scene of major crimes the Public Information Officer shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.
- H. The fact that a suicide or suspected suicide has occurred may be reported to the media, along with factual information describing how it happened. The name, age, address, sex and occupation of the victim may also be released following notification of next of kin. The fact that a suicide note exists may also be acknowledged without further comment. The content of such notes is personal and confidential and shall not be released except as provided by law.

IX. Special Considerations – Non-criminal Matters

- A. At the scene of significant accidents, man-made or natural catastrophes, the principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the police, fire, medical or other emergency relief workers.
- B. Media access to and movement within any fire activity/Haz-Mat lines shall be controlled by the Fire Incident Commander. In consultation with the Incident Commander, the ranking police officer at the scene shall establish a safe observation area for the media. Any observation area will not be in the direct area of any Command post or Operation area.