


# PORTLAND POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

	<b>Subject:</b>	Media Policy	<b>Policy #:</b>	94
	<b>Distribution:</b>	All Personnel	<b>Effective Date:</b>	06/09/2013
	<b>Standards:</b>	CALEA	<b>Revision Date:</b>	10/15/2020
	<b>By Order Of:</b>	Chief of Police	<b>Review:</b>	Biennially

### I. Purpose

To establish guidelines for consistent, timely and proper release and dissemination of public information to the media and public.

### II. Policy

It is the policy of this department to cooperate fully and impartially with news media. We also acknowledge the role of the media in our efforts to maintain transparency as we seek to build community trust and respect. We support the media in their efforts to gather factual, public information pertaining to activities of the department, as long as the release does not unduly interfere with department operations, infringe upon individual rights, or violate the law.

### III. Procedures

#### A. Authority

1. A designated sergeant or lieutenant, acting under the direction of the Assistant Chief of Police, will serve as the department Public Information Officer (PIO). The PIO and Assistant Chief will work in coordination with the City of Portland Communications Director to appropriately disseminate information to the public.
2. The PIO or designee will be responsible for coordinating the media information function. The PIO may delegate this function to appropriate supervisors on a case by case basis. The PIO remains available to assist as needed during instances of delegation. Any employee who questions the propriety of releasing information must consult with the PIO or administration for guidance.
3. In the absence of the PIO or Assistant Chief, the highest ranking available supervisor will perform the PIO function.
4. Officers below the rank of Sergeant and civilian employees are prohibited from releasing information or providing comment to the media without prior authorization from a member of the command staff.

#### B. Function

1. The PIO, with the assistance of the City of Portland Communications Director, shall perform the following duties:
  - a. assist news personnel in covering news stories both at the scene and with later follow-up;
  - b. be available for responses to the news media;

- c. prepare and distribute Department press releases;
  - d. schedule and coordinate press conferences;
  - e. coordinate and authorize the release of information related to criminal activity
  - f. assign Department personnel to respond to news inquiries, as appropriate
2. Press releases will be issued, when appropriate, as necessitated by specific occurrences, at the direction of the Chief of Police or his/her designee.
    - a. Press releases are issued only on a format approved by the Chief.
    - b. All press releases must be approved by a member of the command staff prior to release.
    - c. Press releases are issued electronically via e-mail and posting to the Department website and / or social media. The Department maintains e-mail addresses for media outlets and periodically updates them as requested. The City of Portland Communications Director will assist with the electronic distribution of press releases when available.
    - d. Press releases will also be forwarded by e-mail to all employees of the police department, City Manager, Mayor, and City of Portland Communications Director. No press releases will be distributed prior to a planned press conference.
    - e. Press releases relating to a criminal investigation will include the case number and a copy will be included in the case file.
  3. The holding of press conferences as a method to release information must be approved by the Chief of Police or designee.
  4. In all instances when the Department conducts an organized release of information, such as press releases or press conferences, every effort will be made to ensure that all media have equal access the release of information.
  5. During his/her normal working hours the PIO will handle all media requests for information.
  6. In the wake of an arrest or emergent incident or situation (e.g., serious crash, traffic impacts, threat to public safety, etc.) when the PIO is unavailable, the Shift Commander or supervisor may release information to the news media using the guidelines established in this policy, to include a press release or social media post.
  7. Any supervisor releasing information to the news media will provide a copy and report the content of that release and the recipient(s) of the information via the PPD Shift log prior to the end of the shift during which the release occurred.

**D. Media Access to Crime Scenes**

1. The ranking supervisor at a crime scene, or designee, is responsible for controlling the access of news media to the scene.
2. No news media representatives will be allowed within the established perimeter of a crime scene or at a critical incident.
3. At the discretion of the incident commander, media may be allowed within the outer perimeter of a crime scene. Media is not permitted to enter private property without permission of the owner as police authority to occupy the area is not transferrable. Factors

to be considered are the safety of all parties and potential contamination of the crime scene. If increased access to the scene is granted, all news media representatives will be given equal access. Any such access must be documented in related investigative reports.

**E. Information Release Guidelines**

1. **Investigative information** which may be released by the PIO or Shift Commander in regards to an investigation, incident or crime includes:
  - a. the fact of the investigation and the type or nature of the incident or crime;
  - b. the location, date, time, injuries, damages, and general description of what happened;
  - c. names, age, gender, residence, employment, marital status of all persons charged, except in the case of juveniles, only age, gender and hometown may be released.
  - d. the scheduling of any judicial proceeding and place of defendant's detention;
  - e. type of property taken;
  - f. the gender of a victim;
  - g. requests for aid in locating evidence, witnesses, or a suspect, including the release of a mug shot of a suspect with the approval of a CID supervisor;
  - h. a warning to the public of any dangers;
  - i. number of officers or people involved and the length of the investigation;
  
2. **Investigative information** that may not be released in regards to an investigation, incident or crime, without Administrative approval, includes:
  - a. the identity of a suspect prior to an arrest, summons or issuance of a complaint or warrant, unless the information would assist in apprehending the suspect or warn of public danger;
  - b. the identity of a sex crime victim, including any information that could lead to the victim's identity;
  - c. the identity of victims or witnesses if the disclosure would prejudice an investigation or place the victim or witness in personal danger
  - d. the identity of any witness(es)
  - e. the identity of a juvenile suspect in a case subject to the jurisdiction of the juvenile court;
  - f. the identity of a critically injured or deceased person prior to the notification of next of kin;
  - g. the results of any investigative procedure such as blood alcohol tests, line ups, polygraph examinations, fingerprint comparisons, ballistics, or other procedures, or the suspect's refusal or failure to submit to any such procedures. The fact that a test has been performed may be released, without further comment;
  - h. statements as to the character, reputation, guilt or innocence of any suspect or defendant;
  - i. information which, if prematurely released, may interfere with an investigation or apprehension (i.e. the nature of leads, specifics of an "MO", details of a crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension);
  - j. information that might be of evidentiary value during criminal proceedings, including the contents of any statement, admission or confession, any failure or unwillingness to make any statement, or any technology or techniques that may interfere with the ongoing or future investigations; or

- k. specific cause of death, unless officially determined and released by the Medical Examiner's Office. The existence of a suicide note may be released, but the contents are personal and confidential and will not be released, except as provided by law.
3. **Arrest information** that may be released following arrest, issuance of a summons or arrest warrant, or filing of an indictment includes:
  - a. the accused's name, age, residence, occupation, family status, and current mug photo;
  - b. the time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, charges placed against the accused, description of contraband seized;
  - c. the identity of the arresting officers and the duration of the investigation, unless officers are engaged in undercover operations; and
  - d. the amount of bail, scheduled court date, and place of detention.
4. **Arrest information** following an arrest and formal charging of a suspect but prior to adjudication that may not be released without authorization from the Chief of Police includes:
  - a. the suspect's character or reputation;
  - b. existence or contents of a confession, admission, or statement;
  - c. the failure or unwillingness of the suspect to make a statement;
  - d. performance or results of any polygraph tests, or a defendant's refusal to submit to the test;
  - e. identity of a victim or witness or their specific statements;
  - f. any opinion about the guilt or innocence of a defendant or the merits of the case; or
  - g. any opinion or knowledge of the potential for a plea bargain or other pretrial action.
5. Department personnel will not pose prisoners for media photographing or permit prisoners to be interviewed.
6. Department personnel will not respond to rumor or hypothetical questions posed by media
7. Department personnel are prohibited from knowingly releasing false information to the news media.
8. In instances where the Department is involved in a mutual effort with other public agencies, the agency having primary jurisdiction or responsibility at the scene should be responsible for releasing or coordinating the release of information. If this Department is the lead agency the release of information will include due credit to all other participating agencies. Response to questions regarding multiple City departments or operations is to be coordinated with the City of Portland Communications Director.
9. Department personnel shall not publicly criticize or ridicule the Department, its policies, or other Department personnel, by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, interferes with the maintenance of discipline, or is made with knowledge of its falsity.
10. Department personnel shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, release or divulge investigative information, or any other matters of the Department while creating the appearance that they are speaking in an official capacity in such matters without

official sanction or proper authority.

11. The Chief of Police must authorize releases of information related to the following:
  - a. policies of the City of Portland or the police department;
  - b. organizational changes;
  - c. internal reports such as crime statistics or internal affairs investigations
  - d. any use of force by Department personnel;
  - e. media allegations of police misconduct;
  - f. personnel records, to include photographs of Department personnel and disciplinary action
  - g. decision making by supervisors or senior leadership
  
12. The unauthorized release of information to the news media, even if such information is not considered sensitive, is prohibited.