



DESCHUTES COUNTY SHERIFF'S OFFICE

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Attachments:	L. Shane Nelson, Sheriff		

I. PURPOSE

The purpose of this policy is to establish guidelines for release and dissemination of public information to news media.

II. POLICY

It is the policy of the Deschutes County Sheriff's Office to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the Sheriff's Office, as long as these activities do not unduly interfere with agency operation, infringe upon individual rights or violate the law.

III. DEFINITIONS

Public Information is information that is not legally protected and does not infringe upon the rights of any person or compromise the legitimate safety and privacy interests of deputies, victims, witnesses or others.

News Media Representatives means those individuals who are directly employed by agencies of the electronic or print media such as radio, television and newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by the Sheriff.

Public Information Officer (PIO) is the on-duty supervisor. Should an incident reach a larger scale, a higher ranking or division-specific PIO may be designated. The PIO serves as a central source of information for release by the agency and responds to requests for information by the news media and the community.

IV. ROLE OF THE NEWS MEDIA

Crime, its results, and the efforts to combat it are all matters of continuing public concern. The Sheriff's Office is regularly involved in events at which members of the news media are present and performing their task of gathering information.

V. ROLE OF THE SHERIFF'S OFFICE

The Sheriff's Office actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner that does not hamper agency operations. However, certain information must be withheld from the news media to protect the constitutional rights of an accused, to avoid interfering with a Sheriff's Office investigation, or because it is legally privileged.

To promote a climate of responsiveness to the needs and problems of the community, and to more effectively establish a cooperative working relationship with the news media, the agency will, when appropriate, encourage involvement of the news media in the development of changes in policies and procedures relating to the public information function.

VI. PROCEDURES

A. Duties of the PIO

The Sheriff's Office PIO is available to:

1. Assist news personnel in covering routine news stories and at the scenes of incidents;
2. Assist the news media on an on-call basis;
3. Prepare and distribute news releases;
4. Arrange for, and assist at, news conferences;
5. Coordinate and authorize the release of information about victims, witnesses and suspects;
6. Assist in crisis situations within the agency; and
7. Coordinate the release of authorized information concerning confidential agency investigations and operations.

B. Cooperation with the Media

1. Authorized news media representatives shall have reasonable access to the PIO, the Sheriff or his designee and operations of the agency 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.
2. This agency recognizes authorized identification from all local, national and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.
3. Public information shall be released to the media as promptly as circumstances allow, without partiality and in as objective a manner as possible.
4. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be authenticated.
5. Ranking deputies at crime or incident scenes may release information of a factual nature to the media as governed by this policy or refer the inquiry to the PIO. Where the deputy is unsure of the facts or the propriety of releasing information, he shall refer the inquiry to the PIO.
6. Written press releases shall be released only following supervisor approval.
7. The watch commander shall be notified as soon as possible upon receipt of information about events or activities that may have media interest.
8. The watch commander shall be responsible for ensuring that an incident's PIO or the Sheriff is informed of events that may have media interest.

C. Investigative Information

From the initial stage of a criminal investigation until the completion of trial or disposition without trial, Sheriff's Office personnel shall refer all requests for information to the Sheriff or his designee.

1. **Information that may be released in connection with an investigation of an event or crime includes:**
 - a. the type or nature of an event or crime;
 - b. the location, date and time, general nature of injuries sustained (such as minor, serious, whether transported to hospital), damages and a general description of how the incident occurred;

- c. type and quantity of property taken;
 - d. the identity and approximate address of a victim with the exception of sex crime victims, and in other cases where reprisals or intimidation may be employed;
 - e. requests for aid in locating evidence, witnesses, a complainant or a suspect;
 - f. numbers of deputies or people involved in an event or investigation, and the length of the investigation; and
 - g. name of the deputy in charge of a case, his supervisor, and division or unit assignment (exception: the name of any undercover deputy will not be released).
2. **Information that *may not be released* in connection with an investigation of an event or crime, unless authorized by the Sheriff or his designee, includes:**
- a. 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;
 - b. the identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity;
 - 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 a witness in personal danger;
 - d. the identity of any juvenile who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court;
 - e. the existence or content of any confessions or statements made by the suspects or arrestees;
 - f. the identity of any critically injured or deceased person prior to notification of next of kin;
 - g. any specific information about injuries sustained;
 - h. 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);
 - i. 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 law enforcement, or information that may cause the suspect to flee or more effectively avoid apprehension;
 - j. information that may be of evidentiary value in criminal proceedings;
 - k. specific cause of death unless officially determined by the medical examiner; and
 - l. the home address or telephone number of any member of the Sheriff's Office.

D. Releasable Arrest Information

Following arrest, issuance of an arrest warrant or filing of an information or indictment, it is permissible to release:

- 1. The accused's name, age, residence, occupation and family status;
- 2. Time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, charges against the suspect and description of contraband seized;
- 3. Identity of the arresting deputies and the duration of the investigation unless the deputies are engaged in undercover operations; and
- 4. Bail amount, scheduled court dates and place of the suspect's detention.

E. Non-Releasable Arrest Information

Following arrest and formal charging of a suspect, but prior to adjudication, the following types of information should **not** be released without express permission of the Sheriff and/or District Attorney:

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.

F. Special Considerations—Criminal Matters

Sheriff's Office 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 agency mission or the movement of traffic.

Media Access to Crime Scene/Sensitive Case Information

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 Sheriff's Office, the media may be allowed to enter by permission of the commander at the scene.

1. On private property, photography, film or videotape recording requires the permission of the owner or the owner's representative.
2. Suspects or accused persons in custody shall **not** be posed or arrangements made for photographs, telecasts or interviews, nor shall agency personnel pose with suspects or accused persons in custody.
3. 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 Sheriff's Office photographs, videotape, film or composites of subjects in custody shall otherwise be released to the media unless authorized by the Sheriff or authorized designee.
4. At the scene of major crimes, such as hostage and barricade situations, the deputy in charge shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.
5. 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.

G. Special Considerations—Non-criminal Matters

1. Media Access to Accident and Catastrophe Information

At the scene of significant accidents and at 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 agency, fire, medical or other emergency relief workers.

2. Media Access Within Fire Lines

The fire officer in charge or the Sheriff's Office supervisor on scene shall control Media access to and movement within fire lines. In consultation with the fire officer in charge or the Sheriff's Office supervisor on scene, an observation point from which the media may observe and photograph the incident, will be established. At the discretion of the fire officer/Sheriff's Office supervisor on scene, an inner perimeter may be established for the media from which to record the event.

News media representatives should not be prevented from access to any area solely because of the possibility of their injury or death. If this is the only consideration, the media representative should be advised of the danger and allowed to make the decision to enter on his own volition. Access may be denied if injury to a media representative would place emergency personnel at risk.

3. Internal Investigation Information

Information relating to internal investigation of employees shall not be released without the express permission of the Sheriff.

4. Daily Log

Daily administrative reports of criminal activity will be made available on a routine basis to media representatives by way of the "daily log." Statistical reports of criminal activity will also be made available to the media upon request to the extent that they exist or are readily available.

5. Access to Investigative or Incident Reports

Media representatives shall be denied access to the contents of investigative or incident reports and records where release of the information would:

- a. interfere with law enforcement proceedings, including pending investigations and cases referred to the District Attorney for prosecution;
- b. deprive a person of the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information;
- c. constitute an unwarranted invasion of the personal privacy rights of another person;
- d. reveal the identity of an individual who has furnished information to the agency under confidential circumstances;
- e. disclose investigative techniques and procedures, thereby impairing future effectiveness of the agency; or
- f. endanger the life or physical safety of any person.