

NAPERVILLE POLICE

GENERAL ORDER

ORDER NUMBER: 54.1

SUBJECT: PUBLIC INFORMATION

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PURPOSE:

The purpose of this order is to establish policies and procedures for the release of information to the community and the media. Law enforcement operations in a free society must not be shrouded in secrecy. It is necessary that there be full public disclosure of policies and openness in matters of public interest. Consistent with the protection of the legal rights of individuals and considering the necessity for maintaining the confidentiality of Department records and other important Department responsibilities, the Department is to disseminate accurate and factual accounts of occurrences of public interest. Additionally, the Department must strive to make known and accepted its objectives and policies.

ORDER:

54.1.1 PUBLIC INFORMATION FUNCTION

A. The Research and Development Section is responsible for the Public Information function. The primary duties of the Public Information Officer consist of assisting members of the media in gathering information about cases investigated by the Department, handling publicity of special Department programs, and serving as the general liaison with the media. Responsibilities of the Public Information Officer include, but are not limited to:

1. Serving as the central source of information about the Department and responding to various requests by members of the media (including an on-scene response when necessary).
2. Assisting media personnel in covering news stories at the scenes of incidents.
3. Preparing and distributing Department media releases.
4. Arranging for and assisting at media conferences.
5. Coordinating and authorizing the release of information about victims, witnesses, and suspects.
6. Assisting as media liaison during crisis situations.
7. Coordinating and authorizing the release of information concerning confidential Department investigations and operations.
8. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.
9. Maintaining files of press releases issued by the Department.
10. Conferring regularly with section/unit commanders to keep abreast of cases that may be of interest to the media.
11. Assuming a proactive role, in contacting the media with information that might not otherwise come to their attention.

12. Working closely with the City of Naperville Community Relations Manager (for example, making arrangements for announcements for cable TV).
- B. Routine release of information to the media shall be governed by the following:

1. Frequency.
Members of the media are welcome at the Department at any time. It may, however, be advantageous for media representatives to maintain a regular schedule so the Public Information Officer will be available to assist them in obtaining information.
2. Content.
Media personnel will be permitted to review only those reports that have been approved and made available on the press report board. These reports and official written press releases will be maintained in the Department's press room.
3. Media recipients.
Dissemination of information to the media will be accomplished in such a manner as to ensure its equal availability to all media members. Generally, press releases will be available in the Department's press room, sent out by group email, fax, and posted on the city's Internet website. In the event of a public news briefing or conference being held, all local news media representatives will be notified by the Public Information Officer. (See Attachment A for specific protocol regarding internal/external notifications.)
4. A listing of press contacts is available in the Public Information Officer's office.
5. Internal notifications.
Before any press release is disseminated to the public, the following notifications shall be made:
 - a. City Manager, Assistant City Manager, Mayor, and City Council.
 - 1) A copy of the press release will be faxed to the office of the City Manager, and to the homes of the City Manager, Assistant City Manager, Mayor, and all City Council members. A current list of applicable fax numbers can be obtained from the Research and Development Section, City Dispatch, or the City Manager's office. To facilitate this process, these numbers will be maintained and stored as a group speed dial in fax machines located in the Patrol Supervisors area and in the office of the Public Information Officer. (See Attachment A for specific protocol regarding internal/external notifications.)
 - b. City of Naperville Community Relations Manager.
The Community Relations Manager will receive a copy of all press releases issued.
 - 1) The inter-office mail system may be used for press releases concerning current unpredicted events.
 - 2) For press releases of an informational nature generally issued in advance, such as announcements of new programs, financial

grants, auctions, or events of citywide significance and impact, a copy will first be sent to the Community Relations Manager via the City Help Desk, who will review and approve the release, then assist in dissemination of the material from the Community Relations office. Dissemination of information originating from the Police Department and solely relating to the Police Department and its personnel will be released directly to the media through the on-duty PIO or other approved personnel.

c. City of Naperville Legal Department. Any press release describing an event with obvious potential for city liability will first be formulated, then sent for review to a representative of the City's legal staff.

- 1) The telephone number for the Legal Department during normal business hours is 420-4171.
- 2) After normal business hours, on weekends, and on holidays, a representative from the Legal Department will be contacted at home. Home telephone numbers for Legal Department representatives are available from City Dispatch.

C. News release authority is governed as follows:

1. On-scene.

The accurate and timely dissemination of information at the scene of an incident is important to avoid confusion. Only sworn supervisory personnel or a designee are authorized to release information to the media in the absence of the Public Information Officer.

2. Department files.

The release of information to the media from Department files shall be accomplished in accordance with Department directives and under the supervision of the Public Information Officer or FOIA Officer.

3. Ongoing investigations.

Only the Public Information Officer, Operations Deputy Chief, Chief of Police or their designee may release information to the media concerning an ongoing criminal investigation.

4. Public Information Officer unavailable.

It is understood that the Public Information Officer may not always be immediately available. At such times, the duties of Public Information Officer shall be assumed by the appropriate Watch or Section Commander or, in their absence, the highest ranking sworn supervisor on duty or designee. Generally, work hours for the Public Information Officer are 8:00 a.m. to 5:00 p.m., Monday through Friday.

a. When the Public Information Officer is unavailable and an urgent need for media information exists, the requesting party will be transferred to the Communications Center who will place them in contact with the person assuming the duties of the Public Information Officer.

D. Release of information is governed by the following general guidelines and restrictions:

1. Any release of information shall be done in accordance with Illinois Statutes and the Freedom of Information Act, Illinois Compiled Statutes 5 ILCS 140.

2. The Illinois Freedom of Information Act enumerates specific types of information that are exempt from release. The scope and content of each release of information must be determined according to the facts of the case.

3. Although each case should be examined in relation to its particular impact upon individual citizens or the community, the specific guidelines for release of information to the media shall be as follows:

a. Victim, complainant or witness information such as identity, address, phone number, age, etc., shall not be released for publication in the following instances:

- 1) The information is part of an on-going investigation and release of such information may jeopardize successful resolution and/or prosecution of the case.
- 2) The information is contained in any sex offense case or sex-related crime report or investigation.
- 3) The information would otherwise constitute a clearly unwarranted invasion of personal privacy. This includes cases where the individual may be targeted for harassment or intimidation by the suspect or others. Addresses and phone numbers of victims, complainants or witnesses when they are residents of a domestic violence shelter, or other similar accommodations shall not be released.

b. In accordance with Illinois Compiled Statutes 705 ILCS 405/1-7, Confidentiality of Law Enforcement Records, any records that relate to a minor under age 17 who has been arrested or taken into custody, shall be restricted. Information concerning adult charges being filed shall be referred to the State's Attorney's Office of the proper county of jurisdiction.

c. Other exemptions include:

- 1) Identification of informants.
- 2) Identity of any deceased person unless:
 - a) The identity has been officially confirmed, and
 - b) A concerted effort to notify the decedent's immediate family has been made.
- 3) Exact details of evidence and statements made by the accused should not be released unless otherwise authorized by the Chief of Police. No information will be released concerning an arrestee's confession, admissions, alibis, or refusal of the arrestee to make such statements.
- 4) Any reference to results of investigative procedures such as fingerprints, polygraph exams, ballistics tests, or lab tests, or to the refusal of the accused to submit to such tests.
- 5) Statements concerning the testimony or credibility of prospective witnesses.
- 6) Any reference to the possibility of a plea of guilty or the possibility of a plea to a lesser offense.
- 7) Personal opinions as to the suspect's guilt or innocence or of the evidence or merits of the case.

d. Victim information in most other police reports shall be available for publication.

e. Information available for publication shall include the following (except as provided in section b, above):

- 1) Name, age, address, and photograph, when and if available, of the accused.
 - 2) The time and place of the arrest.
 - 3) The name of the investigating or arresting law enforcement agency.
 - 4) Information detailing any charges related to the arrest.
 - 5) If the individual is incarcerated:
 - a) Amount of bail or bond.
 - b) Time and date the individual was received into, discharged from, or transferred from Department custody.
- f. Press releases may additionally include:
- 1) The occupation of the accused.
 - 2) The facts, time, and place of the offense, arrest, resistance, pursuit, and/or use of weapons.
 - 3) The identity of investigating/arresting officers and the length of the investigation.
 - 4) Any information necessary to aid in the apprehension of the accused or to warn the public of any dangers posed by the accused.
 - 5) A brief description of the incident.
 - 6) The scheduling or result of any step in the judicial process.
- g. In order to ensure that the Department's guidelines are met, the Public Information Officer shall work closely with representatives of the media for daily and routine matters concerning the release and publication of information. The media shall not be allowed unrestricted review of all police incident reports.
- h. For incidents in which it is deemed necessary to withhold information, the reasons shall be carefully explained to the media with an attempt to seek their understanding and cooperation.
- i. Personal contact, rather than telephone contact, is preferred. Information may be disclosed by phone following positive identification of the caller and subject to the guidelines previously cited.
- E. Notification of public information officer.
In the event a press release is done at the watch, section, or division level, the Public Information Officer shall be notified in a timely manner and be provided with a copy of the information released.
- F. For incidents involving multiple public service agencies such as other police departments, fire departments, Coroner's office, State's Attorney's Office, etc., the agency having primary jurisdiction shall be responsible for coordinating the release of information.

54.1.2 MEDIA INPUT INTO DEPARTMENT POLICY

When modifications, additions, or deletions are being considered regarding policies and procedures relating to the public information function, attempts will be made to involve media representatives whenever possible. Media representatives will be contacted by the Public Information Officer who will furnish a general explanation of any significant changes proposed and provide an opportunity for input.

54.1.3 ON-SCENE ACCESS BY MEDIA PERSONNEL

Requests for information at the scene of a newsworthy incident including, but not limited to, major fires, natural disasters, catastrophic events, or major crime scenes, shall be referred to the ranking officer in charge of the investigation.

- A. The ranking officer may refer the media to the Public Information Officer.
- B. Perimeters may be established to prevent persons from entering the area of a serious incident or crime. Media members may be allowed access inside outer perimeters depending upon the situation; however, the private property rights of persons must be safeguarded. Normally, a specific area for media access and meeting will be established in order to provide a cooperative and accurate flow of information concerning the incident. Where possible, media personnel should be restricted to public property.

54.1.4 MEDIA REPRESENTATIVES

- A. The Naperville Police Department does not issue press credentials. It does, however, recognize official press identification naming the individual as a representative of a news or media service. Proper identification is required before entry to the Department for the purpose of gaining information. Proper identification is also required at the scenes of incidents where the media are present to gather information.
- B. The Department shall deny access to the scene of an incident or its files to any media representative who:
 1. Interferes in an investigation while at the scene of an ongoing incident.
 2. Interferes with the effective operation of the Department or any of its members.
 3. Obtains or publishes restricted information.
 4. Violates these established media relations procedures.
- C. In cases where a media representative is requesting information by phone from an employee of this Department, and the representative is not known or recognized, the employee may establish the person's identity, if necessary, by calling the person or agency back.