

	CLAY COUNTY SHERIFF'S OFFICE		Policy 327
	SUBJECT: MEDIA RELATIONS		Approved by: Sheriff Will Akin 08/22/2022
	ISSUED: 09/29/2016	REVISED: 08/22/2022	CANCELS:
	CALEA References: 54.1.3		

327.1 PURPOSE AND SCOPE

- (a) This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities.

327.1.1 POLICY

- (a) The Clay County Sheriff's Office recognizes that the public has a right to be informed of the activities of its law enforcement agencies and expects the news media to provide information through timely and accurate reports. At the same time, the Sheriff's Office realizes that it has a responsibility and an obligation to protect the constitutional rights of victims, witnesses and individuals taken into custody, and to ensure that in progress investigations are not compromised.
- (b) Therefore, it will be the policy of the Clay County Sheriff's Office to cooperate fully and impartially with accredited representatives of the various news media in their efforts to gather factual information pertaining to activities of this office, so long as these activities are consistent with established procedures and do not subvert the ends of justice or infringe upon individual rights to privacy.
- (c) In most cases, the Public Relations Manager (PRM), the Sheriff, or the Undersheriff will be solely responsible for releasing information to the news media. If an emergency situation arises requiring the timely release of information to the news media, and the aforementioned personnel are not available at the scene, a designee will be assigned by the Sheriff, Undersheriff, or PRM.
- (d) Under no circumstance should any member of the Clay County Sheriff's Office make any comments to the media regarding any law enforcement incident not involving the Clay County Sheriff's Office without prior approval of the Sheriff.

327.1.2 DEFINITIONS

- (a) **News Media** - Accredited, properly identified representatives of local, national and international news media organizations.
- (b) **News Incidents** - The activities of the Sheriff's Office in response to any incident, situation or event, whether public or private.
- (c) **Public Relations Manager (PRM)** - A member of the Sheriff's Administrative Staff who is authorized to distribute information to the news media concerning specific incidents or other Sheriff's Office operations.
- (d) **Public Perimeter (police line)** - A perimeter established around a crime/incident scene by Sheriff's personnel through which the general public may not enter.
- (e) **News Media Perimeter** - A second perimeter established within the public perimeter by the on-scene commander and the PRM or Designee, which allows the news media closer access to the scene.

- (f) **Pool Coverage** - One representative from the news media personnel present at a crime/incident scene is chosen to obtain photos/film of the scene, with the photos/film being shared equally (copies provided) among the news organizations that are present.
- (g) **Public Records** - Teletype messages, incident reports, miscellaneous incidents/complaints, arrest Sheriff's Office incident information of a routine nature, body/dash camera footage, or other reports and files which are considered public record in accordance with the Missouri State Sunshine Law and the Federal Freedom of Information Act.
- (h) **Crime Scene** - the place where an offense has been committed and forensic evidence may be gathered.
- (i) **Critical Incident Scene** - the place where deputies may be called for control over uncontrolled, dangerous situations; such scenes may include hazard zones, fires/disasters, gas and chemical spills, barricaded subjects, and hostage situations.

327.4 RESPONSIBILITIES

- (a) The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff. However, in situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, Division Commanders, Shift Supervisors, and the designated Public Relations Manager may prepare and release information to the media in accordance with this policy and the applicable law.

327.3.1 MEDIA REQUEST

- (a) Any media request for information or access to a law enforcement situations shall be referred to the designated Office media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:
 1. At no time shall any member of this Office make any comment or release any official information to the media without prior approval from a supervisor or the designated Office media representative.
 2. In situations involving multiple law enforcement agencies or other criminal justice agencies including, but not limited to, prosecutors and coroners, every reasonable effort should be made to coordinate information that may be released to the media with the authorized representative of each involved agency prior to the release of any information by this Office.
 3. Under no circumstance should any member of this Office make any comments to the media regarding any law enforcement incident not involving this Office without prior approval of the Sheriff.

327.3.2 NOTIFICATION

- (a) Whenever newsworthy events occur concerning the Clay County Sheriff's Office, the PRM should be notified by supervisory personnel in charge of the incident, or by the Commander in charge. This notification should be made as soon as possible after the incident occurs to ensure timely release of information and to free the on-scene supervisor from responsibilities associated with keeping the press informed. Newsworthy events occurring in Clay County, being handled by or requiring major assistance from Clay County Sheriff's Office personnel, that require the immediate notification of the PRM include the following:
 1. Any situation involving the death of a person by other than natural causes.
 2. All Clay County Sheriff's Office Member/CCIS member involved shootings.

3. Any major fire and aircraft/train accidents.
 4. Any natural or man-made disaster requiring Sheriff's Office response.
 5. Searches for missing or wanted persons requiring extensive manpower.
 6. Kidnappings and hostage/barricade situations involving STAR team mobilization.
 7. Any other major event that the press has expressed or demonstrated interest in.
- (b) Planned major incidents, such as raids and multiple arrests, and planned newsworthy events, such as awards and promotions, should include advance notification to the PRM to allow for proper planning for dissemination of information to the news media. Notification is the responsibility of the affected Division Commander.

327.3.3 NEWS MEDIA RELATIONS/EXPECTATIONS

(a) Cooperation and Assistance:

1. The Clay County Sheriff's Office and the news media receive mutual benefits when relations between the two are characterized by candor, cooperation and mutual respect. It is important to remember that the news media will furnish information to the public with or without the Sheriff's Office cooperation. Full courtesies will be extended to news media representatives in the field as well as within the facilities of the Sheriff's Office.
2. Information released to the news media, such as news bulletins, press releases and event/ incident updates, will be disseminated equally and impartially. Specific inquiries and requests made independently by media representatives will be honored at the time of the request. If it becomes necessary to deny a media request based upon privacy rights, safety of a defendant, witness, or victim, jeopardizing an ongoing investigation, or other legitimate factors, the reasons for the denial shall be adequately and courteously explained.
3. Occasionally, situations may occur in which the immediate reporting of certain information may be detrimental to the community, to the victims of crime, or to an investigation. In such cases, this Office will seek the cooperation of the media to delay publication rather than attempt to impose censorship. In situations where this Office has inaccurately reported information to the news media, it will be expected that, upon proper demonstration, the PRM or available designee will promptly correct the inaccurate information.

(b) News Media Interference/Policy Violations:

1. Members of the Sheriff's Office shall not unnecessarily obstruct media representatives from carrying out their assignments. However, media representatives are not exempt from any of the laws enforced by the Sheriff's Office.
2. Problems that arise between news media representatives and Sheriff's Office Personnel shall be referred to the PRM or designee. Media personnel who express a desire to violate the general guidelines of this policy will be asked to remove themselves from a protected area and cease whatever activity which is in violation. Any time a media representative's access to a protected area is revoked, a full report will be written by the PRM or designee, and submitted to the Sheriff. Within a reasonable period of time following the incident, a written memo will be forwarded to the media representative's supervisor describing the unacceptable behavior of the media representative and the actions taken by the Sheriff's Office.

327.3.4 NEWS MEDIA ACCESS TO CRIME/INCIDENT SCENES (54.1.3)

- (a) A designated staging area will be established along the perimeter of the secure crime scene. Access will not be permitted beyond the secured area unless approved by the ranking investigating sworn member.
- (b) When a PRM responds to the assembly site of an incident, they will ascertain areas of access for media personnel from the ranking sworn member at the scene.
- (c) Media coverage personnel and cameras will be permitted adjacent to any barriers and any other areas accessible to the general public.
- (d) When mobile television, radio transmitting units, or vans arrive at a police perimeter, media personnel will be directed to the media assembly point for their mobile units.

327.3.5 TEMPORARY FLIGHT RESTRICTION

- (a) Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hamper incident operations, the on-scene supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Division Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (866.835.5322) (14 CFR 91.137)

327.3.6 PHOTOGRAPHS/TAPING OF CRIME & INCIDENT SCENES

(a) General:

- 1. News media representatives shall be allowed to freely photograph, film, or videotape at the scene of any incident so long as their activity does not interfere with the investigation or violate the property/privacy rights of citizens involved. Suspects or persons in custody shall not be deliberately posed for photographs, telecasts, or interviews, and no action shall be directed against the news media to prevent or impede their lawful right to photograph such person at incident scenes or in other public places.

(b) Restrictions:

- 1. The photographing/videotaping of juveniles is prohibited at all times.
- 2. Law enforcement / Fire Department equipment shall not be used as props/stands.
- 3. Media representatives will not be allowed to hook up equipment to the Sheriff's Mobile Command Post.

(c) Censorship:

- 1. No legal authority exists to stop photographs or videotape from being taken at an incident scene, even if the scene in question is one that Sheriff's personnel feel would be in "poor taste" to photograph. However, deputies shall take protective measures, such as covering a body in order to keep it from being photographed, if the Commander/Supervisor in charge deems such actions necessary.

327.3.7 ON SCENE INTERVIEWS

(a) General:

1. When consenting to an interview concerning an incident, the PRM or designees shall refrain from making statements to the press about information that would compromise investigative efforts or future trials. (See Information Dissemination Guidelines). The PRM or designee should be in uniform, if possible, and should refrain from wearing sunglasses or other unnecessary eyewear. If the uniform hat shades the face, it should be removed as well.
2. Whenever possible, suspects, victims, witnesses and/or persons having information that pertains to an incident shall not be questioned by the press until after interviews and the Investigations Unit has received statements. Media representatives will not be allowed to interview relatives and/or friends of a hostage or perpetrator who have been brought to an incident scene by the Sheriff's Department. These individuals should be required to remain in a designated area away from the press area.

(b) Persons taken into Custody:

1. News media representatives will not be allowed to interview persons in custody at the Sheriff's Office Headquarters or the Detention Center without the person's consent and the consent of the affected Division Commander and/or the Sheriff.

327.3.8 INFORMATION DISSEMINATION GUIDELINES

- (a) Information shall be released in accordance with the Missouri Sunshine Law and the Federal Freedom of Information Act.
- (b) The fire department will make all media releases at the scene of a fire until it is determined to be a crime scene.
- (c) A supervisor or commander will be consulted prior to the release of information not specified in this directive. If a member is uncomfortable addressing media personnel, the member will refer media personnel to a supervisor or commander. A supervisor or commander will be responsible for briefing media personnel in the event the Public Relations Manager will not be responding and will forward the details that were released to the PRM.
- (d) Requests for information regarding any investigation will be directed to the investigating supervisor or the PRM for follow-up.
 1. The Communications Unit may provide preliminary information to media personnel regarding a call for service or police response.
 2. After hours, if a member receives a request for information about an incident, the member will contact the PRM or investigating supervisor to coordinate the release of information.
- (e) If a suspect has not been apprehended, the member associated with the investigation may release only that information necessary to aid in the apprehension or to advise the public of the potential danger of the fugitive.
- (f) The Public Relations Manager will provide all Clay County Sheriff's Office records and reports requested by media based on Missouri Sunshine law or current department policy.
- (g) When requested by the media, members at the scene of an incident or any member having factual knowledge of the situation may verbally provide the following information:
 1. Type of call received and time dispatched.

2. Known facts and circumstances relating to the commission of a crime which will not hinder or prejudice the investigation in non-homicide related cases. In homicide related cases the investigating supervisor will be contacted prior to the release of any information.
 3. General description of any suspect(s) (i.e., race, sex, age).
 4. A suspect may be identified by name in the following circumstances and in accordance with Missouri Sunshine Law:
 - i. In cases involving state or federal prosecution with the approval of the appropriate investigative element.
 - ii. In cases involving a violation of a municipal ordinance when a citation or summons has been issued or submitted to the prosecutor's office. Any inquiries will be referred to the PRM.
 - iii. In cases when a large public interest exists or when public safety is an issue with the approval of the appropriate investigative element.
 5. Number, sex, and age of victim(s).
 6. The identity of any deceased victim(s) will be released only after their relatives have been notified and upon approval of the appropriate investigative element.
 7. The identity of the investigating and/or arresting sworn member may be released at the discretion of their commander, if such information does not jeopardize or compromise personnel in undercover assignments.
- (h) Information pertaining to the following will not be released:
1. Detailed descriptions of suspects or evidence, which may jeopardize the successful conclusion of an investigation.
 2. Criminal history information.
 3. The existence or content of any confession, admission, or statement given by individuals, or the refusal or failure of individuals to make any statement, to perform any examination, or to submit to any test.
 4. Personal opinions about the suspect such as guilt or innocence, mental status, anticipated plea, or value of evidence against the accused.
 5. The identity, testimony, or credibility of prospective witnesses.
 6. The personal identifiers of a victim (address, phone numbers, etc.).
 7. Victim information involving sex-related offenses or incidents involving juveniles.
 8. Nature of injuries, weapons used, or cause of death will not be released in homicide cases, unless approved through the ranking investigating sworn member.
 9. In the event the victim(s) is transported to a hospital, the hospital's name will not be released.
- (i) In situations where multiple jurisdictions or agencies are present, the PRM or designee shall consult with supervisory personnel representing the different agencies for coordinating the dissemination of information to the news media. In most instances, the agency having primary jurisdiction should be responsible for releasing information to the press.

327.3.9 SPECIAL MEDIA REQUESTS

- (a) Records shall be released in accordance with the Missouri Sunshine Law and Federal Freedom of Information Act. Additional information on release of records can be found in Clay County Sheriff's Office policy, *Records Unit*.
- (b) Department Photographs/Mug shots/Filming:
 1. Any filming or photographs taken by Sheriff's Office Members shall not be released to the news media without prior approval from the Sheriff or Undersheriff. In addition, news media representatives shall not be allowed to photograph, film or videotape inside any secure area of the Sheriff's Office without prior approval from the Sheriff or Undersheriff. When authorization is granted, news media representatives shall not photograph, film or videotape any inmate/detainee in a secure area without first obtaining that inmate/detainee's permission (in writing, preferably).
 2. Copies of mug shots of arrested individuals will be made available to the news media, upon request, within a reasonable period of time after the arrest has been finalized.
- (c) Inmate Interviews:
 1. News media personnel may be permitted to interview inmates in the Detention Center at the written request of the inmate or inmate's attorney when prior approval (at least 24 hours advance notice) has been obtained from the Detention Division Commander and/or Sheriff. The time and place of the interview will be determined so as not to affect or interfere with the orderly operations or security of the Detention facility. Any photo opportunities are only permissible after the documented consent of the inmate.
 2. The PRM or designee will be responsible for arranging, coordinating, and attending all news media interviews and photo opportunities concerning inmate interviews.
- (d) Matters of Policy/Internal Investigations/Complaints against Members:
 1. Questions relating to matters of policy or internal investigations should be referred to the Sheriff or Undersheriff. Unless specifically authorized by the Sheriff or Undersheriff, no details of an internal investigation will be revealed to the news media until the case has been brought to a logical conclusion.
 2. Whenever accusations are made against the Clay County Sheriff's Office or its members in regard to neglect, excessive force, or other charges relating to a general office function, or a member is arrested or accused of having committed an offense; only the Sheriff shall be authorized to release information to the press. The exception shall be the accused if they so desire, hopefully upon the advice of counsel.
 3. No member of this office who is under investigation shall be required to submit to media visits or interviews without the consent of the involved member.
- (e) Traffic/Road Condition Inquiries:
 1. In an effort to assist deputies, fellow officers, and the monitoring public, the following maybe released to the news media by the dispatcher without prior approval of the PRM or designee:
 - i. Road conditions during inclement weather and location of streets that are icy, flooded, etc.
 - ii. Problem areas due to malfunction of traffic lights, construction, etc.
 - iii. Location of accidents throughout Clay County (injury and non-injury) that may cause traffic problems.