JOPLIN POLICE DEPARTMENT	4-01 STANDARD OPERATING GUIDELINE
SUBJECT: Public Information	**REVIEW DATE: Annually - April**
EFFECTIVE DATE: May 1, 2024	**ACTION DATE:**
AMENDS/SUPERSEDES: 4-01 October 21, 2009	**AMEND DATE: April 10, 2024**
ACCREDITATION INDEX: 46.1.2, 46.1.3 f, 54.1.1 a, b, c, d, e, f, 54.1.2, 54.1.3	**APPROVED:** Richard A. Pearson **Chief of Police**

I. POLICY

One of the first and most fundamental considerations of the nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They recognized that a well-informed citizenry is vital to the effective functioning of a democracy. Police operations profoundly affect the public and, therefore, arouse substantial public interest. The department shall make every reasonable effort to serve the needs of the media in informing the public about crime and other police matters. This shall be done with an attitude of openness and frankness whenever possible. The department's community-oriented policing principles include a commitment to providing equal access to public service, adherence to democratic principles, and accountability to the community. These goals are achieved through the broad dissemination of information in accordance with relevant laws. The media shall have access to personnel who are best informed about the subject of a media inquiry. Further, media representatives shall be told facts or information that will not impinge on a person's right to a fair trial, impede a criminal investigation, imperil a human life, or seriously endanger the security of the people.

Every member of the department shall make every reasonable effort consistent with this order to provide media representatives with full and accurate information.

II. PURPOSE

The purpose of this order is to provide guidelines about information that may be released to media representatives, to specify some types of information that may not be released, to identify who may release information, and to establish procedures for media relationships with the department.

III. DEFINITIONS

A. News Media

Properly identified representatives who are directly employed by local, national and international news organizations. The Joplin Police Department does not issue press credentials. It does however; recognize valid identification cards issued by local, national and international news organizations. Freelance and non-media affiliated writers and photographers will be treated as the general public and are not entitled to the privileges extended to members of the press. Members of the Joplin Police Department shall verify the credentials of any person unknown to them as being a member of a legitimate news agency before releasing information or allowing access to an incident scene. Any questions regarding the validity of press credentials should be referred to the department's Public Information Officer.

B. Press Credentials

A bona fide identification card (commonly called a "press pass") issued and authorized by a legitimate news organization. At minimum, the identification card shall show the bearer's first name, middle initial and last name, date of birth, official title, physical description, signature and photograph. It should also show the name, newsroom telephone number, address and official logo of the news agency issuing the card.

C. News Incidents

Activities and events deemed newsworthy by the public or by news media representatives.

D. Public Information Officer (PIO)

The primary duties of the department's Public Information Officer consist of assisting members of the news media in gathering information about incidents investigated by the department. This officer may be directed to distribute information to the news media concerning specific events or other Departmental operations.

E. PIO Designee

When used in this guideline, the title "PIO designee" shall apply to the employee(s) authorized by the on-duty supervisor or senior officer present to temporarily act as the PIO. Whenever possible, and as soon as it is practical, the PIO Designee shall be relieved by the Public Information Officer.

F. Crime Scene or Incident Scene

For the purposes of this guideline, "crime scene" or "incident scene" shall refer to any area inside of barriers marked with standard yellow "police line" tape or ropes, orange traffic pylons or barricades, or otherwise denoted by a police officer as a crime scene, incident scene or hazardous area.

IV. PROCEDURES

A. General

1. The department is committed to informing the community and the news media of events within the public domain that are handled by or involve the department in accordance with relevant laws.

2. The PIO shall function as the primary contact for disseminating information to the community and media. At an incident scene when the PIO is not available, the on-duty supervisor or senior officer present shall be the primary contact. (54.1.1A)

3. Inquiries concerning departmental policies, procedures, practices, or relationships with other criminal justice agencies shall be referred to the chief of police. Similarly, the chief of police shall coordinate all responses to inquiries or release of information pertaining to department involvement with other public service agencies (e.g., fire department, coroner's office, city attorney, etc.). (54.1.1 F)

4. The chief of police shall coordinate responses to inquiries and the release of information concerning confidential departmental investigations and operations. (54.1.1 E)

B. Guidelines for the release of information (54.1.1 D)

1. Consistent with A.2 above, the on-duty supervisor may direct another officer with the most relevant knowledge at the scene of an incident to respond to information requests. Where several officers have information, one shall serve as the media contact and shall gather information from the others, as directed by the on-duty or on-scene supervisor.

2. In the case of follow-up investigations, the officer or investigator conducting the follow-up may provide information. The officer or investigator should coordinate this release with the department PIO.

3. Generally, employees may release the following information:

   a. The type or nature of an event or crime, to include a brief synopsis of known facts concerning the incident.

   b. The location, date, time, damages, and a general description of how the incident occurred.

   c. The type and quantity of property taken, physical injuries, or death (after notification of next of kin).

   d. The approximate address of the complainant or crime victim (for an exception, see C. 1. below).

   e. Numbers of officers or people involved in an event or investigation, the type of investigation, and how long the investigation has been in progress.

   f. The name of the officer in charge of the case, and his or her supervisor (except the names of undercover personnel).

   g. If a warrant has been executed then the name, address, and description of that person may be released. If a warrant has been issued but not executed, and the officer anticipates that the public may provide information to assist in locating the person, then this information may be released.

   h. General information about motor vehicle accidents such as the date, time, and location of the accident, the names and addresses of the drivers, the owners of the vehicles involved, the injured persons, witnesses, and the investigating officer

C. Information not releasable (54.1.1 D)

The following information shall not be released due to 6th Amendment, statutory, or other restrictions:

1. If any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to RSMo 610.

2. The victim of a sex offense as provided in chapter 566, RSMo, may request that his or her identity be kept confidential until a charge relating to such incident is filed.

3. The identity of any person for whom a warrant or summons has not yet been issued, or indictment returned.

4. The existence of any criminal record or any information concerning the character or reputation of the accused or remarks that tends to establish the defendant as a career criminal.

5. The existence or contents of any confession, admission, or statement of the accused.

6. The performance of any examination or test by the accused or the refusal or failure to submit to an examination or test.

7. The identity of actual or prospective witnesses to crimes, other than the victim as mentioned above, or comments on the expected testimony or credibility of any witness.

8. Any opinions as to the innocence or guilt of the accused, the merits of the case, the possibility of any pleas or negotiations, or the utility or relevance of any evidence.

9. The identity of any juvenile arrested who has not been certified by the circuit court as an adult.

   a. Note that official requests from other law-enforcement agencies for current information may be released by an officer. This information is limited to name, address, physical description, date of arrest, and the arrest charge.

10. The names of deceased before the notification of next of kin. The specific cause of death shall not be given until pronounced by the county coroner.

11. Comments that suggest that a defendant has aided in the investigation.

12. Information concerning the planning of raids or other specialized enforcement efforts.

13. Any statements of personal opinion not grounded in fact, or any unofficial statements concerning internal affairs or other personnel matters.

D. Release of information pertaining to juveniles

1. Criminal offense: Normally, the name, address, or other distinctly unique information that would serve to identify a juvenile **shall not** be released. Age, sex, place of residence (town, city, or county, but ordinarily not street address), and details of the offense **may** be released.

2. Accidents: If traffic charges are pending as a result of an accident investigation, juvenile identity information shall be withheld. If a juvenile is involved in an accident, but is not charged with any violation, identity information is releasable.

E. Release of individual arrest information (54.1.1 D)

After an arrest of a person other than a juvenile, the following may be released upon media request:

1. Arrestee's name, age, city of residence, and other factual background information.

2. The nature of the charge upon which the arrest is made.

3. The identity of the investigative agency and any assisting agencies.

4. The circumstances surrounding the arrest (such as whether pursuit or resistance was encountered, whether weapons were used), including the time and place of arrest and the identity of the arresting officers.

5. Place and status of custody.

6. The dates of scheduled hearings and amount of bond.

7. Description of any contraband seized.

8. Photographs of the defendants without the police identification data may be furnished, if readily available in current files.

F. Names of police officers

Names of officers providing information to the media may be given to the media and published, including the name of an investigating officer unless the officer involved is on an undercover assignment. Addresses and telephone numbers of agency personnel shall not be released.

G. Media contacts and procedures

1. Normally, media representatives either visit the department in person or call seeking information about newsworthy items. Routinely, they shall be referred to the PIO or his/her designee.

   a. When a PIO is not available, dispatch personnel will provide basic information related to the call and then enter a call for the street supervisor to contact the inquiring media outlet, should they need additional information.

2. Offense reports that are released shall be carefully checked by the PIO to ensure that restricted information is not released.

3. At scenes of major fires, unusual occurrences, natural disasters, or other catastrophic events, mass arrests, or at crime scenes, officers may establish perimeters and control access. As soon as possible after evidence has been processed and removed, however, media representatives shall be assisted in gaining access to the scene when it will not interfere with the law-enforcement investigation. Officers may deny access for legitimate investigative or safety reasons. (54.1.3, 46.1.2, 46.1.3 f)

4. Employees cannot authorize the press to trespass on private property. The media representative is responsible for obtaining any permission necessary once the legitimate law-enforcement mission allows access to the scene on private property. Photography, filming, or videotaping on private property requires the owner's permission.

5. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts, or interviews, nor shall employees pose with suspects or accused persons in custody.

H. The PIO, will:

1. Be available each day (or assign a PIO designee) to assist news personnel in covering routine news stories, and when necessary, provide them information at the scenes of major incidents.

2. Respond to news media inquiries, in person or telephonically.

3. Prepare and distribute news releases. (54.1.1 B)

   a. Copies of all news releases shall be forwarded to the chief, city manager, city PIO, and any related department head. (54.1.1 B)

b. The PIO shall complete the attached checklist prior to any media release if there is a death or serious injury involved.

4. Arrange for news conferences, as required or requested, coordinating with the chief, investigating officers, and any other relevant personnel. (54.1.1 C)

5. Release information about victims, witnesses, and suspects as allowed by law. (54.1.1 D)

6. Coordinate with the chief when handling requests for information concerning confidential departmental investigations and operations. (54.1.1 E)

7. Assist with crisis situations within the Department.

8. Involve the news media representatives in the development of changes and procedure to the public information and news media policy. (54.1.2)

V. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules, or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies, shall comply with this policy.

VI. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in any evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

JOPLIN POLICE

PIO DEATH / SERIOUS INJURY CHECKLIST

(All sections should be checked prior to media release)

____ 1. Was Next of Kin Notified?
By who was notification made? _____
Name and phone number of next of kin. _____
(If no next of kin can be notified the Chief of Police or his designee should make the decision on when to release victim information)

____ 2. Was the County Prosecutor notified?
By who was notification made? _____

____ 3. Was the Coroner notified?
By who was notification made? _____
Is an autopsy being conducted? Yes No

____ 4. Has the Bureau conducting the investigation approved the content of the media release.?
Who approved the content? _____

____ 5. Is the suspect in custody? Yes No
Who verified the suspect is in custody? _____
Have formal charges been issued against the suspect? Yes No
Warrant number and Bond. _____