



# DIRECTIVES

## Oak Creek Police Department

**Effective Date:**

March 3, 2006

**Reviewed Date:**

December 29, 2021

**Sign-Off Date:**

June 21, 2023

**Title:**

**PUBLIC INFORMATION**

**Directive Number:**

3-300

**Critical Policy**

Yes  No

**Open Record**

Yes  No

**Total Pages:**

6

**Applicability:**

Supervisors

### I. PURPOSE AND OBJECTIVES

The Public Information Policy is designed to outline the release and/or dissemination of information to the public. Information will be shared via different media; to include, but not limited to: local, national or international media outlets and our social media platforms. The sharing of information and keeping the public informed has been proven to enhance communications, collaborations, productivity, information exchanges and streamline community and law enforcement processes.

### II. POLICY AUTHORITY AND RESPONSIBILITY

It will be the policy and practice of the Oak Creek Police Department to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the Department, as long as these activities do not unduly interfere with departmental operation, infringe upon individual rights, compromise any investigation or violate the law.

### III. DEFINITIONS

- A. *Citizen Journalists* – Those individuals who may be equipped with a small recording device(s) and/or may have a social media following (also known as ‘freelance workers’), shall be regarded as any other members of the general public, unless otherwise designated by the Chief, the Chief’s designee or the Incident Commander of a specific operation.
- B. *News Media Representatives* – Those credentialed individuals who are directly employed by media agencies, such as radio, television, written publications or ‘.com’ electronic entities possessing a legitimate business license. These individuals may be reporters, photographers, producers, camera operators, technicians and/or sketch artists.
- C. *Public Information* – Information that may be of interest to the general public regarding policy, procedures or events involving the Oak Creek Police Department or otherwise newsworthy information that is not legally protected, does not interfere with the mission of the department or current operations, infringe upon the rights of a defendant or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.
- D. *Public Information Officer (PIO)* – The Department’s PIO serves as a central source of information released by the Department and responds to requests for information by the news media and the community.

### III. DEFINITIONS – Continued

- E. *Public Information Officer Group (PIO Group)* – Generally, the Administrative Captain is designated as the PIO. The Command Staff personnel will assist and fill-in as PIO's as designated or required. The Chief, or designee, reserves the right to delegate the PIO responsibility, depending upon the circumstances of the request or incident. (i.e. the City of Oak Creek Emergency Operations Center is activated, and a pre-designated PIO, or alternate PIO, have been established).

### IV. CITY OF OAK CREEK EMERGENCY OPERATIONS PLAN

The City of Oak Creek Emergency Operations Plan establishes the designated PIO in the event of a “full scale activation of the Emergency Operations Center” (EOC) is warranted. In the event that there is only a partial activation of the EOC, the Incident Commander, or their designee, will be responsible for designating a PIO.

### V. PROCEDURES

#### A. Duties of the PIO/PIO Group

1. Assist news media personnel in covering routine news stories, and at the scenes of specific incidents;
2. Give ongoing current briefings at specific incidents; give reasonable ongoing access to media for inquires;
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. Prepare and coordinate the release of authorized information regarding confidential agency investigations and operations.

#### B. Cooperation with The Media

1. Authorized news media representatives shall have reasonable access to the PIO designated at an incident, the PIO Group, the Chief, or his designee and operations of the Department as governed by this policy. When information must be denied to the media representative, the basis for that denial shall be courteously explained.
2. Media representatives must present recognizable authorized identification. Failure to do so may provide grounds for restricting access to requested incidents or information requested.
3. Public information shall be released to the media as promptly as circumstances allow, without partiality and in an objective manner.
4. Public information may be provided to media representatives by telephone, fax and/or email if the identity of the representative is known or can be authenticated.

V. PROCEDURES – *Continued*

5. Ranking officers at a crime or incident scene may release information of a factual nature to the media as governed by this policy or refer the inquiry to the PIO/PIO group. Where the ranking officer is unsure of the facts or the propriety of releasing information, he/she shall refer the inquiry to the PIO/PIO Group.
6. Written press statements shall be released as outlined in the Social Media Policy 3-400.
7. All Police Department employees shall inform the shift supervisor as soon as possible upon observing or learning of the presence of the media in the City, or about events/incidents within the City that may have media interest.
8. The Shift Supervisor shall be responsible for ensuring that the Chief, Chief's designee, or the PIO Group is informed of the media presence, or of any event(s) 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, police personnel shall refer all requests for information to the PIO or Public Records Custodian.**

1. Information that **may be released** in connection with the investigation of an event or crime includes:
  - a. The type or nature of an event or crime;
  - b. The location, date and time, injuries sustained, damages and a general description of how the incident occurred;
  - c. The type and quantity of property taken;
  - d. Requests for public aid in locating evidence, a complainant or a suspect;
  - e. The number of officers or personnel involved in an event or investigation, and the length of the investigation; and
  - f. The name of the officer in charge of a case. (Names of undercover officer(s) will not be released).
2. Information that **may not be released** in connection with the investigation of an incident or crime, unless authorized by the PIO or Public Records Custodian includes:
  - a. The identity of a suspect prior to arrest, or criminal charges being reviewed, 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, prohibit other victims or witnesses from coming forward or would place the victims or witnesses in personal danger;

V. PROCEDURES – *Continued*

- 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 identity of any critically injured or deceased person prior to notification of next of kin;
- f. The results of any investigative procedure such as lineups, polygraph tests, fingerprint comparisons, ballistics test or other investigative procedures, (the fact that these tests have been performed may be revealed without further comment);
- g. Information which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of a “Method of Operation” (MO), details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension;
- h. Information that may be of evidentiary value in criminal proceedings, or preclude having a fair and impartial jury;
- i. Specific cause of death unless officially determined by the medical examiner and;
- j. The home address or telephone number of any member of the Department.

## D. Arrest Information

- 1. Following an arrest, issuance of an arrest warrant or filing of an indictment, it may be permissible to release the following with the approval of the PIO or as required by law:
  - a. The accused’s name, age, residence, occupation and family status;
  - b. The time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, charges placed against the suspect and description of contraband or evidence seized;
  - c. The identity of the arresting officers and the duration of the investigation, unless the officers are engaged in undercover operations; and
  - d. The amount of bond, scheduled court dates and place of the suspect’s detention.
- 2. Following the 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 PIO or as required by law:
  - a. Prior criminal conviction record, character or reputation of a defendant;
  - b. Existence or contents of any confession, admission or statement of a defendant, or his failure or unwillingness to make a statement;
  - c. Performance or results of any tests, or a defendant’s refusal or failure to submit to tests such as a polygraph, or computer voice stress analyzer;
  - d. Identity, statement or expected testimony of any witness or victim;
  - e. Any opinion about the guilt or innocence of a defendant or the merits of the case;

V. PROCEDURES - *Continued*

f. Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

## E. Special Considerations – Criminal Matters

1. Departmental personnel shall extend every reasonable courtesy to news media representatives at crime scenes.
2. 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 Department, the media may be allowed to enter by permission of the Officer in Charge, through contact with the PIO assigned to the incident, or designee.
  - a. Authorized Department employees should use the social media sites to focus on promoting the Department in a positive way as well as continuing to foster a good working relationship with the public through:
    - 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 departmental 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 Departmental photographs, mug shots, videotape, film or composites of subjects in custody shall otherwise be released to the media unless authorized by the PIO or as required by law.
3. At the scene of major incidents, the Incident Commander shall designate a press staging area as early as possible and as close to the scene as safety and operational requirements allow.
4. 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 with the approval of the PIO or required by law. The fact that a suicide note exists may also be acknowledged without further comment. The content of such a note is personal and confidential and shall not be released except as provided by law.

## F. Special Considerations – Non-Criminal Matters

1. At the scene of significant accidents, man-made or natural catastrophes, the need for the public to be informed in a timely manner should be considered but should not interfere with the mission of the police, fire, medical or other emergency relief workers.
2. Media access to and movement within fire lines shall be controlled by the Fire Department Incident Commander. In consultation with the Fire Incident Commander, the Police Incident Commander shall establish an observation point from which the media may observe and photograph the incident.

V. PROCEDURES – *Continued*

- 3. Sensitive information relating to an internal investigation of police officers shall not be released without the express permission of the Chief of Police, or their designee.
- 4. Media representatives shall be denied access to the contents of investigative or incident reports and records where the release of the information would:
  - a. Interfere with law enforcement proceedings, including pending investigations;
  - 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 Department under confidential circumstances;
  - e. Disclose investigative or tactical techniques and procedures, thereby impairing future effectiveness of the Department; or
  - f. Endanger the life or physical safety of any person.

IV. DISCLAIMER

The Public Information Policy developed by the Oak Creek Police Department is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of the Public Information Policy can only be the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

REFERENCE:

- City of Oak Creek Emergency Operations Plan
- Oak Creek Police Department Social Media Policy 3-400
- Oak Creek Police Department Public Records Policy 10-200



---

David R. Stecker  
Chief of Police