
 Cambridge Police Department	POLICY & PROCEDURES		No. 300.3
	Subject/Title: Media/Public Information Guidelines		
	Issuing Authority:  Robert C. Haas Police Commissioner	Issue Date: 07/1/08; 01/25/11; 03/11/11; & 8/15/13	Effective Date: August 15, 2013
		Review Date: August 29, 2013	Rescinds: Policy #: 2000-4 & #300.2
References/ Attachments: M.G.L. c. 41, §98F; c.258A & 258B; & c. 279, § 4.	Accreditation Standards: 54.1.1; 54.1.2; & 54.1.3		

I. PURPOSE:

The purpose of these guidelines is to establish the policy and procedures that will govern the Department's release of information to the news media and the general public. These guidelines are also designed to ensure that the Department satisfies the requirements of the Massachusetts Public Records Law without compromising criminal investigations or violating the legitimate privacy rights and safety concerns of either crime victims or witnesses. *See* M.G.L. c. 66, § 10; M.G.L. c. 4, § 7 et seq.

II. POLICY:

It is the policy of the Cambridge Police Department to cooperate fully with authorized news media representatives in their efforts to gather factual, public information, as long as these activities do not unduly interfere with departmental operations, infringe upon individual rights, compromise investigations, or violate the law.

III. CONSIDERATIONS AND GUIDELINES:

The Department's goal in sharing public information is to appropriately inform the community as to those events that are of interest, and to maintain a positive relationship of mutual trust, cooperation, and respect with the news media. This can be best accomplished by providing the community with accurate and timely information on events that affect the lives of citizens in the community and the department's administration and operations. Authorized personnel will be expected to release public information with openness and candor, while maintaining the privacy rights of individuals and the integrity of criminal investigations. 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 police department.

IV. DEFINITIONS:

- A. Public Information:** Information that may be of interest to the general public regarding policy, procedures, or events involving the department, so long as that information does not unduly compromise the various operational aspects of the department. It also refers to information that would be otherwise newsworthy that is not legally protected, and which does not unduly interfere with the mission of the department, infringe upon the rights of a defendant, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.
- B. News Media Representatives:** Official news media personnel are those individuals who are directly employed by agencies of the electronic or print media, such as radio, television, and newspapers, and who are accredited by the State Department of Public Safety. All official representatives of the news media carry their credentials in the form a Press Card issued by the Department of Public Safety. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by the Police Commissioner or the Director of Communications & Media Relations.
- C. Director of Communications & Media Relations:** The department's Director of Communications & Media Relations is responsible for handling the department's public information function and acts as the official spokesman for the department. The individual in this position will be responsible for conducting and maintaining an active liaison with the news media, serve as the central source of information for release by the department, and respond to requests for information by the news media and the community. The Director of Communications & Media Relations will coordinate with the department's designated Public Information Officer regarding public statements, news releases, and/or press conferences.
- D. Public Information Officer (PIO):** The department's Public Information Officer (PIO) serves as the uniformed face of the department, and typically will be a Commanding Officer. The PIO will be available to conduct media interviews, press conferences, etc. at the discretion of the Police Commissioner in consultation with the Director of Communications & Media Relations. In the absence of the designated PIO, the Duty Chief will assume the duties of the PIO.

V. COOPERATION WITH THE MEDIA:¹

- A. Commitment to Informing the Public:** The Cambridge Police Department realizes that the cooperation of the public is essential to the successful accomplishment of the police mission. To that end, the Cambridge Police Department is committed to informing the public and the news media of events that affect the lives and property of the citizens within our community.
- B. Public Information Function:** Members of the Cambridge Police Department who are authorized to release public information shall make every effort to:
1. Assist news personnel in covering routine news stories, and at the scene of incidents.
 2. Be available for on-call responses to the news media.
 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 with crisis situations within the agency.
 7. Coordinate and authorize the release of information concerning confidential agency investigations and operations.
- C. Public Information Responsibility:** The Police Commissioner will specifically designate officers who will be authorized to function as public information officers (generally considered the responsibility of the designated Duty Chief or Commanding Officer). The public information function of the department is coordinated under the direction of the Police Commissioner. The Police Commissioner will act as, or will designate officers to act as, the department's Public Information Officers (PIO). The Director of Communications & Media Relations or the PIO, when deemed necessary, will be responsible for supplying all information to the media and will be available for:
1. Releasing information/news regarding criminal activity, minor offenses, motor vehicle violations, and other police department related information.

¹ CALEA Std. 54.1.1 – *The public information function shall include, at a minimum:*

- a. assisting media personnel in covering news stories at the scenes of incidents;*
 - b. preparing and distributing agency media releases;*
 - c. arranging for, and assisting at media conferences;*
 - d. coordinating and authorizing the release of information about victims, witnesses, and suspects;*
 - e. coordinating and authorizing the release of information concerning the confidential agency investigations and operations; and*
 - f. developing procedures for releasing information when other public service agencies are involved in a mutual effort.*
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2. Serving as the liaison officer with media outlets so as to adequately inform the media of public safety and right to know issues.
3. Receiving input from the news media in reference to news release policies.

- D. Authorized Media Identification:** This department recognizes the Press Card issued by the Department of Public Safety as authorized identification for members of the press. Failure of the media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.
- E. Access to PIO, the Director of Communications & Media Relations, and Police Commissioner:** Authorized news media representatives shall have reasonable access to the Director of Communications & Media Relations, as well as the PIO and the Police Commissioner, as governed by this policy and as deemed prudent by the Director of Communications & Media Relations. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained by the Director of Communications & Media Relations.
- F. Prompt Release of Information:** Public information shall be released to the media as promptly as circumstances allow.
- G. Press Release Procedures:** In addition to the above, when the investigation of an event attracts wide media coverage or there is information about department or community activities that may attract community interest, it will be necessary to prepare press releases for timely release to the media. Events for which press releases will be prepared may include the following:
1. *Events associated with Traffic Congestion:* Any event that may impact upon the normal flow of traffic, such as motor vehicle accidents, road closings, adverse weather conditions, etc., can be released to the news media without the direct approval from the Police Commissioner or his/her designee. The following personnel are authorized to release traffic advisory warnings: the Shift Commander, Patrol Supervisor, and the Emergency Communication Center (ECC), in consultation with the Director of Communications & Media Relations.
 2. *Events Associated with Community Service Activities:* The Director of Communications & Media Relations may release information to the media that pertains to programs and activities associated with Community Service projects. Generally, if there is an announcement to the general public, the Director of Communications & Media Relations will prepare a news or press release and distribute it to media representatives and other public information outlets, as deemed appropriate.
 3. *Criminal Investigation Information:* Other than the Police Commissioner (or

his/her designee), only the Director of Communications & Media Relations and the PIO (in consultation with the officer in-charge of the investigation) are authorized to release information pertaining to a criminal investigation.

H. News Media Access: Members of the news media, including photographers, shall be granted unrestricted access to the perimeter (e.g. safe public areas) of crime scenes, motor vehicle accident scenes, major fires, natural disasters, catastrophic events, etc. This access, however, shall only be granted if it will not interfere with the necessary operations of this agency. The following is the policy of this department concerning news media access.

1. *Records Information:* Certain records are deemed not to be public records and therefore are not available for examination or copying. These are as follows:
 - a. Fingerprints, cards, plates and photographs, and similar criminal investigation records.
 - b. Police reports (except automobile accident reports) are not to be photocopied and given out without prior approval from the Police Commissioner or his/her designee, the designated Keeper of the Records, the Director of Communications & Media Relations, or the PIO.
 - c. Other information, such as Juvenile arrest records or juvenile diversion records, and Criminal History Information Records (CORI) are not to be released under any circumstances.
2. *Incident Scene:* At no time will a news reporter be allowed to enter the perimeter of a crime scene, accident scene, fire/rescue scene, or other major incident scene, unless first cleared by the officer-in-charge of the scene (Incident Commander).
 - a. All news media personnel should be directed to check-in with the ranking officer at any scene, or the PIO if on-site.
 - b. The news media shall not interfere with any officer conducting an investigation. All officers encountering any interference on the part of a news media representative shall warn such individual to cease. The Officer in Charge shall be made aware of the presence of the news media and of any interference encountered.
 - c. News media vehicles may not violate the traffic laws. At the scene of a newsworthy event, officers should extend whatever parking privileges are possible, providing such privileges do not endanger the public safety, hamper the flow of traffic or interfere with public safety operations.

I. Criteria Controlling Release of Information: Before providing information to the news media or responding to inquiries from media representatives, the following police requirements will be carefully considered:

1. The necessity to prevent interference with, or hampering of a police

investigation.

2. The necessity to preserve evidence.
3. The necessity to protect the safety of the victims of the crime or witnesses from retaliation or harassment.
4. The necessity to protect the identity of confidential informants.
5. The necessity to successfully apprehend the perpetrators of a crime.
6. The necessity to protect the constitutional rights of persons accused of a crime.
7. The necessity to avoid prejudicial pretrial publicity.
8. The necessity to preserve the privacy of certain victims and witnesses.

J. Releasing Information over the Phone: Public information may be provided to media representatives by telephone, if the identity of the representative is known or can be authenticated.

K. Updating the Director of Communications & Media Relations: Each Shift Commander shall be responsible for ensuring that the department's Director of Communications & Media Relations is informed, via email (to include shift briefings) or phone, of events that may have media interest.

L. Release of Information at Crime Scenes: Ranking officers at crime or incident scenes may release information of a factual nature to the media as governed by this policy in consultation with the Director of Communications & Media Relations and the PIO. When the officer is unsure of the facts or the propriety of releasing information, he/she shall refer the inquiry to the Director of Communications & Media Relations or PIO.

M. Written Press Releases: Written press statements shall be released by the Director of Communications & Media Relations at his/her discretion and, for sensitive events, only following approval of the Police Commissioner or his/her designee.

1. This provision of does preclude or pertain the police associations from providing written press releases in defense of or in response of their respective memberships. It is understood that the associations preserve their ability to issue their own written press releases in response to any written press statements that might be authorized by the Police Commissioner.

N. Public Information Policy Changes:² It will be the policy of the police

² CALEA Std. 54.1.2 – *The agency involves the media in the development of changes in policies and procedures relating to the public information function.*

department to cooperate with the news media. On occasion, the Police Commissioner will invite the local news media to discuss any problems that may have been encountered and to advise them of any changes to our policies and procedures that may affect them.

- O. Information Release to Joint Operations:**³ In instances where more than one law enforcement agency is involved in a mutual law enforcement effort, the agency having primary jurisdiction of an investigation shall be responsible for releasing or coordinating the release of information. The Director of Communications & Media Relations will work in coordination with the other agencies involved.

VI. RELEASING INVESTIGATIVE INFORMATION:⁴

- A. Information Which May Be Released:** From the initial stage of a criminal investigation until the completion of a trial or disposition without trial, police personnel shall refer all requests for information or records to the Director of Communications & Media Relations, Police Commissioner, or ranking officer in charge of the investigation. Information that may be released in connection with investigations includes:

1. The type or nature of an event or crime;
2. The location, date and time, injuries sustained, damages, and a general description of how the incident occurred;
3. Type and quantity of property taken;
4. The age and approximate address (not specific residential address) of a victim or witness.
5. Request for aid in locating evidence, a complainant, or a suspect;
6. Number of officers or people involved in an event or investigation, and the length of the investigation; and
7. Name of the officer-in-charge of a case, his/her supervisor, and the officer's assignment (Exception: the name of any undercover officer will not be released).

- B. Information That May Not be Released:** Information that may not be released in connection with investigations of an event or crime, unless specifically authorized by the Police Commissioner, includes:

1. 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;

³ CALEA Std. 54.1.1 (f)

⁴ CALEA Std. 54.1.1 (d) (e)

2. The identity of any victim of a sex crime or any related information that, if divulged, could lead to the victim's identity;
3. 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 witness in personal danger;
4. The identity of any juvenile, less than 18 years of age, who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court;⁵
5. The identity of any complainant less than 18 years of age;
6. The identity of any critically injured or deceased person prior to notification to next of kin;
7. The results of any investigation procedure such as lineups, polygraph tests, or other procedures (the fact that these tests have been performed may be revealed without further comment);
8. Information which, if prematurely released, may interfere with the investigation or apprehension of a suspect, such as the nature of leads, specifics of a "Modus Operandi", 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;
9. Statements by or identifying information about a confidential informant;
10. Information that may be of evidentiary value in criminal proceedings, including but not limited to, the content of narrative statements of victims or witnesses; the location of surveillance locations; method of surveillance; or confessions or statements by criminal defendants or suspects.
11. Specific cause of death, unless officially determined by the medical examiner; and
12. The home addresses or telephone numbers of any members of the police department.

- C. Information Regarding Suicides:** The fact that a suicide or suspected suicide has occurred may be reported to the media, together with factual information describing how it happened. The name, age, address, sex and occupation of the victim may also be released following notification of the next of kin. The fact that a suicide note also exists may also be acknowledged without further comment. The content of such note is personal and confidential, and shall not be released except as provided by law.

⁵ With recent legislative changes that took place with the reform of the CHINS System (eff. November 5, 2012), now referred to as the "Child Requiring Assistance" (CHIRA), M.G.L. c. 119, § 21 establishes that certain acts now pertain to all individuals between the ages of 6 and 18 (rather than 17 years of age). With the contemplated legislative changes redefining the age of majority to be 18 years of age, as opposed to 17 years of age, it only makes sense to extend the protections afforded to individuals under the age of 17 to 18 years of age.

- D. Internal Investigations:** Sensitive information relating to internal investigation of police officers and other members of the police department shall not be released without the express permission of the Police Commissioner.
- E. Information Release by Individual Officers:** Nothing in this policy precludes members of this department from replying to charges of misconduct that are publicly made against them. The policy does not preclude any law enforcement officer from participating in any legislative, administrative, or investigative hearing, or supersede any more restrictive rule governing the release of information concerning juvenile or other offenders.

VII. RELEASING ARREST INFORMATION:⁶

- A. Information That May Be Released:** Following an arrest or the issuance of an arrest warrant or indictment, it is permissible to release the following:
1. The accused person's name, age, residence, occupation, and family status, unless the accused is less than 18 years of age, or is taken into custody because of mental illness.
 2. The time and place of arrest, whether a pursuit was involved or resistance was encountered, whether weapons were used, charges placed against the suspect, and description of contraband seized.
 3. The identity of the arresting officers and the duration of the investigation, unless the officers are engaged in undercover situations.
 4. Any information relative to the amount of bond, scheduled court dates, and the place of the suspect's detention.
- B. Information That May Not be Released:** Following arrest and formal charging of a suspect, but prior to adjudication, the following types of information *shall not be released*:
1. Prior criminal conviction record; the existence of any outstanding warrants; information concerning the character or reputation of the defendant;
 2. Existence or contents of any confession, admission, or statement of a defendant or his/her 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, breathalyzer, or field sobriety tests;
 4. Identity, statement, or expected testimony of any witness or victim;
 5. The identity, testimony, or opinions about the credibility of prospective

⁶ CALEA Std. 54.1.1 (d) (e)

witnesses;

6. The names of victims or witnesses, unless the victim is deceased and only when done so in collaboration of the District Attorney's Office;
7. Any opinion about the guilt or innocence of a defendant or the merits of the case;
8. Any opinion, knowledge, or speculation of the potential for a plea bargain or other pretrial action;
9. Any information relative to the identity of juvenile defendants (less than 18 years of age); and
10. Any information received from other law enforcement agencies without that agency's concurrence in releasing such information.

VIII. MEDIA ACCESS TO CRIME/INCIDENT SCENES:⁷

- A. **Cooperation with the Media:** Departmental personnel shall extend every reasonable courtesy to news media representatives at crime scenes. This may include granting media personnel greater access to police personnel and equipment than is available to the general public to the degree that such access does not interfere with the police mission, the movement of traffic, or the occurrence of other safety issues.
- B. **Restricting Media Access:** The activities of media representatives may be restricted if those activities seriously hamper police operations or if those activities threaten to worsen a dangerous or volatile situation. Whenever police reasonably believe it is necessary to prohibit all but emergency personnel near a crime or incident scene, they may bar entry by media representatives.
- C. **Guidelines for Limiting Access:** 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 being published or portrayed. Once evidence has been processed, removed, and secured by the department, the media may be allowed to enter only with permission of the commanding officer 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 department personnel pose with suspects or accused persons in custody.

⁷ CALEA Std. 54.1.3 – *A written directive controls media access at locations where such access would interfere with law enforcement operations.*

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 Police Commissioner or his/her designee. These materials are considered criminal offender record information and are protected by statute. *See M.G. L. c. 6, §167 et seq.*

D. Establishment of Press Area: At the scene of major crimes or other newsworthy events where a perimeter is established, the officer-in-charge of the operation shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow. If the Director of Communications & Media Relations is requested to respond to the scene, it will be his/her responsibility to serve as the principal liaison with media officials who are assembled in the Press Area. Either the department's designated PIO or Commanding Officer will coordinate with the Director of Communications & Media Relations on when information will be released and what will be said during these briefings. Depending upon the seriousness of the incident, prior to releasing any information to the press, the Director of Communications & Media Relations and/or the PIO will confer with:

1. The Department's Legal Advisor; and/or
2. The Middlesex County District Attorney's Office.

E. Selection of a Press Release Site: As a general rule, especially in prolonged or sensitive operations, the following guidelines will be established:

1. The Press Release Site will be removed from the immediate area or scene of the heightened emergency.
2. The Press Release Site will not be setup within the immediate area of the control center of the Tactical Command Post.
3. The Press Release Site should be set up in a location where there are telephonic communications available to a press release officer and media representatives.
4. Separate designated telephone communications should be established for media people covering the event.
5. There should be sufficient space to accommodate those who wish to be in attendance.
6. It is preferable that the Press Release Site not be at the police station, if an alternative site is available.

- F. General Guidelines for Releasing Information to the News Media:** Whenever speaking to members of the news media or considering releasing information, officers should keep the following guidelines in mind:
1. As a general rule, nothing is "off the record." If information is given out in the presence of media people, then expect to see it again in print, regardless of the context in which it was given out.
 2. Clearly indicate when a determination has been made that it is inappropriate to comment on a particular matter.
 3. Be thoroughly briefed on the incident for which you are releasing information.
 4. Never disclose information that is prohibited by law, or jeopardize an operation or investigation that is being reported.
 5. If possible, have someone present who is completely familiar with the operation or investigation, so that information can be supplied to the press release officer.
 6. If information is not available at the time of the press conference, clearly indicate that fact in your statement.
 7. Whenever possible, prepared statements should always be cleared through the Director of Communications & Media Relations and the Police Commissioner.
 8. If it appears that the news conference is going to span over an extended period of timetables should be setup for the purpose of updating media people on a regular basis in scheduled time slots.
 9. Develop a prepared statement of the facts of the case when presenting information at a news conference, or when information is being distributed to various news media organization (via telephone, fax, or other forms of distribution).
- G. Press Releases:** The department may utilize press releases as a vehicle to convey public information, and may rely on the news media to assist the agency in the release of critical information during any crisis situation. The use of a press release also serves as a basis to ensure that the information being released is correct, factual, and uniform.
1. Whenever practical, press releases shall be issued to the news media whenever there is an unusual event or incident. The frequency of written press releases shall be determined according to the specific circumstances or as deemed appropriate by the Director of Communications & Media Relations or the Police Commissioner.
 2. The content of any press release will require the prior approval of the Director of Communications & Media Relations or Police Commissioner when dealing with sensitive information or events. All of the information contained within

the press release shall be consistent with the guidelines that appear in this directive.

3. Press releases shall be made available to any requesting news organization that seeks information pertaining to a specific incident or just inquiring as to whether there are any newsworthy events.

H. Press Conferences: Press conferences shall be conducted so as to provide the news media with timely and accurate information, while maintaining the integrity of the investigation or the response to the emergency. A press conference may only be held with the express permission of the Police Commissioner (or his/her designee). Only authorized or representatives of the news media with proper credentials may be given access to press conferences.

1. This provision of this directive does not preclude or prevent either one of the police associations from conducting their own press conferences in defense of or response to allegations that may have been lodged against their respective memberships.

I. Minimize Interference with Emergency Operations: At the scene of significant accidents, or manmade or natural catastrophes, the principles of media cooperation shall be maintained so long as they do not interfere with the mission of the police, fire, medical, or other emergency relief workers.

J. Media Access within Fire Lines: Media access to and movement within fire lines shall be controlled by the fire officer-in-charge. In consultation with the fire officer-in-charge, the ranking police officer at the scene shall establish an observation point from which the media may observe and photograph the incident. At the discretion of the fire officer-in-charge, an inner perimeter may be established for the media to record the event.

IX. RECORDS AND REPORTS:⁸

A. Maintenance of a Daily Log: The Department will maintain a Daily Log In compliance with M.G.L. c. 41, § 98F. The Police Log, and other administrative reports of criminal activity as may be specified by the Police Commissioner, will be made available on a daily basis to media representatives by the Director of Communications & Media Relations or other employee as designated by the Director of Communications & Media Relations or the Police Commissioner.

B. Restricted Access to Police Reports: Media representatives shall be denied access to the contents of investigative or incident reports and records where

⁸ CALEA Std. 54.1.1 (a) (b)

release of the information would:

1. Interfere with law enforcement proceedings, including pending investigations;
2. 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;
3. Constitute an unwarranted invasion of the personal privacy rights of another person;
4. Reveal the identity of an individual who has furnished information to the department under confidential circumstances;
5. Disclose investigative techniques and procedures, thereby impairing the future effectiveness of the department; or
6. Endanger the life or physical safety of any person.

X. OTHER PUBLIC INFORMATION FORUMS:

A. Other Types of Public Information: Aside from newsworthy information that stems from incidents that are reported to the police, there are other types of information that are of interest to the public and which the police department wishes to make public. Examples of this type of information includes but is not be limited to the following:

1. Announcement of public community meetings or other public events;
2. Public safety announcements or other types of crime prevention information;
3. Requests for community assistance in community-based projects or initiatives;
4. Information regarding regulatory issues where the police department is attempting to gain public compliance or involvement;
5. Announcements of programs or projects that the police department may be participating in or undertaking;
6. Seeking input from the general public or requesting the community to evaluate the police department's performance; and
7. Information relative to general public where the police department is seeking information or other forms of public assistance.

B. Other Methods of Distributing Public Information: Aside from relying upon the established news media network to provide information to the general, the police department also takes advantage of other types of public information vehicles that include, but are not limited to the following:

1. Cambridge's Community Newsletter and other community-based publications;

2. The City of Cambridge's web site, and the police department's web page;
3. Public notices and other public postings;
4. Public notices distributed to the local media;
5. Neighborhood community meetings, community groups, and other community organized meetings;
6. Informational Brochures;
7. Electronic Alerts;
8. CCTV – Cambridge Municipal TV; and
9. Community-based information networks, such as, the Block Watch Program and those other communications networks that have been established by other community-base organizations.
10. Social Media tools, such as, Facebook and Twitter.