

**CITY OF FERGUSON
OFFICE OF THE CHIEF OF POLICE****Index as:**

Deceased Persons, Press Release
News Media
Photographs, Release of
Press Releases

NEWS MEDIA / PRESS RELATIONS**458.00 PURPOSE**

The purpose of this General Order is to establish procedures for police department employees to requests for information from members of the news media. Officers must understand the importance of maintaining an open and positive relationship with the news media. This includes both single incident news releases and periodic crime pattern releases.

458.01 POLICY

A police officer, with approval from a supervisor, will respond as soon as practical to news media requests for those types of information which are permissible to be released under this General Order, when the officer has direct knowledge of the information requested. When asked for information beyond his range of knowledge, the officer should state this fact and refer the inquirer to a knowledgeable source.

458.02 PROCEDURE

- A. The information that may be released to the news media prior to arrest, issuance of an arrest warrant, or the filing of any information or indictment, includes:
 1. Facts relating to crimes.
 2. Investigative procedures and general scope of the investigation.
 3. The identity of the victim, except in rape and child molestation cases, or when such identification may impair further investigation or proper handling of the case.
- B. Prior to arrest, issuance of an arrest warrant, or the filing of any information or indictment, information of the specific identity of the suspect(s) shall not be released to the news media unless it is necessary to aid in the investigation, to assist in the apprehension or to warn the public of any dangers.

C. Information that is permitted to be released to the news media at the time of arrest (warrants issued) or charging of any juvenile or adult includes:

1. The accused adult's name, address, age and occupation. A juvenile's name may be released on approval of the court or when the juvenile is being tried as an adult. There shall be no restraint on biographical facts other than the Juvenile Law, good taste, and judgment.
2. The facts of the arrest and circumstances immediately surrounding it, including time and location; resistance, if any; pursuit; and the use or possession of weapons.
3. The identity of arresting and investigating officers and the length of Investigation, if it does not compromise an undercover operation.
4. The seizure and general description of any physical evidence.
5. A brief description of the offense.
6. The scheduling or result of any stage in the adult judicial process.
7. A request for assistance in obtaining evidence.

D. Information that shall NOT be released to the news media includes:

1. Statements about the character or reputations of the accused. (Court records of all adult convictions are public information, however).
2. The existence of contents of any confession, admission, or statement given by the accused or his refusal or failure to make any statement.
3. The performance on any given test by the accused, or refusal or failure to submit to an examination or test.
4. The possibility of a plea of guilty to the offense charged or to a lesser offense.
5. Any opinion as to the accused's guilt or innocence, the merits of the case, or the merits of evidence.
6. The home address of witnesses, or of arresting or investigating officers, or any photographs of the above without their individual consent and approval of the Chief of Police.

458.03 PRISONERS

Release of arrest information and information from police files will conform to General

Orders and current provisions of the Missouri Sunshine Law.

A. Photographs of Prisoners

1. No member shall deliberately pose any person in custody for photographing or televising by any news media representative.
2. No member shall interfere with a news photographer's taking photos of the arrest, booking or transporting of any suspect in custody so long as the photographer remains in a hallway or area open to, and used by the public.
3. Mug shots of arrested persons shall normally not be released, unless approved by the Chief of Police.

B. Prisoner Interviews

A member shall not permit any person in custody to be interviewed by the news media unless the accused requests or consents to an interview in writing after being adequately informed of his right to consult with an attorney and his right to refuse to grant an interview. When the accused has secured the services of or has been appointed an attorney, any request by the news media to interview or photograph shall be referred to his attorney.

458.04 DECEASED PERSONS

The identity of any deceased person will normally be withheld from the news media until the next of kin or at least one close adult relative has been notified. Exceptions to this procedure may include situations in which:

- A. There is no known next of kin.
- B. More than 12 hours have passed since the death.
- C. The news media member agrees to withhold publishing, broadcasting or otherwise disseminating the deceased's identity until obtaining confirmation that the next of kin has been notified.

458.05 NON-CRIME NEWS

Non-crime news is information about operations and services which do not relate to violations of the City of Ferguson criminal ordinances or the criminal laws of the State of Missouri may be released to the news media.

- A. A command officer has the authority, as well as the responsibility to respond directly to legitimate news media inquiries on non-crime news and ongoing operations of his command of which he has direct personal knowledge.

- B. A decision to withhold information requested by the news media must be approved by the Chief of Police.
- C. When questions of personal opinion are raised, command officers are expected to exercise good judgment.

458.06 COMMAND RESPONSIBILITY

- A. The ranking officer at a crime or accident scene will, as soon as practical, respond to media requests for information. In general, media requests at fire scenes will be referred to fire department personnel unless the incident is deemed to be suspicious or criminal in nature. In that case, it would then be handled as a crime scene. Any requests for investigative information not known or supplied at the scene will be supplied by the investigator. News media representatives who are having difficulty locating a member with knowledge about a specific question should be referred to the Chief of Police. If the Chief is not available then the referral should be made to the Assistant Chief or on-duty Watch Commander.
- B. In any planned police operation which is likely to attract news media attention, the following procedure will be used:
 1. The ranking officer shall designate one member, or himself, to act as liaison with any news media reporters who arrive before, during or after the operation.
 2. When time permits, part of the advance plan of operation should include the prior selection of a location which will permit the media to be as close as safely possible to the operation without hindering it.
- C. Nothing in the preceding paragraphs shall prohibit members of this department from securing a crime or incident scene as a matter of public safety, or to preserve the scene for evidence gathering. News media may be excluded from the scene as are other unauthorized persons; however, media personnel will not be barred from filming or photographing a scene as long as this activity is outside the secure zone and they do not interfere with the conduct of the investigation, or other police operations. If practical, the ranking officer at a crime or incident scene may give media members guided access to the scene, except when the incident is on private property and the owner requests the media to leave.
- D. When time permits, a printed PRESS RELEASE shall be prepared by the commander, supervisor or chief investigating officer containing information to be released. This press release shall be approved by the Chief or Captain of Police. When approved, a copy will be left at dispatch to be read to inquiries.

April 21, 2010

458.07 ONGOING CRIMINAL INVESTIGATIONS

When there is a concern that the release of information could jeopardize an ongoing criminal investigation, media inquiries should be referred to either the Commander or Supervisor of the Bureau of Investigations.

458.08 EXCEPTIONS

The Chief of Police may authorize exceptions to the policies and procedures outlined in this section in unusual or unanticipated situations.

By order of:

A handwritten signature in black ink, appearing to read "Colonel Thomas Jackson".

COLONEL THOMAS JACKSON
Chief of Police

Distribution

All Department Personnel