

**Procedure
11.18**

**EFFECTIVE
DATE
1-9-20**

**Eugene
Police Department**



News Media

11.18.1 PURPOSE AND SCOPE

The City of Eugene values open communication and a safe, welcoming community. Eugene Police Department recognizes the importance of the community's right to know about the department's activities and safety concerns. Media plays an essential role in this, as do employees of the department. Public information is the responsibility of all members of the department and every employee is a potential spokesperson. Due to the daily volume of inquiries and variety of topics, the function is coordinated by the Public Information Office to centralize awareness of topics, ensure accuracy of information release, and avoid multiple-source response. The department will work cooperatively with the news media to provide access to information and events to the greatest extent reasonably possible and as long as these activities do not violate the law, infringe upon individual rights, or unduly interfere with departmental operation.

11.18.2 RESPONSIBILITIES AND PROCEDURES

a. Information release responsibility

Generally, the Public Information Office is responsible for the department's media relations and public information. The PIO is responsible for news releases and media relations during regular office hours. The PIO is also responsible for afterhours and weekends response for major incidents or events as requested by a Watch Commander. Afterhours and weekends, the Watch Commander responds to routine incident-based inquiries and will ensure that a news release is prepared and emailed to media for any incidents that may generate media interest or highlight exceptional service by the department.

1. Refer any media inquiries for information or public records requests to the Public Information Office. Requests for public records that come from non-media sources should be directed to the Records Section at 300 Country Club, or the website to make a request online.
2. At an incident scene, the senior officer at the scene will generally be responsible for coordinating a liaison with the news media. In most cases, an on-duty Watch Commander or sergeant can handle routine, incident-based media inquiries. If the situation warrants, the assistance of the PIO may be requested by the Watch Commander.

3. When an investigation passes from one area of the department to another (e.g., from Patrol to Investigations), the responsibility for news media liaison follows the investigation.
4. When multiple agencies are involved in an incident, the agency having primary jurisdiction will normally handle the release of information. If another law enforcement agency (e.g., FBI, State Police) initiates an activity within the city of Eugene, regardless of our degree of involvement, they will be responsible for releasing information. Conversely, if we initiate activity in another jurisdiction, we will assume that responsibility.
5. Afterhours and weekends, there is a media line for routine, specific incident inquiries (occurring that same day), answered by 9-1-1 supervisors, then forwarded to Watch Commanders line. When there's a major incident, media should be directed to call the Public Information Director.

b. Information Release

1. We will generally release information to representatives of the media unless the information is exempt from public disclosure, release of the information would interfere with an ongoing investigation, or release would infringe upon the rights of any person. For information that is conditionally exempt from release, we will carefully balance non-disclosure decisions with the public's interest in the information. Contact the PIO if you are unsure how to respond to a request for information.
2. General release of information will be made equitably, without favor to any particular news agency or media representative. However, specific inquiries made independently by media representatives ("exclusives") may be honored. If information related to such an inquiry is deemed important to send to all news media, or it is of a level that will generate further inquiries, then inform the inquiring reporter about the incident and that the department is also intending to disseminate a news release and/or statement.
3. The investigating officer or that officer's chain of command may determine what information is releasable. The Public Information Office may be consulted prior to releasing information.
4. In any case, you may release only facts, and not suppositions.
5. You may release:
 - a. An arrested person's name, age, gender, ethnicity, occupation, and city of residence. Normally we do not offer the person's address, unless specifically asked (it is releasable).
 - b. The crime for which you are holding the person and a brief description of the circumstances of the crime.
 - c. The amount of bail, or the fact there is no bail.

- d. The arresting agency and the length of the investigation.
 - e. The immediate circumstances of the arrest, including the time and place, resistance, pursuit, and possession/use of a weapon.
 - f. Although the identity of the crime victim or complainant is releasable (except in the case of victims of sex offenses, child abuse, elderly abuse, or names of individuals in cases where reprisals or intimidation may be employed), the department does not generally offer crime victim or complainant names to media without a specific request. When a victim's name is to be released in a case, then the department will try to inform the victim or their family of that release as soon as possible. For vehicle crashes, all involved parties are normally identified by name, age and city of residence. In the case of serious or deadly crashes, identities are not to be provided until next-of-kin notification has occurred.
 - g. The type of item(s) taken, but generally not a dollar amount. You may not reveal specific information about specific stolen items, unless such information might lead to their return.
6. Prior to trial and until adjudication is complete, you may not reveal:
- a. Background information, including statements of involved parties, follow-up investigatory information, or other information which might jeopardize an investigation.
 - b. Information that could cause bias or that could influence a verdict, such as the arrestee's criminal record, statements, admissions, confessions, or refusal to make a statement.
 - c. Information about tests the arrestee took or refused to take (for instance blood alcohol content).
 - d. If there may be a need for a photographic or in-person line-up, do not release a mugshot. In high profile-arrest or open-case situations, it may be necessary to withhold sharing a subject's photograph or mugshot to avoid jeopardizing the case. In this case, the department will explain the need to withhold the images.
7. You should not release at any time:
- a. Opinions about the character of an arrestee.
 - b. Opinions about guilt or innocence, or the possibility of plea negotiations.
 - c. Information from child abuse or elderly abuse cases, unless you have consulted the City Attorney's Office. A case that has been referred to the Department of Human Services is subject to ORS 419B.035(1)) Child Abuse Reporting confidentiality.
 - d. Information that may compromise an ongoing investigation or the safety of an individual or organization.

c. Media access

1. At the scene of any incident:
 - a. The media will be allowed in any area that is open to the public. The media cannot enter private property without the owner's permission.
 - b. Media has no right to interfere with your duties, and they must obey the law.
 - c. Generally, at active crime scenes and other serious incidents, media representatives are not permitted past the marked perimeter. This is to protect evidence, maintain prosecutorial interest, and ensure scene safety. Once the scene is secure and the evidence has been processed, removed and secured by the department, media may be allowed access.
 - d. Any restrictions on access should be in place only to the extent and for the length of time reasonably necessary. This restriction should be equitable and content-neutral. Whenever possible, line-of-sight access should be provided if it will not jeopardize operations or individuals, or a case. As an event progresses, periodically assess any restrictions placed on the media, and determine whether the restrictions should be modified or lifted.
 - e. News media representatives may photograph or report anything they observe when they are legally present. You may restrict the use of flash, strobe, or high-intensity lights when the use of such equipment would hinder a police operation, endanger officers or others by exposing them to unnecessary risks, or create a hazard (e.g., could cause an explosion in a gaseous atmosphere). If you believe the live streaming, airing or publication of certain information would interfere with an investigation or place someone in danger, you can advise the newsperson of that fact. The decision of whether to use the information, however, rests with the news media. Consider the PIO as a resource in these situations, as they can connect with on-site reporters or with news directors to facilitate.
 - f. You may not allow media representatives to accompany you on private property (including during the execution of arrest or search warrants) without the consent of the resident or other person in lawful control of the premises or property.
 - g. To the extent possible, explain your reasons for not revealing information to media representatives. Refer them to the PIO or the supervisor in charge of the incident if they have further questions.
 - h. You should attempt to equitably accommodate all members of the media requesting information to an incident. If the number of media representatives requesting media access cannot be accommodated, but a smaller number could be, a "media pool" may need to be established. The PIO (or, if s/he is not available, the Incident Commander) will determine the logistical parameters of the pool (e.g., number of media members that can be accommodated), and the members of the media present will decide who the members of the pool will be.

2. Use of a police facility
 - a. We may allow news media access for interviews, background footage or photographs at Eugene Police facilities. Media must be accompanied by an EPD employee.
 - b. We will not allow the use of a police facility or vehicle for any non-news commercial media purpose without authorization of the chief of police.
 - c. Access to specific areas and personnel is at the discretion of the division managers and should be coordinated by the PIO in advance when possible.

D. Seizure of media information

1. *ORS 44.520* prohibits seizure of information (including, but not limited to, any written, oral, pictorial, or electronically recorded news or other data) from any person connected with, employed by, or engaged in any medium of communication to the public unless there is probable cause to believe that person has committed, is committing, or is about to commit a crime.
2. To seize any of the items listed above from a media representative, **all** of the following conditions must be met:
 - supervisory approval.
 - the legal requirements under *ORS 44.520* and other statutory and case law to make the seizure;
 - probable cause to believe that the item(s) being seized constitute evidence of *significant* criminal conduct on the part of the person from whom they are seized;
 - a reasonable belief that the seizure in this instance outweighs the right of the media representative to retain his/her information; *and*
 - notify the PIO.

f. Mechanisms for release of information

1. The PIO will have overall responsibility to establish mechanisms of information release to members of the media, and to work with members of the media to ensure they are provided with information.
2. The PIO will be the mechanism for releasing information during normal business hours. Watch Commander's or Communications Center Supervisors, may complete media releases after hours, and on weekends.

3. An email distribution list and/or news distribution account (such as Flashnews) must be maintained by the PIO to include all media outlets, command staff, and interested parties from other departments or agencies.

4. Email is addressed in the BCC line, not To or Copy.
News Distribution Email:
*Eugene Police News - Employees
*Eugene Police News - Media

5. The use of Eugene Police Department's official social media accounts and website may be used to further distribute news. Social media should not normally be considered the sole distribution method, as the use of all communications channels has the best chance of getting information to the widest audience. Commanders may use the department's Twitter account to post appropriate, quick bits of information or photos that don't require further explanation or detail. (Official EPD social media use procedure will be published)

Chris Skinner
Chief of Police