

MONROE COUNTY SHERIFF'S OFFICE

General Order

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| CHAPTER: 070-B | | TITLE: Media Relations | |
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| REFERENCE: CALEA 41.2.4, 45.2.2, 54.1.1, 54.1.2, 54.1.3 CFA 1.07 | | RESCINDS: | |
|  Sheriff of Monroe County | | | |

PURPOSE: The purpose of this directive is to establish guidelines and procedures for Media Relations.

It is important to the total operation of the Office that a unified, non-conflicting image be presented to the public through the media. At the direction of the Sheriff, the Media Relations Director shall present information to the media and to all segments of the community and, by doing so, will identify and correct actions, practices, and attitude, which may contribute to community tensions and grievances. The Office is committed to such cause and to establishing close ties and responding to the needs of the community.

The Director of Media Relations ensures the office effectively and efficiently provides public information to the media and other members of the public in compliance with Florida State Law. The Sheriff's policy is that his Office is committed to inform the community and the news media of events within the public domain that are handled by or involve his Office.

Note: Only the Sheriff, his designee or the Director of Media Relations is authorized to release information to the news media or to approve such release of information. In the event the Director is out of town or otherwise unavailable, District Commanders and Division Directors may release information about incidents which take place in their areas of command. Under their direction, records personnel may release documents requested by the media, making sure to comply with all state public records laws regarding such releases. [CALEA 54.1.1]

A. The Director of Media Relations duties shall include:

1. Advising the Sheriff of the public impact and implications of services, programs, and policies.
2. Writing speeches for the Sheriff as directed.
3. Conduct a documented survey of citizen attitudes and opinions at least once every two years. The results shall be compiled with a written summary provided to the Sheriff, and to anyone else applicable depending on survey responses. [CALEA 45.2.2] The survey will specifically address:
 - a. Overall agency performance [CALEA 45.2.2]
 - b. Overall competency of agency employees [CALEA 45.2.2]
 - c. Citizens' perception of officers' attitudes and behavior [CALEA 45.2.2]
 - d. Community concern over safety and security within the agency's service area [CALEA 45.2.2]
 - e. Citizens' recommendations and suggestions for improvement [CALEA 45.2.2].

4. Target informational programs to address community perceptions or misperceptions of crime.
5. Writing and preparing pamphlets, fliers and newsletters.
6. At least once every two years, prepare an evaluation report that determines the effectiveness of each crime prevention program. Such an evaluation may be conducted more frequently. This Evaluation will be done with the cooperation and input of all District and Division Commanders having responsibility for Crime Prevention Duties under their respective commands. This report shall be approved by the Law Enforcement Bureau Commander before being sent to the Sheriff via Chain of Command. [CALEA 45.1.1 c]
7. Maintaining a close relationship with all Office components and personnel for the purpose of pursuing positive community relations.
8. Gathering information, preparing and disseminating it to news media representatives and to the public.
9. Be available for on-call responses to the news media.

B. News Media: It is the policy of the Sheriff to cooperate fully and impartially with accredited representatives of the news media in their efforts to gather and disseminate information where such activities do not conflict with State law governing the release of public information, or any information protected by such laws. It is important to remember that the Public Information Laws of the State of Florida require the custodians of public records to release them to any member of the public, including a media representative, upon request within a reasonable amount of time.

C. Public Records/Public Information: Information and records produced by the Sheriff's Office are specifically governed by State Law when it comes to the definition of what is and is not available for release to the public. For detailed information about what is and is not public information, see Florida Statute 119. For a reliable interpretation of the statute and how it applies to law enforcement, the Office of Public Information relies on the document produced yearly by the Florida Attorney General's Office, called "Public Records: A Guide for Law Enforcement Agencies".

NOTE: Consider all restrictions carefully and make sure you can cite the appropriate exemption under state law when refusing to release the information. If you have a question about what is or is not public information, please contact the Director of Media Relations or his/her designee.

D. Procedure for dealing with the news media:

1. News Media Requests for Information: The Director of Media Relations shall be the coordinator for all media requests for information. Anyone in the Sheriff's Office who receives a request for information from a news media representative should notify the Director of Media Relations of the request as soon as possible. Nothing in this paragraph shall supersede Florida State Law, which requires the custodians of public records to release them upon request, within a reasonable amount of time. Members of the office who are uncertain about the status of a public record may refer the request to the Supervisor of the Records Division, or the Director of Media Relations for appropriate action (see the note below). The Director of Media Relations office and cell phone numbers may be released to anyone who wants to contact him/her for information.

NOTE: Members of the media are also considered to be members of the public. If the information being requested is routine in nature, and is something that would normally be released to a citizen requesting it, it may also be released to the member of the media who is making the request.

2. Media Credentials and Identification: Media credentials are available from the Sheriff's Office upon request, and upon presentation of appropriate identification and sponsorship by legitimate media

outlet. The Sheriff's Office recognizes valid identification from accredited news agencies, including but not limited to, press cards issued by Sheriffs or other law enforcement agencies. Appropriate media privileges are extended to properly identified news media representatives and to legitimate free-lance writers and photographers.

3. **Revoking Monroe County Sheriff's Office Credentials:** Complaints initiated by Sheriff's personnel against accredited news media shall be documented and forwarded to the Director of Media Relations. When a decision has been made by the Sheriff's Office to revoke the Sheriff's Office recognition of an accredited news person or agency, a letter shall be sent to the individual's employer citing the specific violation and informing the agency of the action to be taken.
4. **Media Access:** Accredited news media representatives shall have reasonable access to all members of the Sheriff's Office, upon approval of the Sheriff or Director of Media Relations and upon the agreement of the member in question. The Command staff may discuss official policy with the news media, however, should make notification to the Director of Media Relations immediately following such a discussion. This will ensure continuity and coordination of information released by the Sheriff's Office. Problems that arise between news media representatives and members of the Sheriff's Office shall be referred to the appropriate supervisor and the Director.
5. **Withholding Information:** When news media requests for information are denied by members of the Sheriff's Office, the denial shall be on the basis of Florida Statute 119 regarding the public information laws in the State of Florida or another applicable Florida Statute. Reasons for information denied shall be adequately and courteously explained, in writing if requested.
6. **Timeliness and Accuracy:** Public information shall be released as promptly as circumstances allow, in a courteous and objective manner. Any member shall assist the media by referring the inquiry to the Director of Media Relations and by providing his/her name and telephone number, if necessary.
7. **Impartiality:** News information shall be released impartially. Under no circumstances shall such information be withheld, delayed, or selectively released to favor any particular news media representative or agency.
8. **When the Sheriff's Office is working a joint investigation of any kind, the Sheriff's Office Director of Media Relations should comment only on that portion of the investigation directly involving the Sheriff's Office. If the investigation is sensitive in nature, comment should only be made after consultation with the lead investigating officers. If the investigation is being conducted solely by another agency, with Sheriff's Office resources on loan to that agency, there should be no comment about the ongoing investigation except to acknowledge what types of Sheriff's Office resources are being used. All Sheriff's Office personnel should refer media requests for information on such investigations to the Director of Media Relations. [CALEA 54.1.1] [CFA 1.07]**
9. **Media Relations will also assist in identifying problems which may occur between the Sheriff's Office and the news media. If these problems are the result of a policy failure, the Media Relations Director shall solicit ideas from the news media and submit a written evaluation of the problem(s) and input from the news media to the Sheriff. [CALEA 54.1.2]**

E. What SHALL and SHALL NOT be released to the media and the public:

1. The Sheriff's Office policy on the release of information is governed by the Public Records laws of the State of Florida. Please refer to Florida State Statute Chapter 119 for further information or consult the publication "Public Records: A Guide for Law Enforcement Agencies" published by the Office for the Attorney General, and updated yearly.
 - a. The type or nature of an incident may be released, such as fire, accident, homicide, suicide, rape, robbery, assault, or burglary.

- b. The location, date and time, injuries sustained, damages and a description of how the incident occurred may be released.
- c. Type of property taken, including the amount or value of the property may be released, except monies taken in a robbery of a commercial institution, bank robbery or embezzlement.
- d. The identity and address of victims may be released, except those victims protected under Florida State Statute 119, including the identity of any victim of a sex crime or child abuse or related information which, if divulged, would tend to lead to such a victim's identification. [CFA 1.07]
- e. The name, age, and address of adults charged with a crime may be released.
- f. The identity and address of a juvenile arrested on a felony charge, or found by a court to have committed three or more misdemeanor violations must be released upon request. This applies only to juvenile records created after October 1, 1994, the effective date of the amendments to the juvenile confidentiality laws. Confidential information on juveniles arrested prior to October 1, 1994, is available by court order upon a showing of good cause. [CFA 1.07]
- g. Requests for aid in locating evidence, a complainant or a suspect may be released. A person's race may be released as descriptive information in such cases.
- h. Numbers of deputies or people involved in an event or investigation and length of the investigation may be released.
- i. Name of the deputy in charge of a case, his/her supervisor and Sector or unit assignment may be released. EXCEPTION: Investigative techniques and names of undercover or special investigation deputies shall not be released.
- j. The specific cause of death shall not be released, until determined by the Medical Examiner.
- k. Arresting or investigating deputies who are likely to be primary prosecution witnesses in a criminal case shall not make statements to the press about information that would normally be given in a deposition or a trial.
- l. Investigative information and information of an evidentiary nature regarding a criminal case shall not be released, unless approved by the Director of Media Relations after consultation with case officer.
- m. Contents of suicide notes shall not be released, although the fact that a suicide note exists may be acknowledged.
- n. Home addresses and telephone numbers of members of the Sheriff's Office or their families shall not be released.
- o. Valuables or cash overlooked by crime perpetrators shall not be released.
- p. Arrest dockets shall be open to media inspection.
- q. The identity or location of any suspect may be released.
- r. Prior criminal record in Monroe County may be released. Any criminal history outside the county, however shall not be released. Comments about a defendant's character or reputation should not be discussed. [CFA 1.07]

- s. Booking photographs of a defendant shall be released. This is to include employees of the Office. [CFA 1.07]
 - t. Existence or contents of any formal confession, admission of guilt or statements from a defendant, or a failure to make such a statement shall not be released. This is to include employees of the Office. [CFA 1.07]
 - u. Performance or results of any tests of a defendant's refusal or failure to submit to investigative tests such as a polygraph and any other tests shall not be released. [CFA 1.07]
 - v. The identity of a witness may be released. Information about the credibility, character or expected testimony of any witness or prospective witness shall not be released. [CFA 1.07]
 - w. Prospective testimony, character or credibility of any victims shall not be released.
 - x. Any opinion about the guilt or innocence of a defendant or the merits of the case may not be released. [CFA 1.07]
 - y. Possibility of a guilty plea, plea bargaining or other disposition such as "absentee" or "nolle prosequi" shall not be released.
 - z. Reports, transcripts or summaries of proceedings from which the press and public have been excluded by judicial order shall not be released.
2. Abuse of child(ren) or the elderly: Other than information required to be released by law, no information is to be released about such cases until ALL related investigations are complete. At that point, information shall be released based on the judgment of the Director of Media Relations and primary case investigator. Under NO circumstances is the child or elderly victim to be identified to the public. Initial incident reports on such cases are to be restricted from public or media viewing in accordance with Florida Public Records Law.
 3. The Public Information Officer will consult with the affected law enforcement agency before releasing to the media any information that directly affects that law enforcement agency.

F. Special Considerations: [CALEA 54.1.3]

1. Crime or Incident Scenes
 - a. General access: Sheriff's personnel shall extend every courtesy to accredited news media representatives who are officially at the scene covering an incident. These courtesies shall permit closer access than that granted the general public if it is possible given the safety and security of everyone concerned. Media vehicles and equipment may be located closer to the scene if such courtesy does not interfere with either the investigation or with general traffic flow. Where there is danger of personal injury, access shall be restricted until the Deputy-in-charge determines the area is safe.
 - b. Direct access at crime scenes: Direct access by media personnel shall be allowed only after all known evidence has been processed and the on-site investigation has been completed. Consideration should be given to the rights of private property owners should the crime scene in questions be a privately owned residence or business. [CALEA 54.1.1]
 - c. Photographing, televising, recording by news media:
 - 1) In public places, news media representatives shall be allowed to freely photograph, film, or videotape at the scene of any incident. It is proper to assist the media provided the investigation is neither compromised nor jeopardized by such assistance. Appropriate

consideration should be given to any victims or victim's family members who may be at the scene of such an investigation.

- 2) On private property, media mobility shall be restricted unless permission is obtained from the property owner(s) or his/her representative(s) before photographs, films or video tapes are taken on the private property.
 - d. In a hostage or barricade situation, the Director of Media Relations shall do everything in his or her power to assist with the safety of the situation and shall work with the hostage negotiator or supervisor in an attempt to ensure that members of the media do not interfere. This assistance may include, but is not restricted to, keeping the media at a distance from the scene, if necessary, for safety and security; requesting media aircraft to maintain a safe distance; requesting that the media not attempt to make contact with the suspect(s) or release information about the location or activities of any law enforcement personnel; request the media refrain from releasing specific information about the incident in case the suspect(s) is monitoring television or radio stations.
 - e. Suspects, accused persons: Suspects or persons in custody shall not be deliberately posed for photographs, telecasts, or interviews, but no action shall be directed against the news media to prevent or impede their lawful right to photograph such persons at incident scenes or in other public places.
 - f. Correctional facilities: News media representatives shall be allowed to freely photograph, film, or videotape in public areas of detention facilities only. In order to photograph, film or videotape in restricted areas of detention facilities, they must obtain permission from the Commander of the facility, or his/her designee. When such a request is received by the Commander or designee, he/she may refer the request to the Director of Media Relations. If the request is handled by the Commander or designee, he/she should promptly notify the Director of Media Relations of the request. Permission must be obtained before photographing or videotaping any inmate of the facility.
2. Fire Scenes
 - a. News media access: Media access to and movement within fire lines at commercial or residential fire scenes is controlled by the fire department's officer-in-charge. When news media arrive at such events, the ranking officer on the scene shall confer with the fire department official in charge and assist in establishing an observation point from which media may observe and/or photograph proceedings.
 - b. Mobility of media: Decisions governing media mobility rest with the judgment of the fire department officer-in-command. Efforts should be made to accommodate media needs in recognition of unpredictable duration of fires.
 3. Interview Persons in custody: News media representatives shall not be permitted to interview persons in custody, at an incident scene. News media representatives may be permitted to interview an inmate when the inmate consents to the interview and the Commander of the detention facility determines that such interview shall not affect the orderly operation or security of the facility.
 4. Confidential or Internal Investigations:
 - a. Confidential investigations: Confidential or investigative information shall not be disclosed except by express permission of the Sheriff or the commander in charge of the operation or investigation.
 - b. Internal investigations: Sensitive information and the identity of deputies involved in an internal affairs investigation shall not be disclosed except by express permission of the Sheriff or his

designee. When information is released on internal investigations, it shall conform to Florida Law, Section 112.533 Florida Statutes. When details on an internal investigation are to be released to the news media, the disclosure shall be made only after the cases have been closed. [CALEA 54.1.1] [CFA 1.07]

5. Suicides/suicide notes: The fact that a suicide has occurred may be acknowledged along with factual information describing how it happened. The name, address, age, sex, and occupation of the victim may also be released. The fact that a suicide note exists may also be acknowledged without further comment. Contents of all such messages are personal and confidential and shall not be made to the public.
6. Citizen requests: Should a citizen request that information of an incident not be released or reported to the media, deputies shall explain that crime information is generally considered public information and, therefore, available to news media. Deputies shall explain that such a request will be noted in the information about the incident and the decision to publicize shall be left to the media. If the citizen requests further information about public information and/or the news media, he/she should be referred to the Director of Media Relations.

G. Authority/Notification Requirements:

1. Communications Officer's responsibilities:
 - a. Certain incidents can be anticipated to be of interest to the news media. In the interests of expediting the expected requests for information, Communications Officers shall make notification of those incidents to the Director of Media Relations as soon as possible.
 - b. If the Communications Officer receives a request for information from a news media representative, that media representative may be referred to the Director of Media Relations. The Director of Media Relations' cell phone number may be released to anyone requesting it. If the nature of the information request is routine, and if the information being requested is information which would normally be released to a member of the general public, the Communications Officer may give the information to members of the media in the interests of providing public information in an expeditious manner.
2. The Director of Media Relations or his/her designee will be notified immediately under the following circumstances:
 - a. Homicides, including all dead persons except those determined to have died a natural death by the Detective or Deputy in charge.
 - b. Attempted homicides
 - c. Sexual battery, or attempted sexual battery if there is a potential for danger to other members of the public.
 - d. Armed robbery
 - e. Kidnapping
 - f. Hostage or barricaded subject
 - g. Serious automobile accidents involving death or significant road closures
 - h. Aircraft accident
 - i. Suicide cases that involve prominent citizens or that occur in a public place

- j. Special Weapons and Tactics Team call out (either by our agency, or another agency)
 - k. Serious accident involving a Sheriff's Office member with injury or large amount of damage
 - l. Crimes by an officer of any local, state or federal agency
 - m. Jail break or serious injury to prisoner or detention deputy
 - n. Arson case, or fire with substantial property damage or loss of life
 - o. Disaster—either natural or caused by any person's actions—resulting in the loss of life or extensive property damage.
 - p. Death of a person in custody, including death of an inmate in a jail facility
 - q. Search for missing or wanted persons involving extensive manpower
 - r. Strike, riot or major public disorder
 - s. Shooting involving law enforcement officer
 - t. Hate crimes
3. Supervisory personnel shall be responsible for:
- a. Informing the Director of Media Relations of significant changes in operations, procedures and personnel such as firings, promotions or significant transfers.
 - b. Personnel should inform the Director of Media Relations of newsworthy information concerning projects, programs or other activities in advance of effective dates.
 - c. Final responsibility for the actions of the Deputy-in-charge with regard to the media rests with his/her supervisor. This applies to the submission of an oral summary to Communications and to directing media inquiries at the scene.
4. Responsibility of the District Commanders / Division Directors:
- a. Major incidents including raids and multiple arrests require advance notification, if such is possible, of the Director of Media Relations to allow for response to the scene and dissemination of information to the news media.
 - b. The Director of Media Relations shall be notified by the Commander of the investigating District when a major crime or catastrophic event requires on-site liaison and coordination for the dissemination of information to news media representatives. This can be accomplished by communications personnel upon the order of the Commander. [CALEA 41.2.4]