

Burleson Police Department

Administrative Policy and Procedures

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CALEA Standards Referenced: 54.1.1; 54.1.3

ISSUING AUTHORITY: _____



I. The Burleson Police Department recognizes that in a free society the news media must have access to all governmental bodies for disseminating to the public the activities of government operation.

A. In order to ensure that the Police Department protects the rights of free press as well as the confidential integrity of ongoing criminal and internal affairs investigations, the following procedure shall be followed:

1. Informing the Public through the News Media:

The Burleson Police Department is committed to informing the public of events within the community through the news media. The Police Department shall cooperate with the news media by making available at least one person within the department to act as "Public Information Officer".

The duties and responsibilities of the Public Information Officer shall be assigned to the Support Bureau Captain or their designee. If the Public Information Officer is not available upon request by the media, they shall be directed to the City Public Information Officer or the Chief of Police. The Public Information Officer or the Chief of Police may designate another to accomplish a press release in some cases.

2. Release of Information [\[54.1.1a\]](#)

a. The ranking or the investigating officer at the scene of a police incident will as soon as practical, provide the requesting news media with information pertaining to the following:

1. The type of offense or incident under investigation.
2. The location of the offense or incident.
3. The specific date and time of the offense or incident.
4. The identity of the investigating officer provided it does not compromise an undercover operation.

b. Information of an investigative or confidential nature will not be released, nor specifically the following information:

1. The contents of any statements, admissions, or confessions.

2. Personal opinions about the suspect and/or evidence.
 3. Statements concerning the truthfulness of the anticipated testimony by any suspect or witness.
 4. The results of fingerprint, polygraph or laboratory tests.
 5. Arrest records.
 6. The names of victims, to include Police Officers who are killed or injured, until the proper notification of next of kin have been made.
[\[53.1.1d\]](#)
- c. Requests from the news media for any information regarding an investigation that was not released at the scene will be directed to the Public Information Officer. The Public Information Officer will then adhere to the guidelines contained in this order when releasing information to the press. It will be the responsibility of the Public Information Officer to consult with and obtain information from the investigating officer before:
1. Releasing any information not covered in this order.
 2. Releasing any information that may adversely affect the outcome of the investigation.
- d. As soon as practical, information regarding the incident will be placed in the press information book.
3. Major Incidents [\[54.1.3\]](#)
- a. Media representatives will be allowed immediate access to an area adjacent to the command post in unusual events such as natural disasters, hostage situations, civil disorders, fires, explosions, plane crashes, and other circumstances that the commanding officer in charge of the scene will determine.
 - b. The ranking officer on the scene will determine when less restrictive access by media representatives will be allowed. Under no circumstances will media members be permitted to interfere with command post functions. Media representatives will be denied access to areas that, in the ranking officer's opinion, their presence will:
 1. Interfere with the police operation
 2. Expose them to danger
 - c. News media personnel shall not be permitted to enter a crime scene unless approved by the on-scene supervisor.
[\[54.1.3\]](#)
 - d. The ranking officer at the scene will notify the Public Information Officer advising him of the situation. The

- Public Information Officer will provide briefings to the media representatives on a timely basis.
- e. If an incident is likely to attract widespread media attention, the commanding or ranking officer will contact the Public Information Officer or his/her designee.
 - f. The Communications Operator will maintain the emergency contact information of the Public Information Officer or his/her designee, and will contact him/ her when requested or when deemed necessary by the ranking officer on the scene.
4. Press Releases [\[54.1.1b\]](#)
- a. The Public Information Officer shall review all the facts of any newsworthy incident and prepare a news release to be given to the news media. The news release shall be as comprehensive as possible without jeopardizing the confidential areas of the incident / investigation. The Public Information Officer shall be available to expand upon the written news release as information becomes available.
 - b. Frequency of press releases will be determined at the discretion of the Public Information Officer or the Chief of Police.
 - c. The subject matter / content of any press release shall be reviewed by the Public Information officer and approved by the Chief of Police prior to release.
 - d. When an official press release is formulated, it shall be prepared on the departmental press release form. The completed form will be made available to media personnel. This process will ensure equal access to the same information.
 - e. If the nature of the incident warrants, the Public Information officer shall arrange for a news conference, with the approval of the Chief of Police. To accomplish this, the Public Information Officer shall: [\[54.1.1c\]](#)
 - 1. Arrange for a time and location to hold the news conference.
 - 2. Contact those who are to speak at the news conference and advise them of the time and location.
 - 3. Contact members of the news media and advise them of the time and location of the news conference.

- f. The Public Information Officer shall coordinate what information can be released to the news media regarding the names, victims, witnesses and suspect. All information released to the news media either by press release or conference shall be approved by the Chief of Police. [54.1.1d]
 - g. If a crisis situation should develop within the agency (e.g., Internal Affairs investigation, line of duty death of an officer, etc.) the Chief of Police, or the Public Information Officer shall be the only person authorized to issue a "Press Release". [54.1.1e]
5. Multi-Agency News release [54.1.1f]
- a. When the Burleson Police Department becomes involved in an incident involving cooperative assistance of outside agencies and that incident occurs within the corporate city limits of Burleson, the Burleson Police Department shall be responsible for information released.
 - 1. In order to ensure that timely and accurate information is released to concerned agencies and to the news media, the Burleson Police Department shall in all major incidents involving cooperative efforts, take responsibility for all press relations and information releases.
 - 2. The Public Information Officer shall coordinate his/her releases with representative of the outside agencies to ensure accuracy of reporting.
6. Press Information Book and Procedures for Media at the Police Department.
- a. A Press Information Book will be kept in the main lobby area for the Police Department for the distribution of public information, and shall include the following:
 - 1. Offense committed
 - 2. The location of the crime
 - 3. Identification and description of the complainant (unless such information is otherwise confidential by law)
 - 4. The premises involved
 - 5. The time of the occurrence
 - 6. The property involved
 - 7. Vehicles involved
 - 8. Description of the weather
 - 9. Brief description of the offense in question
 - 10. The names of the investigating officer(s)
 - 11. Booking information

12. Notation of any releases, transfer, or bonding information
 - b. Media personnel who visit Police Department facilities will not be permitted in security-controlled areas without the authorization of the Public Information Officer, the Chief of Police, Deputy Chief or Captain.
 - c. Further information from Police files may be obtained from the Police Records Manager in accordance with provisions of the Open Records Act. The investigating Detective at the direction of the Public Information Officer may release information regarding an investigation.
7. Request for Information From Departmental Files
- a. Any media representative requesting information from the files of the Police Department shall make the request to the Records Manager, and in order of contact, the following persons should be notified:
 1. Chief of Police
 2. Deputy Chief
 3. Affected Bureau Captain
 4. Public Information Officer
 - b. The following information may be disseminated to media representatives from police files at any time including when an investigation is ongoing, prior to closure of a case, or after a case is closed:
 1. Jail List
 - a. Arrestee's name, race, age, occupation, alias and physical condition
 - b. Date and time of arrest
 - c. Arrest number
 - d. Sex
 - e. Birth date
 - f. Charge
 2. Offense Report Information:
 - a. Offense committed
 - b. Location of crime
 - c. Identification and description of complainant
 - d. Premises involved
 - e. Time of occurrence
 - f. Property involved
 - g. Vehicle involved
 - h. Brief description of offense
 - i. Name of investigating officer
 - j. Booking information
 - k. Court in which offense is filed

- c. In rare instances, some records listed in Section 7, (b), 1 and 2, otherwise available for disclosure, may be required by law to be withheld because their disclosure will unduly interfere with law enforcement or crime prevention, or infringe upon a constitutionally protected privacy interest. Examples of such instances include, but are not limited to the names of persons arrested because of undercover work or the name of a victim of a serious sexual assault. The Public Information Officer shall be consulted if there is question whether the records should be released.
 - d. Information not available to the public prior to closure of a case includes:
 - 1. Offense Report
 - a. Identification and description of witness
 - b. Synopsis of a confession
 - c. Officer speculations as to actor's guilt
 - d. Officer's view of witness' credibility
 - e. Any statement(s) by informants
 - f. Ballistics report
 - g. Fingerprint comparison information
 - h. Results of laboratory tests
 - i. Results of polygraph tests
 - j. Refusal to take polygraph test
 - k. Results of paraffin test
 - l. Spectrographic or other investigative reports
 - m. Suspect information
 - n. Officer's investigative report
 - 2. Personal history and arrest record information obtained through NCIC and TCIC
 - a. Identification number
 - b. Name, race, sex, alias, place and date of birth, physical description, information concerning scars or tattoos (NOTE: this information may be available from other police records)
 - c. Occupation, marital status, and information concerning relatives
 - d. Mug shot, palm print, fingerprint, signature
 - e. Chronological history of any arrest and disposition
 - e. After the case is closed, the Chief of Police should be contacted to determine what records listed in Section 7/d above are available pursuant to an open records request.
8. Photographs and Interviews

- a. Photographs may be taken in or from any area which media representatives have been given access. Officers may restrict the use of flash, strobes, or other hi-intensity lighting when their use might hinder police operations.
 - b. Officers will not interfere with the photographer taking a picture of a prisoner under normal circumstances. Juveniles will not be photographed.
 - c. News media representatives except in area accessible to the public, with the exception that the Chief of Police or Public Information Officer has given permission will not permit photographing of suspects or witnesses in the restricted areas of police facilities.
9. Internal Investigations
- a. Requests for information or records regarding internal personnel investigations will be made in writing and directed to the Public Information Officer.
 - b. Information regarding internal personnel investigations by Internal Affairs Division shall be released in the following manner:
 1. In instances where the investigation is ongoing, statements may be made and records shall be released regarding the name of the officer or civilian who is the subject of complaints, the nature of the allegation and that the allegations are being investigated.
 2. In completed personnel investigations, information may be released regarding the nature of the allegation, the name of the officer or civilian who is the subject of the complaint, the names of the complainants, the written complaint, the officers written response to the complaint, and the final disposition of the complaint.
 3. Requests for further information or requests regarding a complaint that is the subject of pending litigation should be referred to the Public Information Officer.
10. Media Request
- a. No police department employee will initiate a contact relating to official city business with the media without permission of the Chief of Police.
 - b. Any other request not covered in this policy will be directed to the Public Information Officer.