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		Charles Femino Chief of Police				December 17, 2021	
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Purpose

The Somerville Police Department must have the support of the community to be successful. Establishing and maintaining an effective relationship with the news media is crucial to accomplishing this goal. This policy establishes guidelines regarding media relations and the release of information to the public through the news media.

Policy

It is the policy of the department to cooperate with the news media and to maintain an atmosphere of open communication. A positive working relationship with the news media is mutually beneficial. Information will be released to the news media in an impartial, accurate, and timely fashion. It is the responsibility of each department member to abide by this philosophy. No department member shall release any information that would jeopardize an active investigation, prejudice an accused person's right to a fair trial, or violate the law.

Procedures

A. Responsibility in Releasing Information [54.1.1]:

The ultimate responsibility for releasing information to the public lies with the Chief of Police. This responsibility may be delegated to the following personnel:

1. Public Information Officer (P.I.O.)

- a. The Deputy Chief in charge of Support Services has been delegated this authority and is the primary contact for the news media.
- b. When the P.I.O. is unavailable, the Chief of Police or his/her designee, will be the primary contact with the media for routine matters relative to release of general

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information. After the release of information by a designated P.I.O. other than the Deputy Chief in charge of Support Services, the P.I.O. shall be notified.

2. Supervisors:

- a. Supervisors with responsibilities for a specific case/incident may be the secondary contact for the news media, with permission from the Chief of Police or the P.I.O.

3. Other employees:

- a. The Chief of Police, P.I.O., or Deputy in charge of Patrol may direct other department members to respond to media inquiries.
- b. The Chief of Police, P.I.O., or Deputy in charge of Patrol may also instruct civilian dispatchers to respond to requests for general information about a particular incident (date, time, arrestee, and other routine information).

(1). No official statements will be allowed.

Anytime a representative of the media is denied access to certain information, they will be given a courteous explanation of the reason for denial.

B. Organization of Public Information Office (P.I.O.) Function:

- 1. The Public Information Office function will support the department and its members in matters involving the news media.
- 2. To accomplish this, the P.I.O. will be available during normal business hours and be on-call for emergencies and critical incidents at all other times.
- 3. The Shift Commander shall be responsible for ensuring that the P.I.O. is informed of major incidents.
- 4. The Public Information Officer is responsible for coordinating and authorizing the release of any information about victims, witnesses, and suspects. [54.1.1(d)]

C. Media Inquiries:

- 1. The Somerville Police Department will respond to all media inquiries in a timely and professional manner.
- 2. During normal business hours, media inquiries shall be directed to the P.I.O.
- 3. If the P.I.O. is unavailable, inquiries shall be directed to the Deputy in charge of Patrol.
- 4. If both are unavailable, the Shift Commander shall be notified.

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5. The Shift Commander shall then make contact with the P.I.O.
6. If the Shift Commander is unable to make contact, he shall contact the Chief of Police or his designee.
7. The Chief of Police, or his designee, shall be notified of all media inquiries that are not of a general nature.
8. Normal business hours are defined as Monday through Friday 9:00 AM until 5:00 PM.
9. The P.I.O. must be available after those described hours and be on-call for emergencies and critical incidents.

D. Interviews:

1. The P.I.O. is responsible for assisting the news media by conducting interviews or coordinating interviews with other qualified department personnel.
2. Department members contacted directly by the media shall notify the P.I.O. of any interview requests.
3. If given permission to speak to members of the media by the P.I.O., all conversations shall be considered “on the record” and subject to being quoted.

E. News Conferences:

1. News conferences will be held only in connection with major events of concern to the community.
2. The Chief of Police and the Communications Director for the City will be informed of all news conferences.
3. The P.I.O. will facilitate the news conference, which may include the Chief of Police or his/her designee.

F. Access to Crime Scenes, Critical Incidents, and Natural Disasters [54.1.3]:

1. Department personnel shall be courteous to news media representatives at crime and critical incident scenes.
2. Department personnel shall not comment officially or “off the record” to the media or public regarding the incident unless directed by the Chief of Police, Deputy Chief, or the Public Information Officer.
3. Department personnel shall ensure that the media respect the established perimeter.

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4. Members of the media have no greater or lesser access to an incident scene than members of the general public.
5. The P.I.O., with the approval of the Incident Commander, may grant closer access to news personnel and their equipment, to the degree that it does not interfere with law enforcement operations.
6. No member of the department shall prohibit the media from newsgathering practices, including photography and interviews, outside the established perimeter.
7. News media representatives cannot be prevented from access to any natural disaster or critical incidents solely because of the possibility of their injury or death.
8. News media representatives can always be prevented from access to any natural disaster or critical incidents when their presence constitutes a risk to first responders.
9. If this is the only consideration, the media representative should be advised of the danger and allowed to make the decision to enter.
10. Information at crime/critical incident scenes will be released by the designated P.I.O.
11. At critical incident scenes, the Incident Commander shall designate a media staging area between the inner and outer perimeters or if better suited, another designated area.
12. The P.I.O. designated for the incident shall be responsible for briefing the news media.
13. Department members shall work closely with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel, an ongoing investigations, or the public.

G. Public Records:

- A. The Somerville Police Department will abide by all local, state, and federal laws governing the release of public records.
- B. Members of the department should understand the provisions of Chapter 1050 of the Acts of 1973 that define public records (M.G.L. Chapter 66 Section 10).
 1. This statute gives the public access, including the right to inspect and copy, all records made or received by any public agency except those explicitly or implicitly exempted from disclosure by other statutes.
 2. Specially exempted from disclosure are records that come under the Criminal Offenders Record Information Law, C.O.R.I., Chapter 6, Sec 167, which prohibits disclosure of summaries of criminal records or probation records, whether obtained from Somerville Police files, or by police from other agencies.

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3. Also prohibited from disclosure, by both statutory intent and department policy, are the names of juveniles arrested.
4. The Public Records Law also provides that several categories of materials are exempted from disclosure [54.1.1(e)].
 - a) One of those categories concerns “Investigative materials necessarily compiled out of public view by law enforcement or other investigative officials, the disclosure of which would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest.”
 - b) The Deputy Chief of Support Services shall be responsible for coordinating and authorizing the release of any information concerning confidential agency investigations and operations. [54.1.1(e)]
 - c) This means that most investigative materials are protected from mandatory disclosure as a result of public records requests.
 - d) The forgoing notwithstanding, it is the policy of the Somerville Police Department to release such information to legitimate news media personnel if such release does not interfere with either police investigations or other legitimate police interests.
 - e) Determination of when these interests are impacted by public records request for investigative materials, shall be made by the Deputy Chief of Support Services.
 - f) All public records requests for information of an investigative nature shall, be referred to the office of the Deputy Chief of Support Services.

H. Access to Suspects [54.1.1 (d)]:

1. Suspects, or accused persons in custody, shall not be made available for media interviews by any member of the department.

I. Joint Investigations/Other Agency Involvement [54.1.1(f)]:

1. In a multi-jurisdictional investigation, the lead investigative agency is responsible for providing or coordinating the release of public information.
2. The P.I.O. or designee for the lead agency shall share that information with all involved agencies in advance of public dissemination.

J. Information Release Guidelines [54.1.1(d)(e)]:

1. The release of information is subject to restrictions placed by applicable local, state, and federal laws.

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- a.** Further, any information that would hamper the successful conclusion of an investigation or jeopardize the safety of affected persons will not be released.
- b.** Information that **CAN** be released:
 - (1). Basic information about victims, except as excluded by law.
 - (2). Descriptions of suspects.
 - (3). Basic description of weapons and vehicles used.
 - (4). Basic description of stolen items.
 - (5). Basic description of injuries and conditions of victims.
 - (6). The name, age, address and other basic information about arrestees, and criminal charges.
 - (7). Information contained in arrest affidavits and other applicable crime/incident reports.
- c.** Information that **CANNOT** Be Released:
 - (1). Names, addresses, or any information that would identify the victim of a sex offense, child abuse, or any other crime where the privacy of the individual is protected by law.
 - (2). Any person taken into custody because of mental illness.
 - (3). Names, addresses, and basic information about juvenile arrestees as governed by state law.
 - (4). Active criminal investigative information, active criminal intelligence information, and surveillance techniques.
 - (5). Names of informants and information provided by them.
 - (6). Supplemental and investigative reports shall not be released until such time as the case is closed or the CID Commander deems it permissible.
 - (7). Grand Jury testimony and proceedings.
 - (8). Active internal affairs investigations as governed by state law.
 - (9). Names of witnesses, unless required by state law.

- (10). The identity of critically injured or deceased persons prior to notification of next of kin. NOTE: We do not release the names of living victims. Deceased victims' names do become public record after proper notification of family members has been made, unless the deceased is a victim of a crime under the control of the District Attorney.
- (11). Home address, telephone numbers, and family information of law enforcement personnel.
- (12). Names of undercover personnel.
- (13). Any other information that could jeopardize the successful conclusion of an investigation and prosecution.
- (14). Any other information prohibited by state law from being publicly disclosed.
- (15). Booking photographs are public records, unless disclosure might influence an investigation or prosecution where identification of the suspect by witnesses is pending or restricted by the direction of the Chief of Police or his designee.

K. Media Ride-Along:

1. Allow members of the media to accompany law enforcement officers as they perform their duties.
2. Shall be coordinated by the department P.I.O. with permission from the Chief of Police.
3. Department members shall not permit members of the media to accompany them onto private property, nor will they assist in securing permission for access from property owners.
4. A properly executed waiver must be submitted before the ride-along pursuant to department policy.
5. No NCIC/WMS/BOP/RMV or other restricted information displayed on a mobile data terminal shall be shared or photographed.
6. Release of any information or images obtained during the course of the ride-along shall adhere to the policies of the Somerville Police Department and state and federal law.

L. Training:

1. The Somerville Police Department is committed to providing proper training for its P.I.O., supervisors, line officers, and other personnel who may interact with the media.

M. Ethics:

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1. It is the policy of the department to treat members of the media ethically and professionally.
2. It is expected that the media will respond in a like manner and follow ethical guidelines established by their industry.
3. Department members who believe they were treated unethically should contact the department P.I.O.

N. Meetings with the Media:

1. The Somerville Police Department is committed to positive media relations. The Chief of Police and the P.I.O. shall, if necessary, meet with media representatives to discuss issues of mutual interest or concern.
 - a. Proposed or anticipated changes in department policy and procedures dealing with the media will be discussed at this time.

O. Professional Associations:

1. Associations with other Public Information Officers:
 - a. The department is committed to ensuring the Public Information Function is part of mutual aid support that law enforcement agencies provide to one another.
 - b. To that end, the P.I.O. will participate in and support professional associations and organizations comprised of P.I.O.s from other public and private agencies.
2. Law Enforcement/Media Associations:
 - a. The department will participate in regional Law Enforcement/Media Associations to foster understanding between the two professions.

P. Live Coverage Agreements:

1. Live coverage agreements establish voluntary guidelines for the broadcast of live pictures or information emanating from critical incident scenes such as hostage situations, barricaded subjects, and other ongoing crises.
2. The department supports the creation, implementation, and use of such agreements.

Q. Media Credentials [54.1.3]:

1. The department recognizes representatives from recognized media organizations that carry and/or display photographic identification issued by their employer or the Executive Office of Public Safety.

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2. Anyone else is considered a member of the public.

R. Use of Police Facilities:

1. Without the express permission of the Chief of Police, department personnel, equipment, or facilities are not to be used for television, motion pictures, or other entertainment productions.
2. All requests should be made through the P.I.O.

S. Request for Interviews:

1. The news media and members of the public frequently direct inquiries to the department seeking interviews with department personnel on a variety of general police subjects.
2. While it is the policy of the department to respond positively to such request, it may not always be possible.
3. Requests for all interviews and/or information should be directed to the P.I.O.
4. Employees contacted directly by the media shall notify the P.I.O. of any interview requests.

T. Alternative Methods to Disseminate Information:

1. It is the policy of the department to pursue alternative methods of disseminating information directly to the public.
2. These may include news releases, community newsletters, government access, cable television shows, web sites, and public appearances by department members, public area bulletin boards, department web site, department social media, Connect CTY, mass notification calls, e-mail, and others.
3. Nothing in this policy shall prevent or preclude union officials from discussions involving union business with the media.