



MEDIA RELATIONS

new: ✓ rescinds: 28.1 ✓ amends:		cross-reference:	
effective date: August, 2011		accreditation standards: NYSLEAP Standard(s): 28.1	
amend date: May, 2020			

I. PURPOSE

To purpose of this General Order is to establish and describe policies and procedures for the release and dissemination of information to the news media and the public.

II. DEFINITIONS

News Media: Any organization, business, agency, or other entity that publishes or broadcasts any form of public communication by the press, radio, television, film, video, computer medium, or other form of public communication, e.g., radio, television, newspapers, wire services, etc.

Media Representative: Those individuals who are directly employed by a news media entity.

Note: Freelance workers in this field are to be regarded as members of the general public unless directed by the Sheriff or his designee.

Public Information: Information that may be of the interest to the general public regarding policies, procedures, or events involving the Sheriff's Office, or other newsworthy information that is not legally protected; does not compromise the legitimate safety and privacy interests of any person including officers, victims, witnesses, or others; does not unduly interfere with the mission or any legitimate activity of the agency; does not infringe upon individual rights; and does not infringe upon the rights of a suspect or defendant.

III. PRINCIPLES

A. The Tompkins County Sheriff's Office recognizes a number of guiding principles in formulating policies and procedures for the release of information to the news media and the public. These principles include the following.

1. Freedom of the press is guaranteed by the First Amendment to the United States Constitution. The public has the right to be informed about crime, law enforcement, and the administration of justice.
2. The right to a speedy and public trial by an impartial jury is guaranteed in criminal cases by the Sixth Amendment to the United States Constitution.

3. The Sheriff's Office has an obligation to report on its activities to the public it serves.
4. The release of certain types of information must be restricted because it may violate the law, impair legitimate activities of the Sheriff's Office, jeopardize the likelihood that suspects or defendants will be judged in the atmosphere free from passion, prejudice, and sensationalism, or needlessly injure a person's reputation.

IV. **POLICY**

- A. It is the policy of the Tompkins County Sheriff's Office to:
 1. Strive to maintain an atmosphere of openness with both the public and the news media.
 2. Cooperate fully and impartially with the authorized representatives of the news media in their effort to gather factual, public information pertaining to the activities of the office; and
 3. Furnish the news media with public information in a courteous, impartial, unbiased, and timely manner; and
 4. Obtain permission and consult with the Tompkins County Attorney's Office before releasing information. ALL FOIL requests will be handled by the County Attorney's Office.
- B. The Tompkins County Sheriff's Office will not release information that:
 1. Is legally protected;
 2. May compromise the legitimate safety and privacy interests of any person including members, victims, witnesses, cooperating persons or entities, or others;
 3. May unduly interfere with the mission of any legitimate activity of the office;
 4. May result in an infringement upon individual rights;
 5. May infringe upon the rights of a suspect or defendant.
- C. The public information function is the responsibility of all members of the Sheriff's Office. That responsibility will be carried out as set forth in this order.
- D. Lieutenants and designated PIO's may release information to the news media as set forth in this order. The Lieutenant of each division shall be responsible for the suitable release of such information related to the duties of their division. Sergeants and non-supervisory personnel may not release information to the news media, members of the public, or other persons or entities outside the Sheriff's Office unless authorized by the Sheriff or designee.

V. PROCEDURES

A. Police-Media Relations

1. The Sheriff may designate one or more officers/employees to act as a “Public Information Officer.” The duties of the PIO and Lieutenants may include:
 - Coordinating with the County’s Communication Director;
 - Assisting the news media in covering routine news stories;
 - Assisting the news media in covering major events, crisis situations, or other incidents and being available for on-call responses to the news media if off-duty;
 - Preparing and distributing news releases and maintaining a file of all news releases issued by the office;
 - Arranging for and assisting at news conferences;
 - Coordinating and authorizing the release of information about crimes, events, incidents, victims, witnesses, and suspects;
 - Referring media representatives to the appropriate personnel within the office who may release information on specific requests;
 - Serving as a liaison between the news media and the office;
 - Informing the media and the public of conditions or events, e.g., office programs and initiatives, new enforcement policies, changes in traffic patterns or other conditions affecting vehicular or pedestrian traffic, etc.;
 - Seeking input on the development of changes in policies and procedures regarding the news media; and
 - Facilitating the resolution of any issues that arise involving the media and improving relations between the media, the public, and the office.
 - In the event that the Sheriff is not available the Undersheriff or a Lieutenant will speak with the media in a limited capacity, until the Sheriff is available or the interview is authorized by the Sheriff.

B. News Release Folder

1. The Sheriff’s Office maintains a “Media Release” page on the Sheriff’s Office web site, which is available to media representatives at all times.
2. Lieutenants and members designated by the Sheriff as a PIO may release suitable information on this page.

C. General Guidelines for Cooperation with the Media

1. Authorized media representatives shall have a reasonable access to the Sheriff, and other office personnel that are designated by the Sheriff.

2. When a request for information by a media representative must be denied, the basis for the denial shall be fully and courteously explained.
3. This agency recognizes authorized identification from all local, national, and international news media organizations. If an office member is not personally familiar with an individual as an authorized media representative, failure of that person to present proper identification will provide grounds to deny access to requested information or to incident scenes.
4. Public information will be provided to media representatives as promptly as circumstances allow, without partiality and in as objective manner as possible.
5. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be verified.
6. Office members shall not interfere with the pursuit of public information by media representatives except to the extent provided by otherwise in this order.
7. Office members may advise victims, witnesses, or other civilians of their right to refuse news media interviews but will not obstruct such interviews if the civilian is willing to participate. However, such interviews will not be permitted to impair an operation, investigation, or other police activity.
8. Office members will ensure that information provided to the media is factual and accurate. At no time will members provide information without factual basis and in no event shall members provide opinions.

Example: At the preliminary stages of a death investigation before sufficient facts are gathered, members should not publicly speculate as to whether the death was a homicide, suicide, or due to natural causes. In such cases, the media should be advised that the agency is conducting a “death investigation” and provide further details as they become available.

9. Media representatives will not be admitted into the Patrol Supervisor’s Office, the Criminal Investigations Division, the Sheriff’s Office, the office of either the Undersheriff or Lieutenants or other private area of the office without the permission of the appropriate supervisor.
10. The Lieutenant at the scene of a crime, event, or incident may release public information of a factual nature to the media as governed by this order. If the Lieutenant is unsure of the facts or the propriety of releasing the information, he shall refer the inquiry to a higher authority.
11. Sergeants, Investigators and non-supervisory personnel receiving media requests for information will refer the media representative to the Lieutenant of their respective division. Sergeants, Investigators and non-supervisory personnel will provide reasonable assistance to media representatives in contacting the Lieutenant to the extent such assistance does not impair their duties and responsibilities.

12. The on-duty supervisor will be responsible to notify the Sheriff, Undersheriff, and Lieutenant of significant events that may have news media interest.
13. Any time a significant operation or event is anticipated that would be expected to generate media interest, the Commanding Officer of such operation or event should plan and coordinate media issues in advance with the Sheriff, Undersheriff, and Lieutenant(s). In the event of an unanticipated event or incident, e.g., a major crime or tactical situation, the Sheriff may delegate the assignment to another member to coordinate media issues.
14. In any multi-agency operation, investigation, or activity, the “lead agency” will be responsible for release of information to the media. The ranking Sheriff’s Office member involved in any such operation, investigation, or activity will coordinate this and consult with the Lieutenant(s), Undersheriff, and Sheriff as appropriate.

Note: Whenever feasible, it is best to plan in advance the handling of media issues when working with other agencies.

D. Information That Normally **May** Be Released About an Event, Incident, Investigation or Crime

1. The following information about an event, incident, investigation, or crime may be released in accordance with this General Order unless directed otherwise or it appears that the release of such information in a particular case will implicate one or more of the factors set forth in this order.
 - a. The type or nature of the event, incident, or crime may be released.
 - b. The date, time, location, and a general description of the event, incident, or crime may be released.
 - c. A description of the nature and seriousness of injuries sustained may be released.
 - d. The identity, age and approximate address of a victim may be released unless:
 - The person is a victim of a sexual offense;
 - The next-of-kin have not yet been notified; or
 - There is reason to believe reprisals or intimidation may be employed against the victim or other persons (e.g family members).
 - e. Requests for assistance in locating a victim, complainant, witness, or evidence may be released.
 - f. The quantity, value, or other information about controlled substances, property, or other assets that have been seized may be released unless to do so would impair further investigation.
 - g. The agencies involved in the event, incident, or investigation may be released.
 - h. The number of Sheriff’s Office personnel involved and the length of the investigation may be released.

- i. The name of the arresting or investigating officer(s) of the Sheriff's Office member in charge of an incident, event or investigation, his/her supervisor, and division or unit of the assignment may be released unless the office is in an undercover assignment in which case no information will be released.

E. Information That May Not Be Released About An Event, Incident, Investigation, or Crime

1. The identity or photograph of a suspect prior to arrest may not be released unless authorized by the Sheriff or Undersheriff in cases in which the release of such information may aid in apprehending the suspect or serve to warn the public of potential danger.

Note: Identifying or associating someone with a criminal investigation prior to the filing of charges may be unfair, highly prejudicial, or both. In deciding whether to release such information these factors should be carefully weighed against the anticipated benefits of release, i.e. public safety or potential assistance in apprehending the suspect.

2. The identity of any victim of a sexual offense or related information that, if divulged, would tend to identify the victim or lead to discovery of the victim's identity, may not be released.

Note: No information will be released which could potentially lead to the identity of the victim of a sexual offense. For example, the location of occurrence will not be released if that information could assist in ascertaining the victim's name as a property owner, resident, proprietor, employee, etc.

3. The identity of victims or witnesses or other persons connected with a case may not be released if such disclosure would prejudice or impair an investigation, or it would place such persons or other persons in danger.
4. The identity of any juvenile who is a suspect, defendant, or respondent in a case subject to the jurisdiction of Family Court may not be released.

Note: In the event any juvenile is charged as an adult pursuant to pertinent provisions of law, Sheriff's Office members will consult and coordinate with the District Attorney's Office prior to any release of information.

5. The identity of any seriously injured or deceased person may not be released prior to notification of next-of-kin.
6. The results of an investigative procedure may not be released. This includes line-ups, show-ups, photographic identifications, polygraph or other lie detector tests, fingerprint tests, scientific tests, ballistic tests, or other procedures.
7. Information which, if prematurely released may interfere with an investigation, apprehension, or prosecution may not be released. Depending upon the circumstances of a particular case, such information may include leads or tips received, specifics of the crime known only to the perpetrator and police, specifics of the "M.O.," or information that

may cause the suspect to flee or more effectively avoid apprehension.

8. The specific cause of death may not be released unless officially determined by a Medical Examiner.
9. The home address and phone number of any member of the agency may not be released.
10. To facilitate police operations or investigations, the Sheriff's Office may agree to keep the involvement, assistance, participation or cooperation of a person, business, organization, or other entity confidential. Office members will not release or divulge the identity or any other information which could lead to the identity of any person, business, organization, or other entity in such cases.

Note: Prior to releasing information regarding the involvement, assistance, participation or cooperation of a person, business, organization, or other entity, the releasing office member will confirm whether a confidentiality agreement exists.

F. Arrest Information

1. Following an arrest, issuance of an arrest warrant, issuance of an unsealed indictment, or filing of an accusatory instrument (except in any case involving a juvenile), it is permissible for a Lieutenant or a designated PIO to release the following information unless directed otherwise or it appears that the release of such information in a particular case will implicate one or more of the factors set forth in V.(E) of this order:
 - a. The accused's name, age, residence, and occupation may be released.
 - b. The date, time, and place of arrest may be released.
 - c. Facts pertaining to the arrest may be released including whether flight or resistance was encountered, whether weapons were involved, charges placed against the suspect, and a description of contraband seized.
 - d. The identity and assignment of the investigating and/or arresting officer may be released unless such officer is engaged in undercover assignments.
 - e. The amount of bail or bond set, scheduled court dates, and places of the defendant's detention may be released.
 - f. The arrest photograph of the suspect may be released only with the permission of the Sheriff.

Note: In cases in which witness identification procedures are yet to be conducted the photograph of the suspect will not be released until all identification procedures are completed.

Whenever the photograph of a suspect is released any photographic identification numbers will be covered so that such numbers will not be visible.

- g. Once a defendant has been arraigned, any request for further information beyond the basic arrest information outlined above should be referred to and coordinated with the District Attorney's Office.
- h. The following types of information or opinions will not be released without the express written permission of the Sheriff.
 - Prior criminal conviction or arrest record;
 - Statements or opinions regarding the character or reputation of the defendant or a prospective witness;
 - The existence or contents of the admission, confession, or other verbal statement of the defendant, or his failure to submit to such a test;
 - Performance or results of any polygraph or other lie detector test, or defendants refusal or failure to submit to such a test;
 - The identity or address of any witnesses;
 - Statements concerning the credibility or anticipated testimony of the victim or any witness;
 - Any expressed or implied opinion about the guilt or innocence of the defendant or the merits of the case;
 - Any opinion information, or statement connecting the defendant to an uncharged crime or crime pattern;
 - Identity of the defendant's family so as not to bring undue distress suffering to persons not directly involved in the crime; or
 - Any information or opinion on the possibility or existence of pre-trial negotiations or plea bargains, or the possibility of the defendant pleading guilty to crime charged or a lesser offense.

G. Special Considerations For Criminal Matters

1. Sheriff's Office personnel shall extend every reasonable courtesy to media representatives at crime scenes. Media representatives may be permitted closer access to crime scenes than the general public provided that doing so does not impair police activity or compromise the safety of the office, civilians, or media representatives at the scene.
2. The news media will not be allowed access to any area or scene where the possibility that evidence may be damaged, destroyed, or altered, or the investigation otherwise impaired. Access will not be allowed to any area or scene if the investigation or prosecution would be impaired by the publication or portrayal of evidence.
3. Once evidence has been processed, secured and removed from the scene, the media may be permitted entrance or closer access to the scene by the Commanding Officer if doing so will not impair police operations.
4. On private property, photography, film, or videotape recordings by the media requires the permission of the owner or a representative of the owner.
5. Sheriff's Office members will not prevent photographing of defendants in public places outside the courtroom. Suspects or accused persons in custody shall not be posed nor shall arrangements be made for photographs, telecasts, or interviews with such persons. Office

members will not pose with suspects or accused persons in custody.

H. Special Considerations For Non-Criminal Matters

1. At the scene of significant events or incidents, man-made or natural catastrophes or accidents, the principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the police, fire, or other emergency relief efforts.
2. Media access to and movement within, fire lines shall be controlled by the fire officer-in-charge to establish an observation point from which the media may safely observe and film or photograph the incident.

Note: At the discretion of the fire officer-in-charge an inner perimeter may be established for the media from which to record the event.

I. Special Considerations For Suicides

1. The fact that a suicide has occurred may be reported to the media, along with factual information about how the incident occurred. The name, age, gender, address, and occupation of the subject may also be released after notification of the next-of-kin.
2. The fact that a suicide note or message exists may be acknowledged without further comment. The content of any such note or message will be personal to the victim's family and shall not be released except as required by law.

J. Internal Investigations, Personnel Complaints, or Other Sensitive Personnel Matters

1. Information relating to internal investigations of members, personnel complaints, or other sensitive personnel matters will not be released without the express permission of the Sheriff.

K. Matters Involving Government Officials or Employees of Other Government Agencies

1. Information relating to crimes or investigations or other sensitive matters involving Government officials and employees of other agencies will not be released without the express permission of the Sheriff. Examples, City Government officials, police officers, probation or parole officers, etc.

L. Special Considerations For Major Crimes and Critical Incidents

1. At the scene of major crimes (e.g., homicides) and critical incidents (e.g., hostage or barricade situations, blizzards, floods, or other serious weather situations, mass causality situations), the Commanding Officer shall designate a preliminary media area as early as possible and as close to the scene as safety and operational requirements allow.
2. Sheriff's Office members should consider utilizing the media to assist emergency management. Depending upon the nature of the critical incident or emergency areas in which the media may be able to help include:

- a. Transmitting watches and warnings about blizzards, floods, or other serious weather situations;
- b. Quickly conveying instructions to the public as to how they can avoid, lessen, or deal with the effects of the situations;
- c. Soliciting assistance and resources to assist public agencies in dealing with situations; or
- d. Conveying accurate information about casualties and survivors, and other information about the severity and scope of the situation, thereby helping to minimize inquiries from the public that will tax communication resources.

M. Office Policy and Procedures

1. The release of or statements describing office policies or procedures will be approved by the Sheriff or designee prior to release.

Attachments:

- A. [Media Release Form](#)

By Order Of



Derek Osborne
Sheriff