

POLICE – NEWS MEDIA RELATIONS	Document Number	GO 701
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1. PURPOSE

The purpose of this policy is to establish guidelines, procedures, and coordination for the release and dissemination of public information to the news media.

2. PERSONS AFFECTED

All department personnel.

3. POLICY

It shall be the policy of the Hawai'i Police Department that its members cooperate fully and impartially with authorized news media representatives in their efforts to gather factual public information pertaining to activities of the department, as long as these activities do not unduly interfere with department operation, infringe upon individual rights or violate current law.

4. DEFINITIONS

4.1. Public Information – Any information that may be of interest to the general public regarding policy, procedures or events involving the department or other newsworthy information that is not legally protected, does not frustrate a legitimate government function, infringe upon the privacy rights of citizens under Chapter 92F, HRS, or compromise the legitimate safety and private interests of officers, victims, witnesses or others.

4.2. News Media Representatives – Individuals who are directly employed by agencies of the electronic or print media such as radio, television and newspapers, or who are freelance workers who contribute to those agencies and are recognized as such by the issuance of a News Media Pass in accordance with General Order 702.

4.3. Incident Daily Bulletin – Document generated from the department's Records Management System, which contains a daily record of reported criminal incidents and other related information.

4.4. Booking Log – Document generated from the department's Record Management System, which contains a daily record of persons arrested.

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4.5. Traffic Accident Bulletin – Document generated from the department’s Records Management System, which contains a daily record of traffic accidents and the names and ages of drivers involved.

4.6. Non-conviction Data – Arrest information without a disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that the prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed, as well as all acquittals and all dismissals.

5. RESPONSIBILITIES

5.1. Authority To Release Information – Officers are authorized, with exercise of discretion and adherence to departmental orders, to release information concerning police cases, incidents and activities to news media representatives. The Police Chief or designee has the sole authority to release information on department policies and procedures.

5.2. Media Liaison

5.2.1. The Major of Administrative Services shall be the department's primary Media Liaison.

5.2.2. In the case of an officer involved shooting, the Media Liaison shall be the Assistant Chief of the Operations Bureau assigned to conduct the investigation.

5.2.3. The Media Liaison may designate the Public Relations Specialist to act in the Media Liaison’s absence.

5.2.4. Duties of the Media Liaison and Public Relation Specialist include:

- a. Being available for consultation with media representatives on items of interest.
- b. Maintaining relations between the news media and the department by ensuring the timely, consistent and adequate release of information upon request.

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- c. Assisting with the gathering of information from departmental sources and ensuring the timely transmittal to the news media.
- d. Arranging for department representation and assisting at requested interviews and press conferences.
- e. Coordinating and authorizing the release of information about victims, witnesses and suspects.

5.3. Members – Members shall give assistance and cooperation to news media representatives so as to enable them to gather their news rapidly, accurately, completely and promptly following the receipt of the information by the police department.

5.4. The Police Chief or designee shall have the sole authority to review and revise the policies and procedures governing the release of information at the request of members of the news media and in accordance with the guidelines of the Office of Information Practices.

6. PROCEDURES

6.1. Notification and Transmittal

- 6.1.1. During normal business hours and before issuing a media release, the Media Liaison, the Public Relations specialist or the District/Division Commander shall be notified.
- 6.1.2. After normal business hours, police supervisors have the responsibility to prepare releases for common events using samples provided with Chief's memorandum (2001-200) dated December 19, 2001.
- 6.1.3. Personnel should limit the after-hours calls to the Public Relations Specialist, but if circumstances do arise that require his expertise, then do not hesitate to seek his assistance. Circumstances in which the Public Relations Specialist should be called include: Police shootings, murders, major armed robberies (especially if victims are injured or hostages taken), and other serious and extraordinary incidents.

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- 6.1.4. Upon making contact with the Media Liaison and/or designee, or the District/Division Commander, the officer drafting the media release shall transmit the information contained in the media release to the Media Liaison or designee, if they are available, and note the date and time of the contact on the lower left hand corner of the media release copy.

The Media Liaison, designee or District/Division Commander will make corrections, if any, to the media release and transmit it back to the officer drafting the media release. Only after final draft is approved may the media release be made available to members of the press.

Under no circumstance should the dissemination of a media release be delayed due to the unavailability of the Media Liaison or designee. If the Media Liaison and designee are unavailable, the author of the media release shall seek the approval of the District/Division Commander prior to disseminating the media release.

- 6.1.5. After obtaining information contained in a media release, a member of the news media may contact the Media Liaison or designee directly during regular business hours (0745-1630 hours) and may contact a desk officer at the Hilo or Kona Receiving Desk after hours and on weekends and holidays.
- 6.1.6. If a member of the news media contacts the Media Liaison for more information regarding an incident, the Media Liaison or designee will contact the affected district or unit to obtain more information and determine whether it may be released.
- 6.1.7. After forwarding requested information to news media sources, the Media Liaison or designee may notify affected districts or units to provide media release updates.

6.2. Information Sources

- 6.2.1. Media “Booking Log,” “Traffic Accident Bulletin” and “Incident Daily Bulletin”

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- a. South Hilo and Kona Stations shall maintain in an area designated and accessible to the media and public a “Booking Log,” “Traffic Accident Bulletin” and “Incident Daily Bulletin.”
- b. The “Booking Log,” “Traffic Accident Bulletin” and “Incident Daily Bulletin” with the names and addresses of juveniles deleted shall be the only bulletin files open for viewing by the media and public. Viewing shall be kept in a designated location for news media representatives possessing a valid news media pass, and to the public in the Records and Identification Section upon request.
- c. The watch commander shall review each sheet of the media “Booking Log” and “Traffic Accident Bulletin”, and shall ensure that no juvenile names and addresses are included on the media’s copies.

6.2.2. Media Releases

- a. Media releases may be made for any incident or event which may be of public interest as deemed by competent police authority.
- b. Generally, the unit commander or designee shall prepare a draft of a media release.
- c. Media releases should contain:
 - When the incident occurred;
 - Who is involved;
 - What transpired;
 - How the incident materialized;
 - Where the incident happened;
 - Why the incident resulted;

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- Disposition of case;
 - Element investigating the case, i.e., Patrol, CIS, TEU, etc.
- d. Drafted media releases shall be forwarded or discussed with the Media Liaison or designee, or if unavailable, the District/Division Commander for approval and recommendations.
 - e. The decision to prepare a news release shall be in compliance with Appendix A, News Release Guidelines.
 - f. Drafted releases shall be returned to the originator or designee for revisions when necessary.
 - g. It shall be the responsibility of the originator or the originator's immediate supervisor to proofread a media release for proper spelling, grammar, punctuation and format prior to dissemination.
 - h. A copy of media releases shall be delivered personally, sent by e-mail, or sent by fax to the Media Liaison or designee. The Media Liaison or designee shall post the media release to the department's web site.
 - i. Routine releases dealing with ongoing investigations, weekly statistical updates, etc., need not be reviewed by the Chief's Office or Media Liaison or designee and may be released after review by District/Division Commanders.
 - j. Policy statements, information pertaining to administration, personnel and operations of the department shall not be released except with the approval of the Police Chief or designee.
 - k. Upon posting an approved media release to the department's web site, the Media Liaison or designee shall keep a hard copy on file and distribute copies to the Hilo media room,

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the Dispatch Section, the Hilo Receiving Desk and the Administrative Services Division for filing.

6.2.3. Law Enforcement Records – All law enforcement records relating to departmental investigations other than the information enumerated in, Release of Information, of General Order 701, shall be deemed confidential and shall not be disclosed to or copies thereof transferred to any person other than:

- a. A law enforcement official of the State acting in the course and scope of official duties;
- b. A law enforcement official of the Federal government or another state acting in the course and scope of official duties, provided that the recipient law enforcement agency has agreed to keep said records confidential to the same extent as provided for herein; or
- c. Pursuant to an order of a court of competent jurisdiction.

6.2.4. Photographing or Interviewing Persons in Custody – Photographing, televising, and interviewing persons in custody by media representatives shall be governed by the following:

- a. No person in custody may be posed for photographing or televising.
- b. No person in custody may be interviewed unless such person requests same in writing or consents to same in writing after being informed of his/her right to consult with counsel and of his/her right to refuse to grant an interview.

6.3. Transmittal of Information

6.3.1. The officer in charge at district stations shall, as soon as practicable, report to the superior officer and to the on-duty desk officer in South Hilo all cases of a serious nature or other major incidents which may occur in their respective districts.

6.3.2. The desk officer on duty in South Hilo, superior officers at district stations, or the officer in charge of an investigation shall inform the

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officer in charge of the succeeding watch of the available facts relating to major incidents or serious crimes.

6.3.3. District crime and incident reports shall be entered into the Records Management System without unnecessary delay so that they may be available on the “Booking Log” and “Incident Daily Bulletin.” Preliminary reports may be made available to news media representatives if they do not contain prohibited information.

6.3.4. Officers authorized to release news and information to the media shall be accessible and available for interviews and shall take all reasonable means to facilitate the work of the news media representatives.

6.4. Release of Information

6.4.1. Limitations of Release of Information

- a. Information pertaining to the policies, administration and operations of the department shall be released through the Police Chief or designee.
- b. Members shall not divulge evidence or matters which are classified as confidential, to include information concerning confidential department investigations and operations.
- c. When public knowledge would frustrate a legitimate government function, information of an incident or crime, shall be withheld with the approval of bureau commanders or higher authority. This information shall not include information required to be released by law.
- d. Releases shall be prepared only when the department is the lead agency involved with the incident. When not the lead agency involved, the department shall assist the lead agency with information in accordance with this General Order.

6.4.2. Information That Shall Be Released

- a. All Reported Criminal Incidents

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- The date and time that the crime occurred.
- Identification of the location where the crime took place unless disclosure would jeopardize the police purpose. If the crime occurred at a private residence, the street name and block number, i.e., Kino'ole Street, 2400 Block, will be released except in cases of sexual assault where neighborhood area designations will be utilized.

Examples of neighborhood area designations are: Mt. View, Volcano, Pāhala, Captain Cook, Hōlualoa, Kalaoa, Kawaihae, Lakeland, Honoka'a, Laupāhoehoe, Pāpa'ikou, Kaūmana, Pana'ewa, etc.

- The sex of the victim or victims.
- The specific age of the victim or victims except in cases of sexual assault. For sexual assault cases, the following designations shall be used:

Infant: Birth to two years of age;
 Child: Three years to seven years of age;
 Minor: Eight years to seventeen years of age;
 Adult: Eighteen years of age and older.

- The items stolen or damaged and their value.
- The injuries sustained by the victim(s) and suspect(s).
- The name of the victim(s) in death cases and traffic fatalities after the family has been notified.
- The name(s) of the suspect(s) arrested for or charged with an offense, as required by State statutes.

6.4.3. Information That May Be Released

- a. The following information may be released subject to the limitations provided herein:

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- General information concerning the crime or incident, as long as it does not frustrate a legitimate government function. Determination of whether or not the release of additional information will hinder the investigation will be left to the discretion and judgment of the principal investigator or any other authorized individual.
- The victim's name when the perpetrator remains in custody or there is no danger of retribution from the perpetrator.
- Names of drivers and victims involved in traffic accidents except: juveniles charged, or information on possible arrests or charges.
- Description of wanted and missing persons.
- Time, date and place of arrest.
- Facts and circumstances of the arrest.
- Offense for which a person is arrested or charged.
- The amount of bail/bond set.
- Appearance before magistrate.
- Where kept in custody.
- Tools and weapons used.
- Description of evidence seized.
- Adult arrest information, such as information recorded in the "Booking Log" and "Incident Daily Bulletin."

6.4.4. Information That Shall Not Be Released

- a. Non-conviction data or statements as to character or reputation of an accused person.

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- b. The existence or contents of any confession, admission or statement given by defendant.
- c. Refusal or failure of defendant to make any statement.
- d. Performance or results of tests, or the refusal of an accused to take such a test.
- e. Name, address and/or exact locations of victims of sex crimes or attempted suicide.
- f. Identity of suspects and/or persons detained or questioned prior to arrest or filing of charges.
- g. Name, address or any other fact (except age and sex) that may identify a particular juvenile charged with an offense.
- h. The identity, testimony or credibility of witnesses, or the identity of victims when the perpetrator is at large and the slightest potential of harm to the victim exists.
- i. Possibility of a plea of guilty to the offense charged or to a lesser offense.
- j. Any opinion relating to the merits of the case.

6.5. Media Relations

6.5.1. At Crime Scenes – Members assigned to or assuming control of a crime scene shall, insofar as is consistent with sound police practice, grant access and supply information regarding the crime to news media representatives. Whenever any member is of the opinion that it would be contrary to sound police practice to permit access to the crime scene or to release information, members shall refer the news media representative to the immediate superior or the officer in charge for further decision.

- a. All news media representatives shall identify themselves to officers conducting investigations at crime or other scenes by showing their media passes.

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- b. While at a crime scene, members of the department may participate in interviews with media representatives, provided that the information given neither impedes an investigation nor causes further anguish to the victim. Members consenting to an interview should further ensure that they comply with Section 6.4, Release of Information, of this General Order.
- c. News media representatives may be permitted to cross police lines and allowed as much freedom of movement as is prudent at scenes of disasters, emergencies or other major incidents providing they do not endanger others and enter at their own risk.
- d. The officer in charge of the scene of a crime committed within a building or structure shall determine, according to the circumstances and subject to the consent of the property owner, whether access shall be granted to news media representatives or whether access shall be denied until after the investigation has been completed.
- e. News media representatives should not be restricted from taking photographs or videos at the scene of crimes or within the confines of any building so long as it does not frustrate a legitimate government function or affect public order.
- f. News media representatives shall not be permitted to interfere with or delay officers in the performance of their duty. The senior officer in charge shall take proper action necessary to stop interference, and any abuse of privileges by news media representatives shall be reported in writing to the commanding officer.
- g. Journalists and photographers without an official Police Department media pass, shall be denied access to crime scenes and other areas subject to emergency police control.
- h. News media representatives shall be permitted to take photographs or videos of incidents occurring on public property or highways so long as they do not frustrate a

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legitimate government function or the efforts of police to administer aid to injured persons.

- i. Departmental photographs of persons, crime scenes or other occurrences may be made available to the media by competent authority.
 - j. Interviews with members of the department are unrestricted so long as it does not frustrate a legitimate government function.
- 6.5.2. News Media Facilities – News media representatives shall be permitted access to the various bureaus and offices in police buildings normally accessible to the general public, and they shall be accorded every consideration and courtesy so long as they do not disrupt normal police routines or the performance of police duty.
- a. A telephone shall be made available to news media representatives on request.
 - b. News media representatives shall not be allowed to enter bureaus or offices, or to use facilities therein, outside of business hours or when such offices are closed, except with the permission of a responsible officer.