

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 personnel

3. POLICY

It shall be the policy of the Hawai‘i Police Department that its personnel 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, the release of which would not frustrate a legitimate government function, infringe upon an individual’s right to privacy or compromise legitimate safety concerns, and which is not otherwise protected from disclosure pursuant to HRS 92F or any other applicable law.

4.2. **News Media Representatives** – Individuals that are representatives from news media organizations who are able to produce photographic identification issued by their respective organization.

4.3. **Freelance Media** – Photographers or videographers who are self-employed and not committed to a particular employer long-term.

4.4. **Police Controlled Area** – Crime scene or other area subject to emergency police control.

4.5. **Daily Bulletin** – Document generated from the department’s Records Management System, which contains a daily record of reported incidents.

4.6. **Media Booking Log** – Document generated from the department’s Record Management System, which contains a daily record of persons arrested.

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4.7. **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. The Police Chief or designee shall have the sole discretion and power to release information regarding departmental policy and procedure.

5.1.1. Authority To Release Information – The Police Chief authorizes sworn personnel to discuss and release information regarding departmental policy and procedure when it is prudent to accomplish law enforcement objectives to include public safety messages.

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.

a. For all officer(s) involved shooting incidents, the Police Chief or designee shall be the spokesperson for the department.

b. Exception: In the ICS protocol the incident commander may appoint a PIO. If the incident later becomes a critical incident that is not an officer involved shooting, the PIO will be relieved by the Media Liaison who is the Administrative Major or designee.

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

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- 5.2.4. The Major of Administration or their designee shall ensure that the Media Liaison and Public Relations Specialist receive training for their position.
- 5.2.5. 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.
 - 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. Assisting in drafting media messages for interviews, press conferences, or as needed.
 - Media messages may include kudos, a call to action, a public service announcement, or strong policy statement if approved by the Police Chief.
 - f. Coordinating and authorizing the release of information about victims, witnesses and suspects.
- 5.3. Personnel – 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.

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6. PROCEDURES

6.1. Media Releases

6.1.1. Media releases may be drafted, for any incident or event which may be of public interest, by any police supervisor, or officer with the review and approval of a police supervisor.

a. Generally, the unit commander or designee shall prepare a draft of a media release.

6.1.2. The decision to prepare a news release shall be in compliance with Appendix A, News Release Guidelines.

6.1.3. Police supervisors have the responsibility to prepare releases for common events using templates provided in Appendix B.

6.1.4. Personnel should limit the after-hours calls to the Public Relations Specialist, but if circumstances do arise that require the expertise of the Public Relations Specialist, commanders shall be notified prior to the call. 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.

6.1.5. Media releases should contain:

- a. When the incident occurred;
- b. Who is involved;
- c. What transpired;
- d. How the incident materialized;
- e. Where the incident happened;
- f. Why the incident resulted;
- g. Disposition of case; and

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- h. Element investigating the case, e.g., Patrol, CIS, TEU, etc.
- 6.1.6. Drafted media releases shall be discussed with and forwarded to the Media Liaison or designee, or if unavailable (e.g. after normal business hours, etc.), the District/Division Commander for approval and recommendations.
- a. The author shall ensure the name, date, and, time of contact is noted.
 - b. It shall be the responsibility of the author or the author's supervisor to proofread a media release for proper spelling, grammar, punctuation and format.
- 6.1.7. The Media Liaison, designee or District/Division Commander shall review the draft or make recommendations as needed. The draft may be returned to the author for revisions when necessary. Only after final draft is approved may the media release be made available to members of the press.
- 6.1.8. The author shall be notified if and/or when the draft is finally approved, and shall be forwarded a copy of the approved media release.
- 6.1.9. 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.
- 6.1.10. 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.
- 6.1.11. Policy statements, information pertaining to personnel, and departmental operations may be released in a major incident

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without approval of the Police Chief when that information is relative, prudent, and effective in communicating to the media and the public the law enforcement objective.

- 6.1.12. 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 approved media releases to the department’s web site and may also post to an approved service provider, e.g. Nixle, Facebook, Twitter.
- 6.1.13. 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.
 - a. 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.
 - b. 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 and Daily Bulletin
 - a. District commanders of the South Hilo and Kona Stations shall ensure that a Media Booking Log and Daily Bulletin are maintained in an area designated and accessible to the media and public.
 - b. The Media Booking Log and 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 the designated area for news media representatives and the public.

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- c. The 1st watch commanders of South Hilo and Kona Stations shall review the Media Booking Log and Daily Bulletin and shall ensure that no juvenile names and addresses are included on the media's copies.

- 6.2.2. Use of social media as part of the public information function will be confined to department accounts which are Nixle, Facebook, Twitter, or other department approved web-based services to send alerts, e.g. severe traffic, missing persons, etc.

- 6.2.3. Law Enforcement Records – All confidential law enforcement records 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.

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6.3. Transmittal of Information

- 6.3.1. Officers shall, as soon as practicable, report to the police supervisor, all cases which may be of a serious nature or other major incidents which may occur in their respective districts. If the district does not have a police supervisor on duty, the officer shall confer with the South Hilo or Kona desk as appropriate to their Bureau (Area I or Area II.)
- 6.3.2. The police supervisor shall confirm its seriousness and ensure that the available facts relating to the major incidents or serious crimes are transmitted to the succeeding watch. The police supervisor shall also ensure that the District Commander is notified as soon as practicable.
- 6.3.3. The District Commander shall ensure all required notifications and media releases are made relating to major incidents or serious crimes.
- 6.3.4. 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.
- 6.3.5. The District Commander shall ensure that 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. Personnel shall not divulge evidence or matters which are classified as confidential, to include information concerning confidential department investigations and operations.

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- b. When public knowledge would frustrate a legitimate government function, information regarding 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.
- c. 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. Criminal Incidents

- The date and time that the crime occurred.
- Identification of the location where the crime took place unless disclosure would jeopardize the investigation or otherwise interfere with the department's performance of its duties. If the crime occurred at a private residence, the street name and block number, e.g., 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:

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- 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 confirmation of identity and notification to the family is made.
- 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 and guidelines provided herein and in accordance with all applicable laws:
 - 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.

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- 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.
- 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.

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- 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.
- k. Any other information deemed confidential.

6.5. Media Relations

6.5.1. Police Controlled Areas – Personnel assigned to or assuming control of an area subject to emergency police control shall, insofar as is consistent with sound police practice, grant access and supply information regarding the crime to news media representatives. Whenever personnel are of the opinion that it would be contrary to sound police practice to permit access to the police controlled area, or to release information, personnel shall refer the news media representative to their immediate superior or the officer in charge for further decision.

- a. Personnel shall ensure all news media representatives identify themselves to officers at police controlled areas by showing photographic identification issued by their news media organization along with any type of government identification.

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- Freelance photographers and videographers who have been contracted by news media organizations at police controlled areas shall produce government identification.
- b. Personnel shall take appropriate action with any media representative who interferes with police activities, or who fails to follow instructions by police officers, at a police controlled area. Personnel shall submit a memorandum to the Police Chief via proper channels, on the action taken. The Police Chief or designee may restrict future access for the media representative to police controlled areas, for one year from the time of the incident.
- c. While at a police controlled area, department personnel may participate in interviews with media representatives, provided that the information given neither impedes an investigation nor causes further anguish to the victim. Personnel consenting to an interview should further ensure that they comply with Section 6.4, Release of Information, of this General Order.
- d. News media representatives may, at their own risk, be permitted to cross police lines and allowed as much freedom of movement as is prudent under the circumstances.
- e. The officer in charge of the police controlled area 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 area is no longer under police control.
- f. News media representatives should not be restricted from taking photographs or videos at a police controlled area so long as doing so does not interfere

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with the department's performance of its duties or otherwise pose a risk to public health and safety.

- g. 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.
- h. News media representatives shall be permitted to take photographs or videos of incidents occurring on public property or highways so long as doing so does not interfere with the department's performance of its duties or otherwise pose a risk to public health and safety.
- i. Departmental photographs of persons, crime scenes or other occurrences may be made available to the media by competent authority.

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. 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 the highest ranking, on-duty police supervisor, of the respective district.