
KANSAS CITY, KANSAS POLICE

GENERAL ORDER

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I. PURPOSE

- A. Establish guidelines for release and dissemination of public information to print and broadcast news media.
- B. Familiarize Department personnel with Department policy regarding the release of information to the public through the news media, and at the same time to protect the rights of individuals in police custody by preventing the disclosure of confidential police information.

II. POLICY

- A. It is the policy of this Department to 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 Departmental operation, infringe upon individual rights or violate the law.
- B. Any major incident or situation likely to attract widespread media attention shall be brought to the attention of the on duty Communications supervisor, without delay, by the ranking officer at the scene.
- C. Media representatives will be allowed access to designated areas during situations in a manner similar to that of the general public and similar restrictions will be imposed. Accommodations will be made whenever possible, so media representatives will be able to obtain information they need from the scene of the incident.
- D. At the scene of a fire, members of the Department have the primary mission of supporting the Kansas City, Kansas Fire Department. The Fire Department Public Information Officer will respond to media inquiries.
- E. Situation briefings will be provided at a designated site on a timely basis. Such briefings will be conducted by the Department's Public Information Officer (PIO) or, if not present, the ranking commander on scene, or other key personnel involved in the situation.

III. DEFINITIONS

- A. Public Information: 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. The release of such information should not unduly interfere with the mission of the Department, infringe upon the rights of a defendant or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.
- B. News Media Representatives: Those individuals who are directly employed by agencies of the electronic or print media, such as radio, television and newspapers. Freelance workers in the media field are to be regarded as other members of the general public unless otherwise designated by the Chief of Police or his designate.
- C. Public Information Officer (PIO): The Department's Public Information Officers serve as a central source of information for release by the Department and respond to requests for information by the news media and the community in general. The PIO will be a member of the Department trained to perform PIO duties as designated by the Chief of Police.

IV. COOPERATION WITH THE MEDIA

- A. Authorized news media representatives shall have reasonable access to the PIO, the Chief of Police or his designee and operations of the Department, as governed by this policy. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained.
- B. The Department recognizes authorized identification from all local, national and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.
- C. Public information shall be released to the media as promptly as circumstances allow, with impartiality and objectivity.
- D. Public information may be provided to media representatives by telephone, if the identity of the representative is known or can be authenticated.
- E. A Ranking Commander at crime or incident scenes may release information of a factual nature to the media as governed by this policy, or refer the inquiry to the PIO, if available. Where the Commander is unsure of the facts or the propriety of releasing information, he/she shall refer the inquiry to the PIO.
- F. Written press statements shall be released only after approval of a Public Information Officer.
- G. Communications will inform the PIO or the field commander assuming the duties of PIO as soon as possible upon receipt of information about events or activities that may have media interest.
- H. A shift supervisor that is on the scene, or has been made aware of an incident, shall be responsible for ensuring that a PIO is informed of events that may have media interest.

V. PUBLIC INFORMATION OFFICER RESPONSIBILITIES

- A. Assist news personnel in covering routine news stories, and at the scenes of incidents.
- B. Assist the news media on an on-call basis.
- C. Prepare and distribute news releases.
- D. Arrange and participate in news conferences.
- E. Coordinate and authorize the release of information about victims, witnesses, and suspects.
- F. Assist in crisis situations within the agency.
- G. Coordinate the release of authorized information concerning confidential agency investigations and operations.
- H. Coordinate the release of information with other public service agencies when involved in a mutual effort.
- I. Solicit input and feedback from news organizations relating to the public information function.
- J. Accompany, or designate an officer, to accompany the on-call chaplain in making death notifications.
- K. Press Release Guidelines
 - 1. Only a Public Information Officer may make a formal press release of any police investigation.
 - 2. Dispatch personnel will make press releases regarding school or street closings or similar matters regarding public safety. Dispatch personnel may also repeat information provided them by a Public Information Officer for release.
 - 3. The primary method of sending a press release is through electronic mail in the Research and Development Unit.
 - a. To ensure that updated and accurate information is available to the media, the Public Information officer will be kept informed of the status of current, newsworthy, criminal investigations.
 - b. It is the responsibility of each bureau or unit commander to notify the Public Information Officer of:
 - (1) Upcoming timely events in criminal investigations.

- (2) Bureau or unit activities of public interest.
- (3) Incidents of outstanding police performance by members of the Department.
- c. All press releases will be composed or approved by a Public Information Officer. The PIO is responsible for ensuring the quality of information released in press releases, and must also ensure press releases are made within the guidelines of this order.
- d. One copy of every press release must be maintained by the Public Information Officer making the release.
- e. A copy of the release will be kept in the "Research" folder on the Departments server.

VI. NOTIFICATION AND RESPONSE

- A. When the dispatcher is notified of a situation, which the media may be interested, the field operations commander or supervisor on the scene will select an assembly area for the media and, if necessary, have the Public Information Officer notified.
 - 1. During regular business hours, any on-duty PIO may respond to perform PIO duties.
 - 2. Outside of regular business hours, the on-duty field commander has the primary responsibility of assigning or assuming Public Information Officer responsibilities, if needed. When a major incident occurs the on-call PIO will be paged to the scene.
 - 3. If there are no field operations commanders on duty then the on call PIO will be notified and will be responsible for assuming PIO duties.
 - 4. In the event that a critical incident that requires the activation of the Incident Command System, the on call PIO will respond to be the Public Information Officer.
 - 5. The on call PIO will respond to be the Public Information Officer for officer-involved incidents (accidents, shooting situations, etc.).
- B. The Public Information Officer will coordinate the release of information with the ranking field commander or supervisor on the scene.

VII. RESPONDING TO UNUSUAL OCCURRENCES

- A. Responding to Unusual Occurrences. Unless a staging area has already been designated by a ranking officer already on the scene, the PIO will respond to the area and determine a location to stage the media. The choice of locations will be determined by a number of factors.
 - 1. The area should be far enough away from any potential danger so as not to place members of the media in peril. The exact distance will be determined by the nature of the incident and the potential for injury and/or property damage.
 - 2. Members of the media cannot and should not be restricted from, or held further away from, any crime scene than civilians not working as an agent of the Department. One exception to this rule would be restricting "live" reporting where such reporting would interfere with police activities.
 - 3. The assembly point will be away from the command post and critical incident assembly point, so as not to interfere with their operation. At no time will members of the media be allowed to interfere with actions in the command post or be allowed in any location where a person has a reasonable expectation of privacy.
 - 4. Once in place, the PIO should notify dispatch of the location of the assembly point. If the type of critical incident requires it, a safe route of approach should also be given.
 - 5. Upon the arrival of mobile television or radio equipment, operators will be directed to the media assembly area.
- B. PIO duties and activities will be coordinated by the Incident Commander and will comply with G.O. 40.20, Unusual Occurrences.
- C. The on-scene Public Information Officer will coordinate activities between the media and the command post at an incident location.

VIII. GUIDELINES FOR RELEASE OF INFORMATION AT THE SCENE

- A. A Public Information Officer or, the ranking Commander, will provide media members at the scene the following information:
 - 1. The known facts and circumstances relating to the incident, which will not hinder or prejudice a Departmental investigation.
 - a. Time, address (in hundred block), type of call, and a brief synopsis.
 - 2. A general description of suspect(s), vehicle(s), etc., if known. Please consult with the Detective prior to releasing any direct descriptions.
 - 3. The facts and circumstances of related arrests, which may include the arrestee's race, sex, and age. Person(s) of interest (Suspect(s)) will not be identified by name until formally charged with a crime. Formal charges include the issuance of an arrest warrant by the office of the Wyandotte County District Attorney's Office for felony or state misdemeanor charges, or the issuance of a traffic citation or misdemeanor summons for City misdemeanor charges. Juvenile offenders will not be named unless they have been adjudicated to adult status prior to, or as a result of, the present charge.

4. After felony charges have been filed against an individual, any inquiries related to information about those charges or the person charged, will be directed to the Wyandotte County District Attorney's Office.
- B. Naming Crime or Accident Victims
1. Regardless of age, the names of deceased or critically injured persons may be released only after their next of kin have been notified.
 - a. PIO's should give a minimum of 24 hours to allow the family to notify all next of kin.
 2. Victims of rape or other sex crimes will not be named.
- C. Information pertaining to the following areas will NOT be released:
1. Detailed descriptions of suspects or evidence, which can hinder or prejudice an investigation.
 2. Prior criminal conviction record of the suspect.
 3. The character or reputation of the suspect, however, if the suspect has not been apprehended, the Department may release information necessary to aid in the apprehension of the suspect or to advise the public of the danger.
 4. The existence or contents of any confession, admission, or statement of a defendant, or any failure, refusal, or willingness to make a statement.
 5. The performance or results of any tests, or a defendant's refusal or failure to submit to a test such as a polygraph.
 6. Personal opinions about the guilt, innocence, mental status, anticipated plea, other pretrial action, or the value of any evidence against the suspect.
 7. The identity, statement, testimony or credibility of any witness or victim.
 8. Social Security Numbers and Drivers License Numbers are not public record and will not be released.
- D. It is the responsibility of the Public Information Officer (the field operations commander, or the on-call PIO) and the investigating officer to consult before releasing any information not covered in this order.
- E. Requests for information regarding the investigation at the scene of a crime should be directed to the Public Information Officer.

IX. MEDIA PERSONNEL AT CRIME SCENES

- A. Crime scenes will be secured by Department personnel and access will not be permitted within the outer, yellow taped, area. Media representatives have only the same right of access as the general public. Media coverage will be permitted adjacent to and outside of any police barriers. Departmental personnel are prohibited from admitting the public or media to any area where a person has a reasonable expectation of privacy, in accordance with the protections of the 4th amendment.
- B. Media members will be provided information about the crime at the scene by the Public Information Officer that responds, or the ranking Commander. Department members providing such information will follow Departmental policy outlined in this order.
1. All information released must be reported to Planning and Research, within the Professional Standards Unit as soon as practical. (A detailed email of what the media was told will be sent to PIO@kckpd.org and the Division Commander).
- C. The news media will not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed or otherwise prejudiced by its existence being published or portrayed.
1. On private property, any photography, film or videotape recording requires the permission of the owner or the owner's representative.
 2. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts or interviews with the media, nor shall Departmental personnel pose with suspects or accused persons in custody.
 3. When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual. No Department photographs, mug shots, videotape, audio recording, film or composites, of persons in custody shall otherwise be released to the media unless authorized by the Public Information Officer or authorized designee.

X. FOLLOW-UP INVESTIGATION INFORMATION

- A. From the initial stage of a criminal investigation up until the case has been referred to the District Attorney's Office, or a final disposition has been rendered without trial, police personnel shall refer all requests for information to the Public Information Officer or their designate.

- B. Information that may be released in connection with an investigation of an event or crime includes:
 - 1. The type or nature of an event or crime.
 - 2. The location, date and time, injuries sustained, damages and a general description of how the incident occurred.
 - 3. Type and quantity of property taken.
 - 4. The identity of a victim, with the exception of sex crime victims, and in other cases where reprisals or intimidation may be employed.
 - 5. Requests for aid in locating evidence, a complainant or a suspect, with the approval of the investigator's supervisor.
 - 6. The number of officers or people involved in an event or investigation, and the length of the investigation.
 - 7. The name of the officer in charge of a case, his/her supervisor and division or unit assignment (exception: the name of any undercover officer will not be released).
- C. Information that will not be released in connection with an investigation of an event or crime, unless authorized by the Public Information Officer or their designate, includes:
 - 1. The identity of a suspect prior to arrest, unless such information would aid in apprehending the suspect or serve to warn the public of potential danger.
 - 2. The identity of any victim of a sex crime or any related information, which if divulged, could lead to the victim's identity.
 - 3. The identity of victims or witnesses, if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in personal danger.
 - 4. The identity of any juvenile who is a suspect or defendant in a case subject to the jurisdiction of the Juvenile Court.
 - 5. The identity of any critically injured or deceased person, prior to notification of next of kin.
 - 6. The results of any investigative procedure such as lineups, polygraph tests, fingerprint comparisons, ballistics test or other procedures (the fact that these tests have been performed may be revealed without further comment).
 - 7. Information which, if prematurely released, may interfere with the investigation or an apprehension such as the nature of leads, specifics of an "MO", details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension.
 - 8. Information that may be of evidentiary value in criminal proceedings.
 - 9. Specific cause of death unless officially determined by the Wyandotte County Coroner.
 - 10. A photograph of any member of the Department that is under a criminal or Internal Affairs investigation, until such time that the individual is formally charged.
- D. Arrest Information. Following an arrest, issuance of an arrest warrant or filing of an indictment, it is permissible for the Public Information Officer to release:
 - 1. The time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, any charges against the suspect and the description of contraband seized.
 - 2. The identity of the arresting officers and the duration of the investigation, unless the officers are engaged in undercover operations.
- E. Media representatives requesting copies, transcripts of 911 or other Communication data, will submit a written request through NextRequest which is located on the UG website.

XI. SPECIAL CONSIDERATIONS – NON-CRIMINAL MATTERS

- A. Any on camera, radio, or printed media interview or requests to participate in community type forums or Town Hall meetings must first be approved by the Chief or his designee. Following the approved event the Department member will, as soon as practical, email a detailed synopsis of what was said or released to pio@kckpd.org.
 - 1. Community group meetings do not need prior approval.
 - 2. The release of information without prior approval may be subject to discipline and/or termination.
- B. At the scene of significant accidents or man-made and natural catastrophes, the principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the Police Department, Fire Department, medical personnel or other relief workers.

- C. Media access to, and movement within, fire lines shall be controlled by the Fire Department officer in charge. In consultation with the Fire officer in charge, the ranking police officer at the scene shall establish an observation point from which the media may observe and photograph the incident.
 - 1. At the discretion of the officer in charge, in consultation with the in charge fire official, an inner perimeter may be established for the media from which to record the event.
- D. Suicide or Suspected Suicide
 - 1. Information relating to a suicide or suspected suicide may be reported to the media, along with factual information describing how it happened. The name, age, sex, and race of the victim may also be released following notification of the next of kin. The existence of a suicide note may also be acknowledged to the media, without further comment, however, the content of such a note is personal and confidential and will not be released, except as provided by law.

XII. INTERNAL MATTERS

- A. Requests for information regarding internal investigations, which could lead to the filing of criminal charges against Departmental personnel, will be treated as any other criminal investigation, insofar as release of information is concerned.
- B. All inquiries about internal investigations involving Department personnel will be referred to the Public Information Officer.
- C. Because an investigation could be conducted by both the Criminal Investigations Division and the Internal Investigations Unit, such requests should be directed to the Public Information Officer. Personal information about the accused officer will not be released unless the officer is formally charged.

XIII. MEDIA ACCESS TO POLICE REPORTS

- A. All requests for documentation will be sent through the NextRequest. A link can be found on the UG Website.
- B. Media representatives shall be denied access to the contents of investigative or summary reports and records where release of the information would:
 - 1. Interfere with law enforcement proceedings, including pending investigations.
 - 2. Deprive a person of the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information.
 - 3. Constitute an unwarranted invasion of the personal privacy rights of another person.
 - 4. Reveal the identity of an individual who has furnished information to the Department under confidential circumstances.
 - 5. Disclose investigative techniques and procedures, thereby impairing future effectiveness of the Department.
 - 6. Endanger the life or physical safety of any person, or
 - 7. Reveal victim information in crimes of stalking, domestic violence, and sexual assault. Excluded information includes the victim's name, address, location, or other contact information.
- C. All other requests from members of the media for information contained in Department files will be referred to the Public Information Officer.

XIV. INTERVIEWS, PHOTOGRAPHS, AND VIDEO

- A. Photographs or videotape may be taken from any area where the general public has access. The Supreme Court has ruled that the constitutional right of the media to access the news is no greater than that of the general public. Law enforcement may restrict access and prevent the media from obtaining access to information or areas generally not available to the public.
- B. Because the execution of a search warrant is a serious matter and law enforcement officers are specifically commanded by the court and are there at court direction, they are charged with the delicate and sensitive responsibility of executing a judicially sanctioned violation of a person's privacy. Government agents have a duty to see that as little harm is done as is necessary to this task. Inviting the news media, who are in effect private citizens, whose presence is not necessary to the execution of the warrant, to join the search party is a failure of the public trust and exposes the Department and the individual officers to civil liability for which there is no qualified immunity. Therefore, the media will not be allowed in any location where a person has a reasonable expectation of privacy, unless extenuating circumstances are present and the appropriate level of approval has been obtained.
- C. Areas of access for media members within the confines of any Kansas City, Kansas Police Department facility will be any place where the general public has access, including:
 - 1. Main entry lobby in headquarters.
 - 2. Areas open to the public.
 - 3. Any designated area set aside for media staging or briefing.
- D. No photographs of suspects or witnesses will be permitted in any location in any Department facility (except the top ten fugitive list).

- E. Media members will be permitted to interview victims of crimes or disasters who have consented to such interviews, after the Department's investigation has been completed.

XV. MEDIA ACCESS TO IN CAR/ BODY WORN CAMERA FILES

- A. In car and body worn camera files are considered open records generally. However, any files containing criminal investigation records, including vehicular homicide and any enforcement action more than a traffic violation, are closed records. Furthermore, incidents involving juvenile subjects (as suspects, victims, witnesses, CINC's, etc.) are closed records.
- B. Requests for any portion of a tape by the media will be referred to NextRequest. Once it has been reviewed and is deemed an open record, the request will be sent to the video records custodian for creation.
- C. Original files will not be released from Police Department custody.