MANATEE COUNTY SHERIFF’S OFFICE
GENERAL ORDER NUMBER 1016 - Public Information and Media Access

This General Order rescinds General Order 1016 dated April 3, 2007 and all of its addenda and revisions and any other General Order dealing with these issues.

Effective Date: December 30, 2010

To: All Personnel

1.0 PURPOSE

1.1 POLICY - The MCSO is committed to informing the community through the news media of events within the public domain that are handled by, or involve, this agency. It is realized that to operate effectively, the MCSO must obtain the support of the public and by providing the news media and the community with information on its administration and operations, the relationship of mutual trust, cooperation, and respect can be fostered. This GO creates a component known as the Public Information Office to meet the above commitment.

1.1.1 The Public Information Unit shall report to the Chief Deputy.

1.2 STAFF - The staff of the Public Information Office shall be known as the Public Information Officer (PIO). The PIO shall be the point of control for information dissemination to the community, to the media, and to other criminal justice agencies.

1.3 FUNCTION - The Public Information Office, through written reports, personal knowledge on the part of the personnel assigned, with openness and candor, and in accord with applicable restrictions, shall:

1.3.1 Assist media personnel in covering routine news stories, and at the scenes of incidents.

1.3.2 Be available for on-call responses, including the activation of the mobile command center, to the news media.

1.3.3 Prepare and distribute news releases.

1.3.4 Arrange for, and assist at news conferences.

1.3.5 Coordinate and authorize the release of information about victims, witnesses, and suspects.

1.3.6 Assist in crisis situations both external and within the agency.

1.3.6.1 The PIO can be a contact and information point for agency personnel and families when an emergency situation or traumatic event directly impacts a large number of agency personnel.

1.3.7 Coordinate and authorize the release of information concerning confidential investigations and operations.
1.3.8 <5ACC 54.1.1 f> Developing procedures for releasing information when other public service agencies are involved in a mutual effort.

2.0 RULES AND PROCEDURES

2.1 DUTIES OF THE PIO AND HIS / HER REPRESENTATIVES - The PIO, and his / her representatives, shall perform the following:

2.1.1 <5ACC 54.1.1 a,b,c><4CFA 28.02 a> Excluding media releases personally made by the Sheriff the PIO shall be the primary person designated to release information to the news media. This includes at the scene of an incident, information taken from agency files, and information concerning an on-going criminal investigation. The PIO shall coordinate all requests for information, interviews, news releases, press conferences, and other matters concerning the release of news, working in concert with the Sheriff, or other appropriate personnel. The PIO shall notify various media representatives of newsworthy events concerning operations, and will hold press conferences in the name of, and in the absence of, the Sheriff.

2.1.2 The PIO, his / her representatives, the Enforcement Bureau Chief, or the Shift Lieutenant / Sergeant shall be available to all news media before and after normal business-day hours of operation, i.e., Monday through Friday from 0900 to 1700 hours, excluding holidays, for information about items or events of a special nature as to stimulate general community interest.

2.1.2.1 In other than business hours, and in the absence of the PIO and the duty Bureau Chief, the ranking supervisor of the Enforcement Bureau on duty, shall be the principal contact for the media.

2.1.2.1.1 If this supervisor does furnish the media with any press release, he / she shall promptly notify the PIO.

2.1.2.2 Direct release of information to the news media shall be made by the Sheriff for the incidents involving policy, or for official interpretation of such policies, or for statements that may reflect on the reputation of the agency.

2.1.2.3 <5ACC 54.1.1 a b><4CFA 28.02 b> Direct release of information to the news media shall be made by the Sheriff, or in his absence, the Chief Deputy, a Bureau Chief, the PIO, or in the absence of the PIO, a Commander or ranking supervisor present for major incidents or investigations.

2.1.2.4 <5ACC 54.1.1 a b><4CFA 28.02 b> Direct release of information to the news media shall be made by the PIO, and in his / her absence, by the ranking supervisor present for routine and relatively minor incidents, offenses, or investigations.

2.1.2.5 <5ACC 54.1.1 a> <5ACC 46.1.3 f> <4CFA 28.02 a,b> At the scene of an incident or other fast-breaking event, the highest ranking deputy, after contacting a supervisor, shall release information to the media that will answer "What", "Where", and "When." Any information released as to "Why" or "How", shall be made by a Bureau Chief, the PIO, or in the absence of the PIO, an Enforcement or Investigative Bureau Commander.
2.1.2.6  <5ACC 54.1.1 f><4CFA 28.02 b><4CFA 28.04 i> When the MCSO has primary jurisdiction in a matter, and there is another agency(ies) involved which will be mentioned in a news release, the PIO, and in his / her absence, a Bureau Chief, a Commander, or the Shift Lieutenant shall make the news release(s) only after the contents of the release is coordinated with the other agency(ies) involved.

2.1.2.7  <5ACC 54.1.1> The PIO shall be promptly notified of any direct release of news concerning an on-going criminal investigation, made by a Bureau Chief / Commander.

2.1.3  <5ACC 54.1.1 a><4CFA 28.02 a> When notified, the PIO shall physically report to the scene of noteworthy crimes, catastrophes, special events, or unusual occurrences, unless justification, acceptable to the Sheriff, exists to the contrary.

<5ACC 54.1.3 > Representatives of the media, including photographers, may be allowed access to these incidents providing their presence does not interfere with law enforcement efforts or violate private property rights.

2.1.3.1 Access shall be approved by the supervisor in charge of the incident and subject to review by his / her superiors.

2.1.3.2  <5ACC 54.1.3 ><4CFA 28.03 b> Media personnel and equipment shall be confined to the perimeter of a crime scene unless special or escorted access is granted by the Primary Case Detective. The preservation of crime scene integrity takes precedence and shall be observed.

2.1.3.3 Advance notification of major events by Commanders and Bureau Chiefs shall be given to the PIO so a plan for the dissemination of information to the media can be formulated.

2.1.3.4 The PIO shall handle news media inquiry so as to allow all other personnel to participate and handle the situation at hand.

2.1.4 The PIO shall notify the Sheriff daily, synopsizing general release of news and itemizing the information given in those special and sensitive matters, indicating to whom it was given, and the time of release.

2.1.5 The PIO shall design and implement a filing system for documenting the release of information and other matters relating to relations with the media.

2.1.5.1 The PIO shall daily review newspapers and clip all items that mention the MCSO.

2.1.6  <5ACC 54.1.1 b> The PIO shall not wait for inquiry from the media, but shall immediately generate press releases as necessitated by specific occurrences in Manatee County. He / She shall make daily releases on all on-going investigations which have a special nature as to stimulate general community interest.

2.1.6.1 The Sheriff shall determine the frequency of media releases based upon the subject matter involved. If the media demonstrates a particularly heavy interest in a particular subject, the PIO, in
conjunction with the Sheriff, shall determine if a media release / conference is prudent. All identifiable news sources / representatives will be contacted for receipt of this information.

2.1.7 All incident reports shall be turned in to the Records Section by the oncoming patrol supervisor within two hours after the beginning of each shift. Within two hours of receipt of these incident reports, a Records Section employee shall provide the PIO page 1 of the reports. In other than normal business hours, page 1 of the incident reports shall be delivered by a Records Section employee to the media table in the front lobby of Headquarters. In the event that the media requests a narrative section during other than business hours, the Duty Bureau Chief, Duty patrol supervisor, or Shift Lieutenant / Sergeant shall obtain the narrative from Records and place it in the press room.

2.1.7.1 Probable Cause Affidavits (PCAs) shall be delivered every morning and evening between the hours of 0700 / 0800 and 1900 / 2000 for all arrests over the preceding twenty-hour period. Should a reporter request to review a PCA for a recent arrest, Duty Bureau Chief, Duty patrol supervisor, or the Shift Lieutenant / Sergeant shall obtain a copy of the PCA for the reporter from the Booking Unit. This shall occur only after sufficient time has elapsed to complete the booking process.

2.1.7.2 The media has been informed of these procedures and will leave requests with the Front Desk Personnel for delivery to the Duty Bureau Chief, Duty Patrol Commander, or Shift Lieutenant / Sergeant. They have been advised to allow for a few hours to process their requests.

2.2 NEWS RELEASES - News releases shall be issued impartially as long as they do not impede an on-going investigation or violate the provisions of FSS 119.

2.2.1 <5ACC 54.1.1 d>The following information shall not be released to the news media in criminal matters:

2.2.1.1 <4CFA 28.04 h>The identity of any juvenile who is a suspect or a defendant in any case over which the Juvenile Court of Manatee County has jurisdiction.

2.2.1.1.1 The exception for release of a juvenile’s name is when the juvenile has been charged with a felony or has been previously found guilty of three or more misdemeanors.

2.2.1.2 The identity of any critically injured or deceased person prior to notification of next of kin.

2.2.1.3 The specific cause of death, until determined by the Office of the County Medical Examiner.

2.2.1.4 <4CFA 28.04 b> Home addresses, telephone numbers, photographs of MCSO personnel; home addresses, telephone numbers, photographs, and places of employment of spouses and children of MCSO personnel; and the names and locations of schools attended by children of MCSO personnel.

2.2.1.5 <4CFA 28.04 g> The identity of any victim of a sex / crime, abduction, spouse or child abuse, or related information which, if divulged, would tend to lead to the victim’s identification.
2.2.1.6 <4CFA 28.04 e> Statements related to the character, credibility, or reputation of an accused person or a prospective witness.

2.2.1.7 <4CFA 28.04 c> Admission, confessions, or the contents of a statement, refusal of statements, or alibi attributed to an accused person.

Special care regarding the Law Enforcement Officer's Bill of Rights and other related acts shall be exercised if the individual is an agency member. Approval of the Chief Inspector of Professional Standards and / or Legal prior to any release is required.

2.2.1.8 <4CFA 28.04 d> The performance or the result of any test, or the refusal of the accused to take a test, or to participate in a lineup.

2.2.1.9 Contents of any suicide note.

2.2.1.10 <4CFA 28.04 f> Personal opinion not founded in fact.

2.2.1.11 Unofficial statements concerning MCSO personnel or internal affairs matters.

2.2.1.12 Valuables or cash overlooked by crime perpetrators.

2.2.1.13 The identity or location of any suspect, except that the existence of a suspect may be acknowledged without further comment.

2.2.1.14 Results of an investigative procedure, such as a lineup, polygraph, fingerprinting, lab, or ballistics tests. The fact that these tests were performed may be acknowledged without further comment.

2.2.1.15 Information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension, e.g., unchecked leads, unverifiable information, specifics of a modus operandi, details known only to a suspect or the MCSO, or information which may cause a suspect to flee or avoid apprehension.

2.2.1.16 <4CFA 28.04 g> Identity of a victim or witness if such disclosure would prejudice an investigation to any significant degree, or it would place the victim in clear personal danger. (Consider "degree" and "danger" carefully and state reasons clearly, when withholding such information).

2.2.1.17 <4CFA 28.04 a> Information concerning the character or reputation of a defendant.

2.2.1.18 <4CFA 28.04 c> Existence, or contents, of any confession, admission, or statement of a defendant, or failure to make such statements.

2.2.1.19 <4CFA 28.04 d> Performance or results of any tests, or the defendant's refusal or failure to submit to any investigative test.
2.2.1.20 <4CFA 28.04 e> Identities, credibility, character, statement, or expected testimony of any witness or prospective witness (victim or non-victim).

2.2.1.21 <4CFA 28.04 g> Statement, prospective testimony, character, or credibility of any victim.

2.2.1.22 <4CFA 28.04 f> Any opinion about the guilt or innocence of a defendant, or the merits of the case including arguments and evidence, or whether their use in court is expected.

2.2.1.23 Possibility of a guilty plea, plea bargaining, or other disposition.

2.2.1.24 Reports, transcripts, or summaries of proceedings from which the media and public have been excluded by judicial orders.

2.2.1.25 <4CFA 28.04 b> Photographs of the accused may be released if sufficient probable cause exists to support an on-view arrest or detention by other agencies; if the subject has been arrested, is in custody, and appropriate charges filed; or if the accused is the target of a search for the purposes of arrest.

Release of photographs of agency personnel who are accused of a crime shall be approved by the Chief Inspector of Internal Affairs and/or Legal to assure no violation of Florida Statute(s) occur.

2.2.2 <5ACC 54.1.3> <4CFA 28.03 a> At incident scenes, all personnel shall extend every courtesy to news media representatives. Media representatives shall be restricted to locations where they are safe and not in a position to interfere with operations.

2.2.3 <5ACC 54.1.1> Any information given to the media in the absence of the PIO regarding any criminal investigation shall be relayed to the PIO promptly.

2.3 MEDIA PRIVILEGES AND CREDENTIALS - The Sheriff, through the PIO office, shall issue media credentials upon application by a member of the new media.

2.3.1 The requesting media representatives shall apply for the media credential on letterhead of the requesting news service and signed by a representative authorized to make such requests. The credential issued shall be the current card distributed through the Florida Sheriff's Association.

2.3.2 The credentials issued shall be valid for twenty-four months from issue date and are non-transferable. These credential shall be withdrawn at any time at the discretion of the Sheriff.

2.3.3 In cases when a person claiming to be a member of the news media is seeking information and that representative is not known, verification of identity may be accomplished with a telephone call to the news media representative's employer. Personnel requiring verification shall request the name of the news media representative who may be contacted at the appropriate news agency and obtain the telephone number of the caller's place of employment, to verify the caller's credentials. Personnel shall verify the telephone number through inquiry of operator information of the Telephone Company. After verification that the caller's company is valid and thereafter contacting the
representative named and establishing the caller’s identity, appropriate information may be conveyed.

2.3.4 <5ACC 54.1.2> In October of each year, the PIO shall review all rules and procedures concerning contact with the media. During this time, in an effort to demonstrate the value of good rapport and to show an appreciation of media representative’s problems, the PIO shall contact all media representatives covering Manatee County area and elicit input into this relationship.

2.3.4.1 The PIO shall, by November 15th of each year, submit a memo to the Sheriff via the Chief Deputy advising of the results of the review and media contact setting forth what action, if any, should be taken.

Approved For Issue – W. Brad Steube, Sheriff

W. BRAD STEUBE, Sheriff
Manatee County, Florida