

PUBLIC INFORMATION & COMMUNITY RELATIONS

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REFER TO:

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I. OBJECTIVE:

To insure community support and understanding for the role and activities of the SCSO in Seneca County and to promote and facilitate the public's right to know.

II. POLICY:

It shall be the policy of the SCSO to promote and maintain effective and positive community relations by insuring the public's access to information concerning SCSO's activities; by dealing with the news media openly, candidly and without favor; and by developing programs which will enhance the public's trust and confidence in the SCSO.

III. DETAILS:

A. Public information - The SCSO is committed to informing the community, through the news media and otherwise, of events within the public domain that are handled by or involve the SCSO.

1. The SCSO shall have a public information function to include:

- a. Assisting news personnel in covering newsworthy events at the scene of incidents,
- b. Being available for on-call responses to the news media,
- c. Preparing and distributing agency news releases,
- d. Arranging for and assisting at news conferences,
- e. Coordinating and authorizing the release of information about victims, witnesses, and suspects,
- f. Assisting in crisis situations within the agency, and,

g. Coordinating and authorizing the release of information concerning confidential investigations and operations, to insure that such information is disseminated as soon as possible without jeopardizing the investigation.

2. Information pertaining to operations of the SCSO which have the potential for news media interest, or when it is deemed desirable to generate such interest, the information shall be disseminated by:

- a. Preparation of a news release,
- b. Holding an announced press conference, or
- c. In some cases, inviting news personnel to ride with SCSO members on select patrol, such as a STOP-DWI or Traffic Enforcement patrol or touring the correctional facility.

These activities are to be conducted only upon the knowledge and authority of the Sheriff, the Undersheriff, or the Chief Deputy.

3. Although the responsibility for disseminating information in a particular case may be delegated, the single point of control for the public information function, including that information which is passed to the community, the news media or to other criminal justice agencies, is the Sheriff.

a. Daily press releases which follow the prescribed format as to both form and content, especially insofar as it applies to the prior record of an arrestee, may be made upon the authority of the Lieutenants supervising the Road Patrol Division and the Criminal Investigation Division. The Chief Deputy shall periodically review these releases for compliance.

b. Press releases reporting multi-agency investigations or arrests shall be reviewed and approved by the Chief Deputy prior to dissemination to the public.

c. On-the-scene news releases have the potential for embarrassment due to an inadvertent misstatement made to an aggressive member of the news media.

For this reason, SCSO members should attempt to refer all requests for newsworthy information made at the scene of a crime, catastrophe, fatal accident, or other unusual occurrence to the senior member present, usually the Chief Deputy, the Undersheriff or the Sheriff. This directive illustrates the necessity for timely notification through the chain of command, so that the option for a command presence may be evaluated.

4. **Press releases** - Press releases are prepared routinely upon the arrest of a person by a member of the SCSO. A form is provided for this purpose, and shall be executed by the member effecting the arrest as part of the paperwork to be completed prior to the cessation of duty on the date of the arrest.

a. An arrestee's eligibility for adjudication as a youthful offender is not a bar to the release of that person's name, address or age in providing the usual details of the arrest and charge to the public or news media. A youthful offender is defined as one who commits a crime at age 16, 17 or 18.

b. An arrestee who is less than 16 years of age is a juvenile and that person's name shall not be released to the public or to the news media.

b. Subject matter to be included in a news release pertaining to an arrest shall be limited to the appropriate arrest information, which is:

1) Arrestee's name, address and age.

2) Crime(s) charged and locations thereof.

3) Brief description of crime without jeopardizing arrestee's case or any future or related cases, or revealing the seizure of physical evidence or statements obtained.

4) Date, place, court and magistrate before whom defendant will be or was arraigned.

5) If arraignment has occurred, state conditions of release or remand.

c. Prepared news releases shall be submitted electronically to the Road Patrol Lieutenant who shall review same and upon his/her approval release such press release to both print and electronic media. The Road Patrol Lieutenant shall maintain all issued press releases for ready reference in handling telephone inquiries or for pick up by media representatives.

d. Occasionally it is considered proper to release information pertaining to the statistical accomplishments of the SCSO deemed to be of interest to the public. Releases of this nature, of whatever frequency, shall be made with the approval of the Sheriff.

e. Information pertaining to SCSO activity which is not to be disseminated to the public or news media is any which:

1. Could jeopardize the safety of the public or a member of the SCSO,

2. Might interfere with the success of a pending investigation,

3. May adversely affect the civil rights of any person,

4. Pertains to a personnel matter, or

5. Is restricted in accordance with the U.S. or New York State Constitution, state or local law.

5. **Persons authorized to release information** - As stated in paragraph 4 above, the point of control for the dissemination of information on behalf of the SCSO is the Sheriff, and it is the Sheriff who will function as the Public Information Officer (PIO), with the following exceptions:

- a. At the scene of an incident, and in the absence of the Sheriff (PIO), the Undersheriff, Chief Deputy, or the officer in charge, whether Lieutenant or Sergeant, may furnish certain information to the press.
- b. Authorization for the dissemination of information from SCSO files is restricted to the Sheriff, Undersheriff, Chief Deputy or Jail Lieutenant (for Corrections records and files only)
- c. With the approval of the Sheriff, Undersheriff, or Chief Deputy, information concerning an ongoing criminal investigation may be disseminated. See paragraph 9, below.
- d. Whenever the Sheriff is unavailable for approval to release information, and the request is not made at the scene of an incident, approval for release should be sought from the Undersheriff or Chief Deputy.

6. **News media access** - SCSO members responding to the scene of a major fire, natural disaster, catastrophic event, or to a crime scene attended by numerous units must expect that the attention of the news media will be attracted. The presence of representatives of newspapers, including photographers, and of radio and television stations, including cameramen should be considered a certainty. It is essential that the supervisor or command officer at the scene quickly formulate a plan for providing or limiting news media access, as appropriate. Some guidelines for such circumstances are as follows:

- a. A news media representative shall never be allowed into a position where he can interfere with law enforcement functions at the scene of an incident.
- b. The public's "right to know" will never supersede the SCSO's responsibility for public safety, apprehension of criminals and the orderly collection of evidence at a crime scene; therefore, it is entirely consistent with this responsibility to limit news media access to the outside perimeter.

c. Frequently, the extent and hazard posed by a major fire, disaster or catastrophe requires the establishment of a command post or staging area located sufficiently distant to ensure public safety and containment of contaminants. Media access to these events shall be limited to a point no nearer than the command post.

7. **Ongoing criminal investigations** - Occasionally, it is deemed advisable to provide the public with specific information pertaining to an investigation which is still in progress; for instance, in a case in which details of a crime are being solicited from the public, or in a crime of a particularly brutal nature which has caused widespread outrage or fear for safety among the citizenry. With the approvals required under paragraph 6.(c) above, the following guidelines shall govern the content of news releases in these cases:

a. Photographs of an accused, made for purposes of identification at the time of his arrest processing, may be released provided administrative data such as the arrest number and agency identification are deleted.

b. Notwithstanding paragraph B(3) below, neither the accused's prior criminal record nor any information which might disparage his reputation may be volunteered. If specific information of such nature is requested, it may not be released without prior approval of the Sheriff.

c. The fact that an accused made a statement, or that he provided a confession or an admission, or that he failed or refused to do any of these, may be released; however, the content of any such statement made shall not be released.

d. The results of a chemical test for alcohol or drug intoxication following a charge for driving while intoxicated or under the influence of drugs may be released; no other test or examination results may be released.

e. No reference shall be made to the identity, possible testimony or credibility of any prospective witness.

f. The stating of an opinion of the accused's guilt or innocence by a member of the SCSO is to be strictly avoided.

g. Similarly, any opinion reflecting on the merits of the case or the quality of the evidence gathered shall not be released.

h. Personal information which tends to identify the victim in any case in which the revelation of such detail might cause the victim or the victim's family harm or embarrassment shall be avoided.

Public disclosure of the identity of a sex offense victim is prohibited by Section 50-b of the Civil Rights Law. See paragraph K, "Victim/Witness Assistance," this Manual.

- i. Any information which identifies an accused who is a juvenile may not be released,
- j. Information which is received from other law enforcement agencies may not be released, except upon the approval of the providing agency.
- k. Once prosecution of a defendant has begun, all inquiries concerning the matter shall be referred to the District Attorney's Office.

8. Multi-agency operations - Occasionally, the SCSO participates in a mutual criminal investigation or provides services at the scene of a fire or other disaster which, because of location or nature, is within the jurisdiction of another agency. In these cases, it shall be the responsibility of the agency having primary jurisdiction to release or coordinate the release of newsworthy information. If the SCSO's participation is deemed significant enough to warrant a news release, and there is no indication that the primary agency intends to accommodate the news media, the approval of the primary agency shall be obtained prior to disseminating any release generated by the SCSO.

B. Fair Trial/Free Press guidelines in criminal cases - The proper administration of justice is the concern of the judiciary, bar, the prosecution, law enforcement personnel, news media and the public. None should relinquish its share in that concern. None should condone injustices on the ground that they are infrequent. These guidelines are intended to protect the right to a speedy and public trial by an impartial jury, not to prevent the press from inquiring into and reporting on the integrity, fairness, efficiency and effectiveness of law enforcement and the administration of justice.

1. When and after an arrest is made, the following information should be made available for publication:
 - a. The accused's name, age, residence, marital status and similar background information.
 - b. The substance or text of the charge such as a complaint, indictment, information and, where appropriate, the identity of the complainant.
 - c. The identity of the investigating and arresting agency and length of the investigation.
 - d. The circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons and a description of items seized at the time of arrest.

2. The release of certain types of information by law enforcement personnel, or by the bench and bar, and the publication of this information by news media may tend to create dangers of prejudice without serving a significant law enforcement or public interest function. Therefore, all concerned should be aware of the dangers of prejudice in making pretrial disclosure of the following:
 - a. Statements as to the character or reputation of an accused person or a prospective witness.
 - b. Admissions, confessions or the contents of a statement or alibi attributable to an accused person.
 - c. The performance or results of tests or the refusal of the accused to take a test.
 - d. Statements concerning the credibility or anticipated testimony of prospective witnesses.
 - e. The possibility of a plea of guilty to the offense, or other disposition.
 - f. Opinions concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.
3. Prior criminal charges and convictions are matters of public record and are available to the news media. Police, corrections and other law enforcement agencies should make such information available to the news media on request [see paragraph A(7)(b) above]. The public disclosure of this information by the news media may be highly prejudicial without any significant addition to the public's need to be informed. The publication of such information should be carefully considered by the news media.
4. Law enforcement and court personnel should not prevent the photographing of defendants when they are in public places outside the courtroom. They should neither encourage nor discourage pictures or televising but they should not pose the accused.
5. Photographs of a suspect may be released by law enforcement personnel provided a valid law enforcement function is served thereby. It is proper to disclose such information as may be necessary to enlist public assistance in apprehending fugitives from justice. Such disclosure may include photographs as well as records of prior arrests and convictions.
6. Particular care should be taken not to disseminate prejudicial information, including information adduced in pretrial hearings and closed hearings, when a trial is approaching or is underway and the information is likely to be seen or heard by potential jurors.

7. Once a trial has begun, the news media may report anything done or said in open court, provided that any statement or matter excluded from evidence is described as having been excluded. When matter or statements excluded from evidence outside of the presence of the jury, disclosure may be highly prejudicial without any significant addition to the public's need to be informed. The publication of such information should be carefully considered by the news media.
8. No one should make, publish or broadcast a statement designed to influence, forecast or prejudice the outcome of a trial. Accused persons, however, should have the privilege of issuing denials of allegations made against them.

C. Community relations - The SCSO is fully cognizant of the importance of establishing and maintaining close ties with the people of Seneca County. The Sheriff or his designee will be responsible for the Community Relations Function. Every member shall be alert for and quick to repudiate any manifestation of the "them versus us" mentality. Without "grass root" community support, successful enforcement of traffic and criminal laws may be difficult if not impossible. A well-organized community relations operation can be an effective means of eliciting public support and can serve to identify problems at an early stage. Therefore, the SCSO encourages the establishment of direct contacts with the community through the following activities:

1. **Speaking engagements** - The SCSO shall provide, upon request from civic, service, religious, media, educational and professional organizations, an experienced staff member to speak on law enforcement issues ranging from crime prevention to drug abuse. All requests for the SCSO to provide members for speaking engagements will be made in writing to the Sheriff.
 - a. Members are encouraged to accept speaking engagements at schools, service clubs and civic organizations. Preparation for such an assignment is an excellent way to review subjects within the knowledge and experience of law enforcement officers and enhances one's confidence in the ability to perform one's job.
 - b. Varied programs of informative material relating to law enforcement may be developed by each Division of the SCSO. Topics should be of general interest. Presentation should include the use of audio-visual aids and live demonstrations which illustrate the tasks performed by our members.
 - c. Members accepting speaking engagements should develop the ability to listen. Such exposure almost always brings forth many questions which are often indicative of the concerns held by members of the community. Should a problem concerning a law enforcement service be identified in this way, the speaker will often be in an excellent position to determine how the problem can best be solved and then make recommendations to do so. Speakers shall avoid initiating the discussion of controversial subject matter in a public forum.

d. Sometimes a question posed is hostility in disguise and the questioner is trying merely to embarrass the speaker. Every effort should be made by the member to answer openly and diplomatically, avoiding any appearance of concealment. In cases in which the speaking member is not in possession of the answer sought, the questioner should be assured that he will be recontacted with some kind of reply. An obligation to do this must be taken seriously and, if appropriate, the reply, written or oral, should also be furnished to the organization sponsoring the forum.

e. Speakers shall not be assigned to address political or fund-raising functions, unless the latter are clearly for charitable purposes.

f. Relevant information obtained by any member, whether received individually from a citizen or as a result of a speaking engagement as noted below, shall to relayed promptly to the Chief Deputy for evaluation and further action, if warranted.

2. **School programs** - The SCSO is committed to making children aware of the need to be safety conscious and to have respect for the law. Programs conducted chiefly by the Juvenile Aid Section (JAS) include:

a. Protect-A-Kid (An identification program through fingerprinting);

b. Deputy Friendly (Grades K through 6);

c. Bike safety (K through 5);

d. "Take a bite out of crime," McGruff (K - 6);

e. Rap with a cop (7 through 12); and,

f. DARE (5 and 6).

3. **Crime prevention** – Crime prevention activities will be the responsibility of all Department personnel under the direction of the Sheriff or his designee. The JAS shall also have responsibility for the presentation of programs which address the prevention, resistance and suppression of crime within Seneca County. These are designed to be proactive and to heighten crime awareness in the community. The programs include but are not limited to:

a. Neighborhood Watch;

b. Burglary prevention, both home and business; and,

c. Safety for the elderly. See ¶ D. below.

4. **Victim assistance** - Members of the SCSO shall be aware of and comply with the Fair Treatment Standards for Crime Victims as stated in the New York State Executive Law. (See "Victim/Witness Assistance," this Manual)

5. **Operation Safe Child-** The SCSO participates in the State-wide Operation Safe Child program administered by the New York State Division of Criminal Justice.

Statistics show that 34 percent of parents in the United States do not know their child's exact height, weight and eye color. And, when a child is reported missing, time can be the greatest adversary. Possessing up-to-date photographs and detailed information about a child can prove to be important proactive measures that can greatly assist local law enforcement officials to quickly respond to a child's disappearance.

Using equipment that contains the latest digital fingerprinting technology and high resolution photography capabilities, the SCSO is able to produce a SAFE CHILD card for parents and guardians.

The cards contain a child's name, biographical information (date of birth, gender, height, weight, hair color, eye color, etc.), and a fingerprint image of both index fingers. The card can be made in less than two minutes and can be easily carried in a wallet or pocketbook. Interested parents can choose to store the fingerprints, basic biographical information and photographs of children who are not missing -- information critical to expediting the return of a missing child. The storage of information is entirely voluntary and requires the written consent of a parent or legal guardian. The information gathered is digitally recorded and stored in a database at the Division of Criminal Justice Services (DCJS) in Albany. In the event DCJS receives a missing child report, the fingerprints of that child will be included in a special search file and compared against all incoming fingerprints submitted to the agency.

In addition to being able to quickly provide important details to police agencies investigating child disappearances, the New York State SAFE CHILD Card will serve as an important tool when used in conjunction with the New York State AMBER Alert and Missing Child Alert programs. These cards will allow essential missing child information to be electronically disseminated, statewide if necessary, within minutes and dramatically increase the possibility of bringing a missing child home unharmed. SCSO members hold Operation Safe Child programs during various County-wide events such as the annual County Safety Fair and at other time and locations. Parents may contact the SCSO at anytime to arrange for an individual appointment to participate in this most valuable program.

- D. Seniors and Lawmen Together (SALT) Council** – The Sheriff of Seneca County, has his cooperation and assistance to identify and address safety and security concerns of the elderly in our community. Representatives of the AARP Chapters, the Seneca County Office of the Aging and any other groups of “senior citizens” are encouraged to meet with the Council to learn of programs that are in place to notify police of the need for help in an emergency. Some of these are the “blue light” signaling that aid is needed at the location immediately.

E. “Offender Watch” – In 2008 the SCSO acquired the web-based program “Offender Watch” from the Louisiana company, Watch Systems. It is a computerized, automated process that provides enhanced capabilities to the public and SCSO members accessing information regarding registered sex offenders. The sex offender management and community notification system allows for high community visibility, mapping and reporting, convenient citizen links and community awareness tools. “Offender Watch” is maintained by the CID Lieutenant with administrative oversight by the Chief Deputy.

F. Victim Information and Notification Everyday (VINE) – Is a free service through which victims of crime can use the telephone or Internet to search for information regarding an offender’s custody status and register to receive telephone and/or e-mail notification when that offender’s custody status changes. VINE is currently available in 46 states. If an inmate for whom a person is searching for is in custody at a corrections facility that participates in VINE, users should be able to locate custody information on VINELink (www.vinelink.com)

VINE receives offender information very 15 minutes from jails and twice a day for prisons. This may vary depending upon the jail activity and the resources the facility has on site to update the day, however, most are current within 15 minutes.

VINE does not receive charge information from all facilities and therefore it is not always available to be displayed on VINELink. It is recommended that users call the facility in which it is believed the offender is housed and inquire about the charges of the offender. VINE does not track outstanding warrants. However, Appriss, provider of the VINE service, is working directly with several states to provide VINE Protective Order, a product that allows PO petitioners to receive notification when the warrant is served.

The SCSO provides two methods (telephone & internet) for persons to search for offenders and register with VINE.

Telephone - Persons may contact the SCSO Administrative Division at 315-220-3200 (Option #9) whereby they will be automatically connected VINE.

1. Users will be automatically prompted to begin the search or registration process in either English or Spanish.
2. Users will then be given a choice of telephone menu options to either search for an offender in custody or register for telephone notification of custody status changes.
3. Users who register to be notified by telephone of an offender custody status change will receive telephone notification of such custody change. Users will see the following telephone number on their caller ID: 502-213-2798.

Internet - Persons may visit the SCSO website at: www.sheriffs.co.seneca.ny.us and click on the VINE hyperlink to either search for or register with VINE. When an offender’s custody status changes, the user will be notified by email of such a custody change. Users requesting email notification will receive a message from the following email address: vine@globalnotifications.com. Users utilizing the internet also have the option to view an offender’s intake photograph

G. Child Safety Seat Safety Inspection Program - The SCSO provides the services of certified child safety seat inspection technicians to inspect, recommend and install child safety seats in the vehicles of members of the public. The SCSO has a limited supply of child safety seats available at no charge for Seneca County residents. Residents interested in the services of the SCSO child safety seat inspection program can contact the SCSO at 315-220-3200 to arrange for such individual inspection. The SCSO from time to time throughout the year sponsors child safety seat inspection programs throughout Seneca County. The SCSO announces the dates and locations of such inspection programs in the press and via the Sheriff's website.