

Media Relations

312.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official office information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

312.2 POLICY

It is the policy of the Montgomery County Sheriff's Office to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern and safety. Information that has the potential to negatively affect, hamper or endanger investigations will not be released.

312.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff. In situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, the Director of Criminal Investigation or Field Services may prepare and may release information to the media in accordance with this policy and applicable laws regarding confidentiality.

312.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of office members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Sheriff will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual, hamper a case or prejudice the rights of any person or is otherwise prohibited by law.

312.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the Sheriff or to his designee. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this office make any comment or release any official information to the media without prior approval from the Sheriff, or their designee.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this office.

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- (b) Under no circumstance should any member of this office make any comment to the media regarding any law enforcement incident not involving this office without prior approval of the Sheriff. Under these circumstances the member should direct the media to the agency handling the incident.

312.6 ACCESS

Authorized media representatives may be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.
 - 1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Sheriff, or their designated spokesperson.
- (c) Media interviews with individuals who are in custody should not be permitted without the approval of the Sheriff and the express written consent of the person in custody.
- (d) No member of this office who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

312.6.1 CRITICAL OPERATIONS

A critical incident, natural disaster or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Office members shall not jeopardize a critical incident or tactical operation in order to accommodate the media.

312.6.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or law enforcement safety or significantly hamper incident operations, the Sheriff should consider requesting a Temporary Flight Restriction (TFR). The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted.

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312.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the Support Services Director to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

Restricted information includes, but is not limited to:

- (a) Identifying information pertaining to a juvenile arrestee, victim or witness without prior approval of a competent court.
- (b) Information concerning incidents involving persons whose identities are classified as private or confidential under State law.
- (c) Identifying information concerning deceased individuals.
 - 1. Information may be released upon verification of the decedent's identity when notification has been made to the decedent's family and the release is approved by a supervisor.
- (d) Information contained in the personnel record of any member, unless otherwise specifically allowed by law.
- (e) Criminal history information that is otherwise retrieved from a public records repository.
- (f) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (g) Information pertaining to pending litigation involving this office.
- (h) Information obtained in confidence.
- (i) Criminal intelligence information.
- (j) Information contained in a 9-1-1 database that reveals the natural voice, name, address, telephone number or other information that may identify the caller, victim or witness.
- (k) Emergency Response Plans.
- (l) Sensitive public security information.
- (m) Photographs and recordings of autopsies.
- (n) DMV photographs and records prohibited by the Federal Driver Privacy Protection Act.
- (o) Any information that is otherwise privileged or restricted under State or federal law.

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312.7.1 EMPLOYEE INFORMATION

The Sheriff, after consultation with the agency conducting the criminal investigation should make a determination whether the involved deputy's name should be released.

Any requests for copies of related reports or additional information not contained in the report log, including the identity of deputies involved in shootings or other major incidents, shall be referred to the Sheriff, or his Designee . Such requests will be processed in accordance with the provisions of public records laws (e.g., North Carolina Public Records Act).

312.8 RELEASE OF INFORMATION

The Office may routinely release information to the media without receiving a specific request. This may include press releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects, as well as information relating to promotions or accomplishments. This information may also be released through the office website or other electronic data sources.

