

UNIVERSITY OF RHODE ISLAND
DEPARTMENT OF PUBLIC SAFETY



ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
General	07/23/2020	15.2.1	07/23/2020
SUBJECT TITLE		SUBJECT AREA	
MEDIA RELATIONS AND RELEASE OF POLICE INFORMATION		RECORDS	
REFERENCES		PREVIOUSLY ISSUED DATES	
7.13,15.2(d)		2015	
DISTRIBUTION	REVIEW DATE		PAGES
ALL PERSONNEL	AS NEEDED		6

I. PURPOSE

The purpose of this policy is to establish guidelines for releasing information to the news media and for providing the media with timely and accurate information regarding Department activities while ensuring police investigations are not jeopardized by the premature release of that information.

II. POLICY

The University of Rhode Island Police Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner that does not hamper police operations. The department is committed to informing the community and the news media of events within the public domain. The Department will work closely with the University's Department of External Relations and Communications regarding press releases and media access. However, certain information must be withheld from the media to protect the constitutional rights of an accused, to avoid interfering with a Department investigation, or because it is legally privileged information protected by laws such as the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA).

III. PROCEDURES

A. Public Information Function

1. The Chief of Police or the Chief's designee shall serve as the Public Information Officer (PIO) and is responsible for the public information function of the department and for compliance with the Access to Public Records Act (APRA) of the State of Rhode Island.
2. In the absence of the Chief or the designated PIO, the Police Major will be responsible for:
 - a. Assisting news personnel in covering routine news stories and being at the scene of incidents when so required;
 - b. Being available for on-call responses to the news media;
 - c. Working with the Department of External Relations and Communications in:
 - i. Preparing and distributing formal news releases;
 - ii. Arranging for and assisting at news conferences;
 - iii. Coordinating and authorizing the release of information about victims, witnesses and suspects;
 - iv. Developing procedures for the release of information when other public safety agencies are involved in a mutual effort.
3. It is the responsibility of the Chief or the Chief's designee to:
 - a. coordinate and authorize the release of information concerning confidential departmental investigations and operations; and
 - b. assist in crises situations within the department.
4. Police officers, security officers and dispatchers who are approached by members of the news media for information concerning official activities of the Department are to refer all such inquiries to the Officer in Charge (OIC).
5. The OIC will contact the Chief or Major, who in turn will contact the PIO and/or External Relations and Communications.

B. News Media/At Scene Access

1. News personnel and photographers covering stories at the scene of major incidents, disasters, or events will be directed to an area designated by the Incident Commander (IC) or by the Emergency Operations Center (EOC) if activated.
2. The area designated for the media:
 - a. shall be convenient to the reporting of the incident so long as the investigation is not jeopardized and safety considerations are not compromised; and
 - b. shall be outside of the crime scene perimeter.
3. The PIO shall periodically update the media in accordance with this policy and Rhode Island Law.
4. If other agencies are involved in a mutual effort, the agency with primary jurisdiction will be responsible for releasing information unless other arrangements have been agreed upon.

C. News Releases

1. News releases will be approved by the Chief or the Chief's designee (PIO, Major, Captain, IC, or OIC) after consultation with External Relations and Communications. The frequency and content of the release depends upon the objective desired. Normally, releases will be provided to those media agencies that have a direct relationship with the University community. The three types of news releases are:
 - a. Ongoing Investigations - It is important that all releases contain the same information. When possible, a printed release will be prepared by External Relations and Communications for distribution to the media. The Chief or the Chief's designee will work with External Relations and Communications to release the following information when appropriate:
 - i. The type of crime or nature of the incident;
 - ii. The location (certain restrictions may apply), date, time, injuries sustained, damaged property and a brief description of the incident;
 - iii. Amount and type of property taken, including value, if known;
 - iv. The name, age, and address of any adult charged with a crime;
 - v. The fact that a juvenile has been taken into custody, including sex, age, and general area of residence;
 - vi. The nature, substance, or text of the charge;
 - vii. The facts, time and place of arrest;
 - viii. The next step in the judicial process;
 - ix. Requests for aid in locating evidence, a complainant, or a suspect. The identity of a suspect before arrest will not be disclosed except to the extent necessary to aid in the investigation, to assist in the apprehension of the suspect, or to warn the public of any danger. A person's gender, general physical characteristics, and race may be released as descriptive information in such cases;
 - x. Available photographs may be released only if they serve a valid law enforcement function such as the identity of an unknown victim or to enlist public assistance in the apprehension of the offender. Release of a photograph of an unknown victim requires the authorization of the Chief or the Chief's designee.
 - b. Public Relations - the Chief or the Chief's designee will be responsible for issuing public relations news releases through External Relations and Communications. Information shall be provided on a regular basis to External Relations and Communications. The content of the news releases may include:
 - i. Department accomplishments;
 - ii. New program announcements;
 - iii. Crime prevention information;
 - iv. Relevant crime problems and statistics;
 - v. Appointments and promotions.
 - c. Emergency News Release - Whenever there is an immediate need to inform the general public concerning an emergency, the OIC will notify the Chief and/or Major. They or their designee will potentially activate the Emergency Alert System per policy and will notify External Relations and Communications. The need for such a release will depend upon the severity of

the situation and the need for the public to be informed. In special situations of public concern such as a natural disaster (e.g., tornadoes, severe wind, snow emergencies, floods, or rainstorms), a major fire, or a chemical spill, the OIC may be given the authority to activate the Emergency Alert System. If the OIC is authorized to speak to the media, comments to reporters will be comprised only of factual, on-the-record information. The Chief of Police will be informed of any emergency release as soon as practical.

D. Withholding Information

1. In general, comments to the news media concerning investigations, indictments, arrests and criminal incidents shall be minimal, consistent with the responsibility of keeping the public informed without jeopardizing the rights of individuals.
2. The following information **will not** be released:
 - a. Any victim, complainant, or witness information such as identity, address, phone number, age, etc., in the following instances:
 - i. The information is contained in an ongoing investigation whereby the release of such information may jeopardize successful resolution and/or prosecution of the case;
 - ii. The information is contained in any sex offense or sex-related investigation, which if divulged, may potentially lead to the victim's identification;
 - iii. The information is protected by FERPA.
 - b. The identity of any juvenile, in releasing information to the general public, as to arrest, investigation, or disposition of any case involving a juvenile, unless under the written direction of a Justice of the Family Court;
 - c. Medical information relating to the health history, any diagnosis, medical condition, treatment provided, or evaluation made by health care providers as defined in R.I.G.L. (5-37.3-3), unless specific consent has been obtained under the guidelines of RIGL (5-37.3-4);
 - d. The identity of any critically injured or deceased person before notification of the next of kin;
 - e. Personal data relating to any member or employee of the department. Questions concerning personnel will be referred to the Chief of Police;
 - f. Exact information concerning an ongoing investigation will not be released if the information would jeopardize the investigation or prosecution of a subject;
 - g. Any police information released from other agencies which was furnished for confidential or law enforcement purposes, e.g., BCI, III, license checks;
 - h. Preliminary drafts, notes, impressions, memoranda, etc.;
 - i. Confidential intelligence or operations information, except by express permission of the Chief of Police;
 - j. Sensitive or investigative information concerning internal investigations, except by express permission of the Chief of Police;
 - k. Any records required to be kept confidential by federal or state law or by rule of the court.

E. Access to Public Records

1. The Prosecution Sergeant serves as the Public Records Officer. The Major may designate an assistant. They will handle public record requests.
2. The name, business address and phone number of the Public Records Officer will be furnished to the Department of the Attorney General (RIAG).
3. The University of Rhode Island Police Department (URIPD) adopts the language of the public notice placard provided by the Attorney General's Office and agrees to maintain it in a prominent place in the lobby of the police station.
4. URIPD adopts the Access to Public Records Guidelines provided by the RIAG.
5. URIPD agrees to maintain copies of the Access to Public Records Request Guidelines at the police station to be given to members of the public upon request:
 - i. The regular business hours to make public records requests at the URI Police station will be Monday through Friday from 8am-4pm;
 - ii. In most cases, reports will be available without delay unless retrieval time is necessary.
6. The Prosecution Sergeant, upon consultation with the Captain, Major or Chief, will be responsible for any redaction or refusal of the requested information. (Examples of redaction or denial of records: witness identification, victim information, juvenile defendants, ongoing investigation, suspects, medical information, social security numbers).
7. URIPD understands and respects the right of the public to access public records and will treat citizens requesting public records with courtesy consistent with the department's rules and regulations.
8. Officers can ask a person requesting records for their name and the reason for the report. However, if they refuse to give their name or the reason they are requesting a record, they cannot and will not be denied access to the record requested unless there is a legitimate reason to deny the request.
9. If a person requesting a report refused to give their name, the request form will be completed with a description of the record requested and "anonymous request" noted at the top.
10. URIPD recognizes it must respond to public record requests within 10 business days. If an extension up to an additional 20 business days is necessary, the requester will be informed within the initial 10-day period of the need for an extension. If URIPD does not send the extension letter or respond to the request within the initial 10 days, our inaction is considered a denial and we may have waived our defenses if a court action is filed.
11. If advice is needed as to whether a document is a "public record" or if the matter involves litigation, the Office of General Counsel will be contacted through the Chief or the Chief's designee. The Chief may also seek an advisory opinion from the Attorney General.
12. The Public Records Officer will maintain a central file of all public records request forms. The file will also contain the completed request forms once the request has been fulfilled or responded to. It is understood that in many instances URIPD provides public records that are readily available to the requester without requiring them to complete the Public Records Request Form.
13. If someone feels they have been denied access to public records, they have the right to appeal to the Chief of Police. If they are still not satisfied, they may file a complaint with the RIAG's office.

F. Media Review

1. URIPD will involve External Relations and Communications and the news media in the development of changes in policies and procedures relating to the public information function by allowing them to review and comment on this procedure.

By order of: _____

Michael A. Jagoda

Director of Public Safety & Chief of Police

All policies have an associated signed copy on file.

Attachments:

1. **URIPD Public Record Request Guidelines - 2 pages**
2. **URIPD Public Records Request Form & Receipt**
3. **URIPD Response to Request for Public Records Form**