



STATE OF NEW HAMPSHIRE
DEPARTMENT OF SAFETY
DIVISION OF STATE POLICE
PROFESSIONAL STANDARDS OF CONDUCT



DIRECTIVE TITLE: PUBLIC INFORMATION

DIRECTIVE NUMBER: GO.54.002 **DISTRIBUTION CODE** 1

DATE ISSUED: JANUARY 1, 1994 **EFFECTIVE DATE:** JANUARY 1, 1994

RESCINDS/AMENDS: SOP #37

CHAPTER 54-B
PUBLIC INFORMATION

54-B.1.0 Discussion:

The News Media including newspapers, radio and television, is the means by which the community can learn most quickly and effectively of the activities and operations of the State Police. The public has a right to the kind of news and information that the State Police can furnish, and the News Media has the right to disseminate this information. The State Police is committed to informing the community and the News Media of events within the public domain that are handled by or involve the Division.

It is difficult to precisely define the relationship that should exist between members of the State Police and representatives of the News Media. It should, however, have for its basis a genuine spirit of mutual cooperation and mutual respect. The State Police should freely and openly provide all legitimate news items to the Media and should expect in return a fair representation of the facts. Consistent with the responsibility to protect the rights of the persons involved and the necessity to maintain the security and confidentiality of the Division records, an accurate and factual account of all incidents and occurrences of public interest should be given to the Media promptly.

Because of the nature of the State Police service, there are times and circumstances when it is necessary to temporarily limit and control this flow of information to the public. Many criminal cases under investigation by the State Police are of such a nature that in the best interest of the public, they must be kept confidential. Great care must also be taken to avoid prejudicial pretrial publicity based upon statements by the State Police, or by State Police witnesses, that could prevent a fair trial. This responsibility for protecting the constitutional guarantee of the accused for a fair trial, is shared equally by the State Police and the News Media.

The News Media can provide an excellent resource for the State Police to reach the greatest number of people in the shortest possible time to provide advice and directions to any community in any public emergency. Because of its wide communications capability, the News Media can be utilized by the State Police as a public service to dispel rumors and to calm community fears in the event of a major disaster or public disorder.

The News Media is also the most effective vehicle available to the State Police to inform the public of Division objectives and to gain public acceptance and cooperation for those objectives.

54-B.1.1 Public Information Officer:

- A. It shall be the responsibility of the Director or a designee thereof, to act as the official spokesman of the State Police in conducting and maintaining an active liaison with the News Media.
- B. The Director or his designee shall, when applicable, coordinate the dissemination of information being released by the Public Information Office of the Department of Safety as follows:
 - 1. Assisting news personnel in covering routine news stories and at the scene of incidents.
 - 2. Availability to the media of a State Police spokesperson at night and on weekends when needed and justified.
 - 3. Preparing and distributing news releases.
 - 4. Arranging for, and assisting at news conferences.
 - 5. Coordinating and authorizing the release of information about victims, witnesses and suspects.
 - 6. Assisting in crisis situations.
 - 7. Coordinating and authorizing the release of information concerning confidential Division investigations and operations.
- C. The Director will be responsible for the coordination and authorization of information concerning confidential Division investigations and operations.
- D. Before providing information to the News media or responding to inquiries from Media representatives, the following State Police requirements will be carefully considered:
 - 1. The necessity to prevent interference with, or the hampering of a State Police investigation.
 - 2. The necessity to preserve evidence.

3. The necessity to protect the safety of the victims of crime.
 4. The necessity to protect the identity of informants.
 5. The necessity to successfully apprehend the perpetrators of the crime.
 6. The necessity to protect the constitutional rights of persons accused of crimes.
 7. The necessity to avoid prejudicial pretrial publicity.
- E. No statements regarding Divisional policies, procedures, regulations, personnel matters, or official positions or views on any matter shall be made without the express authorization of the Director.
- F. Copies of reports, records or other official Divisional documents shall not be given to the News Media unless the written authorization of the Director is expressly obtained.

54-B.1.2 Press Briefings and Press Releases:

- A. The Director, or his designee, shall meet with the News Media as required to release newsworthy items.
- B. The Director, or his designee, will be responsible for arranging and assisting with Press Conferences for major investigations or emergencies.
- C. Printed press releases concerning newsworthy incidents shall be prepared by supervisory officers on an as-needed basis.
1. Troop press releases shall be released directly to the news media.
 - a. Copies of all press releases shall be sent immediately to Headquarters Communications.
 2. Press releases originating from Headquarters shall be submitted to the Department of Safety Public Information Officer for dissemination to the news media.
- D. Members and employees are encouraged to prepare professional articles and materials for publication; however, prior to publication of any article or material that identifies him/her as an employee of the State Police specific authorization must be obtained from the Director.
- E. No favoritism shall be shown in releasing news items. Newspaper, radio and television representatives shall be given equal opportunity to obtain all legitimate news. This does not prevent a reporter from developing an individual story or a feature article on his own initiative.

54-B.1.3 Access of Media Representatives:

- A. Official News Media representatives shall be admitted within State Police lines necessary at a major disaster or other public emergency, but they should be notified of any present or potential danger and that under such conditions the State Police are not responsible for their physical safety.
- B. The on-scene Commander of any incident may deny access to members of the Media if in his opinion their presence may inhibit, threaten or compromise legitimate State Police activity or objectives.
- C. Credentials required for News Media Representatives shall be obtained through the Public Information Office for the Department of Safety. The press identification will be in license form including a photograph of the individual, the origin of employment and other pertinent data.
- D. When Division employees detect or believe that credentials are being improperly used, documentation supporting this position should be forwarded to the Director's office for review and appropriate action.

54-B.1.4 Release of Information on Active Cases by State Police Personnel:

- A. The ranking State Police officer in charge of an active police operation or investigation may respond to legitimate inquiries for routine information from the News Media if the time, place and circumstances permit, but if there is any doubt as to whether such information should be divulged, these inquiries will be referred to the Director or his designee.
- B. Media contacts concerning active criminal investigations shall be reported to the Investigative Services Bureau.

54-B.2.1 Information That May Be Released:

- A. The following information can be released to the News Media (with the exceptions noted in Section 54-B.2.2).
 - 1. The identity of the victim (after notification of the next of kin).
 - 2. The name, age, residence, occupation and family status of the accused.
 - 3. Any information necessary to aid in the apprehension of the accused or to warn the public of any danger the accused may present.
 - 4. The facts and circumstances of an arrest, including the crime and place of arrest, any pursuit that took place, resistance made and any weapons used.
 - 5. The identity of the investigating or arresting troopers and the length of the investigation.

6. The description of any evidence seized without further comment.
 7. A brief description of the offense charged.
 8. The time and place of any court hearing.
 9. Whether the arrested person was bailed and the amount thereof.
- B. All information released by the Division directly to the news media shall be provided to the Department of Safety Public Information Officer as soon as is possible.

54-B.2.2 Information That Shall Not Be Released:

- A. The following information shall not be released to the News Media.
1. The prior criminal record of the accused.
 2. The character or reputation of the accused.
 3. The existence or the contents of any confession, admission or statement made by the accused or the failure or refusal of the accused to make any statement (except that it may be stated that the accused denies the charges made against him).
 4. The results of any examination or tests made or the failure or refusal of the accused to submit to any examination or tests.
 5. The identity, testimony or credibility of any prospective witness.
 6. Any opinion as to the guilt or innocence of the accused or to the possibility that a plea of guilty may be made.
 7. The residence or age of any Division member involved in an incident or offense.
 8. Any opinion as to the merits of the case or of the evidence in the case.
 9. Information received from another law enforcement agency (unless they have agreed to such a release).
- B. The following is not to be authorized or permitted under any circumstances, without the approval of the Director.
1. The deliberate posing of any person in custody for photographing or televising by representatives of the News Media.

C. The identity of the following persons shall not be revealed to the News Media without the direct approval of the Director.

1. Any person under the age of 18 taken into custody or accused of a crime; unless that crime is:
 - a. A motor vehicle offense in which case the minimum age is 16.
 - b. An act of vandalism as defined in the new RSA 169:36-A.
2. Any complainant.
3. Any neglected child.
4. Any victim of a sexual offense.
5. Any person taken into custody because of mental illness.

D. In the case of sudden or accidental death or serious injury, the identity of the victims will not be revealed to the News Media until the next of kin are notified at which time the information will be promptly disseminated.

54-B.3.1 Release of Information-Mutual Effort With Other Agencies:

A. In instances in which more than one agency is involved, the agency having primary jurisdiction shall be responsible for releasing or coordinating the release of information.

54-B.4.1 Media Input:

A. Whenever a change in this policy is contemplated, the Director, his designee or other person proposing a change, shall solicit input from news representatives of at least one local newspaper and one radio station, prior to the change taking effect.

SOURCES:

C.A.L.E.A. STANDARD(S):54.1.1, 54.1.2, 54.1.3, 54.1.4, 54.1.5, 54.1.6, 54.1.7, 54.1.8, 54.1.9, 54.1.10 and 54.1.11
