



Policy Revision Request

Requestor Name Anna Sabana/Jose Mendez Emp # 6246

This revision applies to Existing Policy 03-28-24

If new, recommended section _____

This revision is necessary to comply with Best Practices

Whom does this revision affect? Department

This revision has an unbudgeted financial impact of \$ 0

Brief reason for the revision:

To bring PIO Policy in line with best practices.

Document the changes or additions to the policy below. Please include the specific policy number. ~~Red strikethroughs~~ are used for deletions and blue underlined for text insertions. Please email completed forms to APDPolicy@austintexas.gov. Use this email for any related questions or issues for policy.

326 News and Media Relations

326.2 RELEASE OF PUBLIC INFORMATION

APD's Public Information Office (PIO) is responsible for collecting police information and then fairly, equitably and efficiently disseminating it to the public and media. PIO's primary function is to act as a liaison between the public, the news media and the Department and to coordinate all of the Department's release of public information.

During regular weekday business hours, PIO personnel will respond to the scene as determined by PIO. After office hours the on-call PIO will coordinate with the Watch Lieutenant on who will plan and post social media messages and/or send alerts through APD's social media platforms, as needed, to communicate public safety information to the public.~~will coordinate with the ranking on-scene officer and make the determination if PIO needs to respond. If the on-call PIO does not respond to the scene, they will send an email or social media notification to the media with information about the incident. The ranking on-scene officer will be responsible for media interviews at the scene.~~

On call PIO will only respond to the following calls:

- (a) SWAT Calls
- (b) Murders (On Call PIO will not typically respond to Traffic Fatalities)
- (c) Officer Involved Shootings
- ~~(a)~~(d) Calls that may garner media attention (at the discretion of the on-call PIO)

326.2.1 MEDIA REQUEST GUIDELINES

Any media request for information or access to a law enforcement situation shall be referred to the designated PIO representative. If PIO is not responding, the on scene supervisor may provide information requested by the media ~~or if unavailable, to the ranking on scene officer.~~ Prior to releasing any information to the media, employees shall consider the following:

- (a) Employees releasing information will ensure that the information is releasable and sheds a positive light on the City, APD and the law enforcement community. Information of a controversial nature will be directed to the PIO.
- (b) In situations involving multiple law enforcement agencies, 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 department.
- (c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of PIO and/or Chain of Command ~~the Chief of Police.~~

Media personnel are not exempt from any federal or state law, or any local ordinance and will be treated in the same manner as any other person violating the law.

Employees who encounter issues with the media should call PIO or send an email ~~initiate a memorandum through their chain-of-command to the PIO Commander~~ clearly outlining the situation and identifying, if possible, those involved.

326.2.2 OTHER METHODS OF PUBLIC INFORMATION RELEASE

- (a) News Releases and News Conferences
 1. Written information released by the Department for the media will be coordinated by PIO. News releases will be emailed to news organizations. In addition, press conferences will be coordinated by PIO. Notification of news conferences will be done through news releases, "ring downs," and/or posting on social media platforms, ~~emails, or by social media.~~
- (b) Employee Interviews
 1. Media interviews with an employee may be arranged through PIO or directly with the employee.
 - (a) Employees contacted directly by the media and who have questions or do not want to provide an interview can refer the media representative back to PIO; or
 - (b) Employees contacted directly by the media and who want to provide an interview will:
 1. Notify their supervisor if the interview is regarding an open or ongoing investigation and request approval before conducting the interview; and

2. Notify PIO either before or shortly after the interview.

(c) Police Records

1. Copies of police and crash reports must be purchased from APD's report sales.

326.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative ~~shall~~ should produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives will not be allowed to interfere with emergency operations and criminal investigations. Media personnel may not resist, obstruct or otherwise interfere with an officer in the lawful execution of their duty. However, the mere presence of a member of the media, the taking of pictures or the asking of questions does not, in itself, constitute unlawful interference.
 - 1. 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 PIO or other designated spokesperson.
 - 2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Lieutenant. 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 should be contacted (14 CFR § 91.137).
- (c) No member of this department shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the PIO Manager, Investigative Unit supervisor and the expressed consent of the person in custody.
- (e) Media access to working areas of the Department shall be coordinated through PIO and should extend only for the length of time necessary to complete the approved request. ~~to achieve a specifically approved objective of the media.~~

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical

operation in order to accommodate the news media. During the tactical operation, all comments to the media shall be coordinated through a supervisor or PIO.

326.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

Requests for information shall be handled as follows:

(a) **Open Records Requests** - General Order 116 (Security and Release of Records and Information) deals with the release of information in the form of an Open Records request. Employees receiving an open records request should contact the Open Records Coordinator in Central Records. Public and/or media requesting information not contained in the public portion of police reports may file an open records request with the Department. [A list of acceptable open records request methods can be found in GO 116.2.1 Submission Of Public Requests For Records](#)

~~(a)~~(b) **Juvenile Information** - At no time shall identifying information pertaining to a juvenile arrestee, victim or witness be publicly released without prior approval of a competent court.

~~(b)~~(c) **Police Photograph (Mug Shot)**

1. Mug shots of adult arrestees are subject to public release unless the release would interfere with law enforcement interests or hinder investigative efforts. ~~All mug shots of adult arrestees are publicly released automatically through the online APD Booking Photo Database Search 13 days after date of arrest.~~
2. Mug shots and photos of juvenile arrestees are confidential and will not be released without a court's approval.

~~(e)~~(d) **9-1-1 Tapes or In-Car Video Tapes** - Requests for APD 9-1-1 recordings need to be submitted in writing. Media requests for these recordings should be sent through the open records coordinator assigned to PIO. [See GO 116.2 Public Requests for Records](#)

~~(d)~~(e) **Identities of Deceased Persons** - In death investigations, the name of the deceased shall not be released by an employee until Victim Services or the Medical Examiner's Office has had a reasonable time to notify the next-of-kin. What constitutes a "reasonable time" will vary depending upon the circumstances of each case. Public release of the name of the deceased will be made through PIO or the Medical Examiner's Office.

~~(e)~~(f) **Arrest Information** - By law, the public and/or media has access to the following arrest information:

1. Arrestee's name, age, race, sex, occupation, alias, department identification number, and physical condition;
2. Location of arrest;
3. Names of the arresting officers;

4. Charges filed and the court in which it is filed (if known); and
5. The date and time of the arrest.

~~(f)~~(g) **Internal Affairs (IA) Investigations** - Information regarding an internal investigation is confidential and will be released through PIO only after authorization by the Office of the Chief. Premature and/or unauthorized statements made concerning confidential information is a violation of Department General Orders and may have an adverse effect on, or seriously jeopardize, an investigation. Only the IA Commander, and/or PIO personnel may confirm:

1. An internal investigation is being conducted;
2. The name of the employee involved; and
3. The nature of the allegation or incident.

~~(g)~~(h) **Statistical Information** - Media requests for statistical data should be coordinated and released through PIO.

(i) **Media Riders** - Media riders must be coordinated as outlined in ~~General Order~~GO 324 ~~(Police Observer Program)~~.

~~(h)~~(j) [Critical Incident - Public Release- Information on Critical Incidents follow GO 117 Critical Incident - Public Release.](#)