

MEDIA RELATIONS

8.09.01 PURPOSE

The San Francisco Police Department is committed to protecting the First Amendment rights of the media to cover law enforcement and public safety incidents and events. This policy details the Department's obligations regarding media interviews and media access to major incident scenes, crime scenes, and critical incidents, including incidents involving a hostage or barricaded suspect.

8.09.02 DEFINITIONS

- A. Duly Authorized Representative of Media (Media Representative)** – A person in possession of current, valid credentials issued by the Department or other law enforcement agency, or other identification establishing representation of news media, whether print, television, or Internet media. "Freelance" media personnel, including reporters, photographers, videographers, bloggers, or vloggers, possessing identification that establishes their ongoing affiliation or employment with a news outlet should be considered duly authorized representatives of the media.
- B. Media Relations Unit (MRU)** – The Department's primary point of contact for the news media. The MRU's primary function is to develop Department strategic messaging and disseminate information by issuing news releases and coordinating interviews and press conferences. A Public Information Officer (PIO) from MRU is available 24 hours a day, seven days a week.

8.09.03 POLICY

Members should provide appropriate access to media representatives as required by local, state, and federal laws. Members shall contact MRU when situations arise not covered by this order. Non-sworn members shall consult with MRU prior to releasing information or scheduling an interview with the media.

8.09.04 RELEASING INFORMATION

- A. Cooperation/Interviews** – Members may speak with media representatives so long as it aligns with the mission and values of the Department and does not reflect discredit or jeopardize or interfere with investigations, operations, or officer safety (DGO 2.01, *General Rules of Conduct*).

1. Members shall consult with the Lieutenant of the Homicide Detail prior to speaking to the media regarding homicide cases.
2. Members shall contact the MRU prior to participating in a pre-planned interview with a media representative.
3. Members shall contact MRU or the on-scene supervisor after providing statements to the media.

B. Releasing Information – See DGO 3.16, *Release of Police Reports*, for information that may be withheld or must be released. In addition to those guidelines, members shall not:

1. Disclose or comment about the suspect's criminal record.
2. Disclose the names of juvenile suspects or victims.
3. Disclose the names of deceased persons (suspects/victims) until the Office of the Chief Medical Examiner confirms that the next of kin has been notified.

C. Questions – If a member receives an inquiry from a media representative and the requested information is not covered in these guidelines, the member should refer the media representative to the member's supervisor, the investigator assigned to the case, or MRU.

D. Press Briefings – The Chief's Office or MRU may hold official press briefings to provide information about a specific topic or high-profile event to the news media. During these briefings, a member or non-sworn member of MRU will pre-designate an area which, in some circumstances, will be available to media representatives only.

1. If an attendee becomes disruptive and interferes with the dissemination of information and/or hinders another media representative's First Amendment right to gather information, the Department retains the right to remove the disruptive person from the official briefing area.

8.09.05 MEDIA ACCESS

A. Major & Critical Incidents – Media representatives have the right to gather and collect information at major and critical incident scenes (Cal. Penal Code §409.5), so long as their information gathering does not interfere with emergency operations.

1. Restrictions on media access may be imposed only for so long and only to the extent necessary to prevent actual interference with emergency operations.
2. Major incident scenes shall not be designated crime scenes unless the Commanding Officer at the scene has reasonable cause to believe the incident may have been the result of criminal activity.
3. The Incident Commander should consult with MRU when determining a media staging area location and always assume that any barricaded subject or hostage taker has access to live reporting.

B. Crime Scenes – The media does not have a constitutional right to enter and may be legally kept out. Crime scenes located in publicly accessible areas may be opened for media inspection after any search, preservation, and processing of evidence has been completed and containment ends (DGO 6.02, *Physical Evidence and Scene Preservation*).

C. First Amendment Activity – See DGO 8.03, *Crowd Control*.

8.09.06 PRESS VEHICLE PARKING

A. Generally, a vehicle operated by a media representative engaged in the gathering of news is exempt from the provisions of the San Francisco Transportation Code, provided that a press pass is properly displayed in the front and rear windows of the vehicle. The period of this exemption is two hours or the duration of the event, whichever is greater.

B. Prohibited Parking for Press Vehicles – Press vehicles may not park in or block tow-away zones, transit lanes, bicycle lanes, commercial loading zones, or within three feet of a wheelchair access ramp.

C. Emergency Vehicle Access – Press vehicles must not block access of emergency vehicles.

D. Nothing in this order or local ordinances supersede the provisions of the California Vehicle Code, but members should balance media access with the need to enforce parking laws and ensure access by emergency vehicles.

References:

DGO 2.01, *General Rules of Conduct*

DGO 3.16, *Release of Police Reports*

DGO 6.02, *Physical Evidence and Scene Preservation*

DGO 8.01, *Major and Critical Incident Evaluation and Notification*

DGO 8.02, *Hostage and Barricaded Suspect*

DGO 8.03, *Crowd Control*

Event Management Manual, SFPD

California Penal Code §409.5