

GENERAL ORDER

Rev. 08/24/94

Eff. XX/XX/XX

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 order establishes policy and details the Department's obligations regarding media interviews and media access to major incident/disaster 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:** – ~~It is the policy of the San Francisco Police Department to cooperate with~~ Members may speak with media representatives so in their news gathering activities as long as investigations are not it aligns with the mission and values of the Department and does not reflect discredit or jeopardized, or police operations are not

interfered with investigations, operations, or officer safety is not endangered (DGO 2.01, *General Rules of Conduct*). Each member of this Department has the authority to speak with the news media to his/her level of personal knowledge and is encouraged to do so.

1. Members shall consult with the Lieutenant of the Homicide Detail prior to speaking to the media regarding homicide cases.
2. Members shall contact MRU prior to participating in 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 That Must Be Released.~~ — The law requires that certain information must be given to the media. That information is listed in Department General Order See DGO 3.16, *Release of Police Reports*, Section II., B for information that may be withheld or must be released.

C. ~~Information Which May Be Withheld.~~ — The law permits the Department to withhold certain information under the circumstances described in Department General Order 3.16, *Release of Police Reports*, Section II., A. In addition to those guidelines, members shall not:

- ~~1. Make prejudicial statements about the suspect or the arrestee.~~
1. ~~2.~~ Disclose or comment about the suspect's criminal record.
2. ~~3.~~ Disclose the names of juvenile suspects or arrestees victims.
3. ~~4.~~ Disclose the names of deceased persons (suspects/victims) until confirmation has been received from the Office of the Chief Medical Examiners Office confirms that the next of kin has been notified.

C. ~~D. Questions.~~ — If a member receives an inquiry from a media representative and the requested has a question about the propriety of releasing information is not covered in these guidelines, the media representative member should be referred the media representative to the member's supervisor, the inspector assigned the case, or Public Affairs Office 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.

E. ~~Release of Police Reports.~~ — See DGO 3.16, *Release of Police Reports*.

F. 8.09.05 MEDIA ACCESS to Disaster Scenes.

A. Major & Critical Incidents – While the Department may exclude members of the general public from a disaster area for safety reasons, the Media representatives is exempt from exclusion and must be allowed into the disaster have the right to gather and collect information at major and critical incident area scenes (Cal. Penal Code § ~~see 409.5 P.C.~~), so long as

1. The media, However, may be restricted from specific areas within a disaster scene when police personnel at the scene reasonably determine that unrestricted media presence will their information gathering does not interfere with the 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. Disaster Major incident scenes, such as airplane crash sites, shall not be designated crime scenes unless the Commanding Officer at the scene determines from facts then available that there is a has reasonable cause to believe the disaster 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.

~~G. Hostage/Barricaded Suspect Scenes. (see DO 8.02, Hostage and Barricaded Suspect Incidents). Recognizing that the media has both a right and an obligation to report the news, the Department will maintain a policy that provides for dissemination of current information to the media on a continuing basis. Authorized news Media shall be permitted within the outer perimeter of the scene subject to any restrictions set forth by the field commander (DO 8.02, Hostage and Barricaded Suspect). At the scene of a confirmed hostage or barricaded suspect incident, media representatives will be requested to cooperate with the Department by adhering to the following guidelines:~~

1. CONTACT. Do not contact the hostage taker, either by telephone or in live interview. Negotiation is extremely delicate and sensitive. Such contact will critically obstruct the hostage negotiators in establishing contact and maintaining a personal relationship with the hostage taker, which is vital to the negotiating process. Interference of any nature could result in tragedy.
2. PROMISES/AGREEMENTS. If contacted by the hostage taker, refer him/her to the Operational Command Post. Any promises, agreements or extended conversations with the person should be avoided. Statements or questions which seem innocent may stimulate the person to commit an act of violence.
3. LIGHTS/CAMERA. Confer with the police command post regarding the use of lights or other equipment. The location of media personnel and equipment may become a critical liability in dealing with a hostage taker.
4. NEGOTIATIONS. Remember that individuals taking hostages are invariably homicidal and suicidal. Police negotiators have extensive training and experience in dealing with them. Persons without such training and experience could compound the situation beyond

~~the point of successful resolution. A good basic rule to follow, “Do — nothing that could conceivably make the situation worse.”~~

B. ~~H. Crime Scenes.~~ ~~— At a crime scene, unlike a disaster scene,~~ The media does not have a constitutional right to enter and may be legally kept out. Crime scenes ~~which are~~ located in ~~areas of~~ publicly accessible areas may be opened for media inspection after any search, preservation, and processing of evidence has been completed and ~~the scene has been secured~~ containment ends (see DGO 6.04~~2~~, ~~Crime Scene Log~~ *Physical Evidence and Scene Preservation*).

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

8.09.06 ~~I. PARKING OF PRESS VEHICLES.~~ PARKING

A. Generally, a vehicle ~~being~~ operated by a ~~member of the media~~ representative ~~who is actually~~ engaged in the gathering of news is exempt from the provisions of the San Francisco Transportation Traffic Code, provided that a press ~~card~~ pass is properly displayed in the front and rear windows of the vehicle. The period of this exemption is ~~2~~ two hours or the duration of the event, whichever is greater.

B. Prohibited Parking for Press Vehicles – Press vehicles

1. ZONES/ACCESS RAMPS. ~~The Traffic Code is clear, however, in describing specific — locations where news gathering vehicles may not park:—~~ in or block

- ~~a. tow-away zones, and exclusive transit lanes;—~~ bicycle lanes,
- ~~b. truck commercial loading zones, or —~~ News gathering vehicles shall not park in Truck Loading Zones (yellow or black curbs) except during a news emergency.
- ~~c. Sidewalk Access Ramps. News vehicles shall not park within 3 —~~ three feet of any wheelchair access ramp constructed adjacent to a crosswalk for use by the physically handicapped.

C. ~~2. FIRE DEPARTMENT~~ Emergency Vehicle Access. ~~— News Press vehicles must not block be parked with due regard for access of Fire Department emergency vehicles to any property.~~

D. Nothing in this order or local ordinances supercedes ~~or cancels~~ 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
~~Penal Code Section 293~~
~~Penal Code Section 11167 & 11167.5~~
~~Government Code Section 6254 (f)~~
California Penal Code §409.5