

# Hamden Police Department General Orders

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**Policy Number:** 011-001

**Effective Date:** October 12, 2023

**Section:** Public Information

**Rescinds:** August 01, 2005

**Title:** News Release

**Approved By:** Police Commission

**Approval Date:** October 11, 2023

## PURPOSE

To establish guidelines for the disclosure of law enforcement information and to establish guidelines for communication between the Hamden Police Department and news outlets.

## POLICY

The Hamden 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 which does not hamper police operations. However, certain information must be withheld from news outlets and the media in order to protect constitutional rights of involved parties, to avoid interfering with department investigations and / or because it is legally privileged.

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## Procedures

### A. Normal News Release

1. Information may be released concerning arrests and investigations to news media personnel provided such information will not:
  - a. Jeopardize a continuing investigation
  - b. Jeopardize the apprehension of suspects
  - c. Jeopardize the prosecution of the accused
  - d. Conflict with current laws prohibiting such release.
  
2. Individuals Authorized to Make News Releases
  - a. The Chief of Police is authorized to release information in accordance with law and also shall designate a person or persons to process information that is to be released.
  - b. That person or persons shall be known as the Public Information Officer and shall release information in accordance with law.
  - c. When employees release police information, current collective bargaining agreements shall also be considered. Any information that if released would be in conflict with current collective bargaining agreements shall not be released unless appropriate union officials are contacted, and measures taken to allow its agreed release, unless authorized by law.
  
3. Duties of the Public Information Officer (PIO)
  - a. Assisting news personnel in covering routine news stories, and the scene of incidents.
  - b. Preparing and distributing agency news releases.
  - c. Arranging for and assisting at news conferences.
  - d. Coordinating and authorizing the release of information about victims, witnesses and suspects from agency files.
  - e. Coordinating and authorizing the release of information concerning on going confidential agency investigations and operations.

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4. In the absence of the PIO, a backup information officer and / or the Division Commanders shall furnish all pertinent information requested by the news media after conference with the Chief of Police or his designee and in accordance with law.
5. No other persons within the police department, except Union Officials regarding Union business, will furnish information to news outlets.
6. Information which may be released before arrest unless prohibited by law:
  - a. Description of the exact offense including a brief summary of events.
  - b. Location and time of offense.
  - c. Amount taken, injuries sustained or damages resulting from the action (HIPAA to be considered).
  - d. Identity of the victim except for those victims excluded by law such as sexual assault victims, juveniles and information in ongoing investigations that may compromise the investigation.
  - e. Criminal background of fugitives when the public should be alerted to any possible danger.
  - f. Method of complaint (officer observed, citizen etc.)
  - g. Length of investigation and / or name of the division in charge of the investigation.
7. Information not to be released before arrest.
  - a. Identity of suspects who are interviewed but not charged.
  - b. Identity of witnesses including a victim who can positively identify an assailant.
  - c. Information that may identify sexual assault victims, juveniles and information in ongoing investigations that may compromise the investigation (information should be general race, age, sex if released)
  - d. Identity of juveniles when specifically restricted by State Statute.
  - e. Exact identification of information about the weapon or other physical evidence.
  - f. Any information that could only be known to the guilty party.
  - g. Information about valuable items not stolen.
  - h. Conjecture about suspects or fugitives.
  - i. Misleading or false information.

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8. Information that can be released after arrest.
  - a. Time and place of arrest
  - b. Defendant's name (unless a juvenile), age, residence, employment, marital status and similar background.
  - c. The exact charge or charges
  - d. Facts and circumstances relating to the arrest, such as resistance, pursuit, possession, or use of weapon, description of contraband discovered.
  - e. Identity of the agency or unit responsible for the arrest.
  - f. Duration of the investigation.
  - g. Pre-trial release or detention arraignments including amount of bond, location of detention unless offender is a juvenile.
  - h. Scheduled dates for various stages in the judicial process.
  - i. Note that Juvenile offender information is generally confidential.
  
9. Information not to be released after arrest.
  - a. Comments about the character or reputation of the defendant.
  - b. Information of the existence or the content of a confession, admission, or statement by the accused.
  - c. The refusal of an accused to make a statement.
  - d. The refusal of an accused to submit to tests or examinations.
  - e. Results of any examination or tests
  - f. Description or results of any laboratory examinations of physical evidence.
  - g. Re-enactment of the crime
  - h. Any remarks about the assumed guilt or innocence of the defendant.
  - i. Comments about the credibility of testimony
  - j. Juvenile offender information including information that may identify the juvenile.

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### **B. Special News Releases and Reporters' Presence at Scene.**

1. In cases of major crime, missing persons, disaster or other emergency, Special News Releases may be necessary
2. In such cases, the PIO will be advised of all available information as soon as possible and may meet with media representatives and issue such press releases out of necessity and in accordance with law. The information should include:
  - a. Statement regarding the nature and extent of the incident.
  - b. Hazards to the public, if any, or traffic detours.
  - c. Casualty reports.
  - d. This information may be necessary in order to evacuate areas, fulfill the public's right to know, and assist in the control of rumors regarding the incident.
3. If necessary, a field location will be selected for the PIO to meet with the press. The area will normally be a short distance from the Command Post but not necessarily depending on circumstances.
4. In cases involving more than one agency, the agency having the primary jurisdiction will be responsible for releasing and / or coordinating the release of information. However, the Hamden PD PIO will be responsible for releasing information regarding the activities of the Hamden Police Department.

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### 5. Access to Crime Scene or Incidents

- a. At the scene of any occurrence, including major fires, natural disasters or other catastrophic events, media personnel have the right to:
  - i. Photograph or video record the incident from a public place or where they are authorized to be.
  - ii. Attempt to interview persons involved
  - iii. Gather and record information in order to fulfill the public's right to know as it applies to being newsworthy.
  
- b. Media personnel may not interfere with:
  - i. A crime scene.
  - ii. Rescue operations.
  - iii. Enter or remain in an area deemed hazardous by the fire department or police department at the scene.
  - iv. Violate law

### C. Press Briefings

1. The PIO will conduct press briefings regarding incidents and ongoing investigations as deemed necessary by the Chief of Police.
  
2. The Chief of Police may conduct press briefings, create and disseminate news releases or designate any sworn member of the police department to do the same in his absence or the absence of the PIO, generally however this task should fall on a member of the command staff, preferably a Division Commander.
  
3. No member of the police department shall release police related information to the public or to news outlets without authorization from the Chief of Police, or as a function of the members job description who shall only release authorized information in accordance with policy and law, for example, Records Division personnel. It may at times be necessary for police officers to release certain information to non-police personnel in accordance with law, such as for investigative reasons during the course of investigating a complaint / crime.