



**BURLINGTON POLICE DEPARTMENT
DEPARTMENT DIRECTIVE
DD30 Public Information, Website, NIXLE**

POLICY: It is desirable for the Burlington Police Department to maintain a positive working relationship with the media that will result in satisfying the needs of the agency, the media, and the public and to use varied means to regularly release information to the public. Toward that end, the Department shall maintain a Public Information function responsible for cultivating positive police-media and community relations and fulfilling the public's desire to be informed of matters involving public safety and Department operations.

PURPOSE: The presence of news reporters at the scene of a police incident is a necessary and legitimate function of the media's responsibility to inform the public. Public safety officials should extend the media all courtesies consistent with efficient police operations, the rights of the persons involved, and the public's right to know. This directive shall establish policies and procedures for releasing information to the media and general public.

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I. DEFINITIONS

Public Information Officer: For the purposes of this directive shall refer to the individual designated by the Chief of Police as responsible for coordinating the agency's Public Information function. This officer shall be responsible for maintaining a file of all press releases disseminated by any member of this agency.

Public Information Function: Shall be the responsibility of all personnel of the rank of Lieutenant or higher. In the absence of the Public Information Officer, it shall be the responsibility of the on duty Officer in Charge, the Chief of Police, or his/her designee to fulfill the responsibilities of the function.

Media Personnel: Legitimate representatives from established radio, television, or print media. Upon request media personnel should be prepared to provide credentials indicating their name and media affiliation. Any question regarding the legitimacy of a media representative should be directed to the Officer in Charge.

II. RESPONSIBILITIES OF THE PUBLIC INFORMATION FUNCTION

A. Maintaining positive police-media relationships is the responsibility of every member of the Burlington Police Department. Any member may be called upon to serve as a department spokesperson. While recognizing that providing information to the public is a task shared by all, it is

in the interest of coordinating the dissemination of information and increasing agency accountability that a public information function is established.

- B. The Public Information function of this agency shall be responsible for the following:
1. Approving press releases prior to dissemination to media to ensure consistency and accuracy.
 2. Assisting media personnel in covering news stories at the scene of incidents.
 3. Being available for response to crime scenes.
 4. Preparing and disseminating news releases regarding public education issues such as personal safety tips, special enforcement efforts, new or revised laws, seasonal crime awareness information, and the winter parking prohibitions.
 5. Arranging for and assisting at press conferences.
 6. Coordinating and authorizing release of information about victims, witnesses, and suspects.
 7. Assisting in crisis situations within the agency, such as a line of duty death or serious injury.
 8. Coordinating and authorizing release of information concerning sensitive agency investigations and operations.
 9. Developing procedures for release of information when the Department is involved in a multi-jurisdictional incident.
 10. Soliciting feedback and input from media personnel regarding agency policies and procedures related to public information.
 11. Communicating Department guidelines and restrictions regarding access of media personnel, to include photographers, at crime scenes and other serious incidents.

III. RESPONSIBILITIES OF THE PUBLIC INFORMATION OFFICER

- A. To assume primary responsibility for the accomplishment of the above stated responsibilities of the Public Information function.
- B. To delegate duties, as necessary, to other agency personnel regarding the Public Information function. It may be desirable during some incidents for the Public Information Officer to delegate Public Information duties to other agency personnel (investigating officer, officers involved in special projects, etc.). The Public Information Officer shall attempt to provide agency employees with relevant career development opportunities regarding media relations.
- C. To act as the Department's official liaison to the media.
- D. To maintain a central file of all information disseminated to the media by members of this agency.
- E. Retain all press releases in a central file for one year.

IV. RESPONSIBILITIES OF ALL AGENCY PERSONNEL

- A. As stated previously, all personnel should be prepared to deal with members of the media during the course of their official duties. There is some information, enumerated below, that may be released by any member of the agency. In serious incidents, however, any department member approached by the media for information shall refer the request to the Public Information Officer, or other ranking officer responsible for the Public Information function.

- B. The following information may be released to media personnel by any member:**
1. **Crash** – time, date, location, number of vehicles, injuries sustained, names and ages of drivers and occupants, and whether or not seat belts were used.
 2. **Arrests** – the name, age, and address (to include street but not house or box number) of adults arrested or cited, the charge, and arraignment date.
 3. **Crimes** – the time, date, location, type of crime, and status of investigation.
- C. Except as noted above, any information that is released must be forwarded to the Public Information Officer for inclusion in the central file.
- D. All written press releases must be prepared on agency approved forms and must be authorized by a Lieutenant or higher ranking officer, or the on duty OIC. If information is distributed to the media in other than print format, a synopsis shall be forwarded to the Public Information Officer immediately following dissemination.
- E. Agency members may not authorize media personnel to trespass onto private property.
- F. Inquiries concerning departmental policies, procedures, personnel issues or relationships with other agencies shall be referred to the Office of the Chief of Police.
- G. Media personnel shall not be allowed to interview subjects who are in police custody.

V. ACCESS OF MEDIA PERSONNEL AT CRIME SCENES

- A. Generally, access of media personnel, including photographers, shall be restricted to the outer perimeter of any crime scene or serious incident. Media personnel may only cross the established perimeter after receiving permission from the Incident Commander.
- B. When permission is granted by the Incident Commander, officers shall assist media personnel in gaining access to an incident scene.
- C. Media personnel shall never be allowed to interfere with police operations. Additionally, officers may deny access to a scene for safety or investigative purposes.
- D. It shall be the responsibility of the Public Information function to communicate these guidelines to affected media agencies to help ensure their cooperation.

VI. RELEASE OF INFORMATION DURING MULTI-JURISDICTIONAL INCIDENTS

- A. In situations involving multi-agency participation, the Burlington Police Department shall handle public information activities only if it is the agency having primary jurisdiction in the incident.
- B. In all other multi-jurisdictional activities in which Department personnel participate, questions from the media shall be directed to the agency having primary jurisdiction. Burlington Police personnel may assist the primary agency as requested.

VII. RELEASE OF INFORMATION BY TASK FORCE MEMBERS

Burlington Police personnel assigned to a Task Force shall comply with the procedures established by the Task Force. Task Force members are encouraged to forward a copy of all press releases that mention the Burlington Police Department for inclusion in the central file.

VIII. INFORMATION THAT MAY BE RELEASED TO THE MEDIA

- A. The following information may be released to the media, with the exceptions noted. Some information may not be appropriate for release given the nature of the investigation.
1. The identity of a deceased victim, **after notification of next of kin.**
 2. The name, age, and residence of any person charged with a crime, the charge and date of arraignment.
 3. The facts and circumstances of an arrest, including the date, time, and location of the arrest, disposition of the arrested person (lodged or cited), bail imposed, arraignment date, and general statements about any pursuit, resistance, or weapons involved.
 4. A brief description of evidence seized without any further comment.
 5. The identity of the investigating officer(s) and/or the arresting officer(s) and the anticipated length of the investigation.
 6. Whether the suspect was arrested with or without a warrant and a brief description of the offense charged.
 7. The name of the court issuing a warrant and the time and place of arraignment and plea entered, if known.
 8. Any information necessary to aid in the apprehension of a person formally charged with a crime, or to warn the public of any danger posed by a suspect.

IX. INFORMATION THAT MAY NOT BE RELEASED TO THE MEDIA

- A. The following information **may not** be released to the media, unless it is contained in a public file.
1. Comments regarding the character or reputation of a suspect.
 2. Comments regarding the existence of a confession, or statements made by a suspect. Or, the failure or refusal of the suspect to make a statement or confession. It **can** be noted that the suspect denies the charge(s).
 3. The results of any examination or tests made, or the refusal or failure of the suspect to submit to any examination or test;
 - a. If the failure to submit to an examination or test is the cause for the charge (DWI refusal, contempt of court, etc.), this information may be released.
 4. The identity, statements, or credibility of any witness or prospective witness.
 5. Any opinion as to the guilt or innocence of a suspect, or speculation as to the plea a suspect may enter.
 6. Any opinion as to the merits of the case or of the evidence in the case.
 7. Information concerning the planning of raids or other confidential enforcement efforts.
 8. Only the Chief of Police, or his/her designee, may authorize the release of information pertaining to personnel issues within the department.
 9. The identity of the following persons will not be released:

- a. Any victim of a sex crime;
 - b. Any abused or neglected child;
 - c. Any person taken into protective custody because of mental illness;
 - d. Any person taken into custody because of intoxication. NOTE: State law requires that police notify the next of kin of any incapacitated person **who is taken to Corrections**, unless the person requests that no notification be made.

Information regarding the status of an incapacitated person **may not** be released to anyone other than next of kin;
 - e. The name of a complainant, unless a complainant specifically authorizes the release of his/her name to the media;
 - f. Any juvenile accused of a crime, unless the case has been transferred to criminal court and the juvenile is ordered to stand trial as an adult.
11. The contents of affidavits are not public information until after a judicial officer has found that probable cause exists and the defendant has been arraigned.
 12. Any information contained in the Sex Offender Registry, unless authorized for release by Statute.
 13. Any other information deemed as not public information as described in Title 1, section 317 of Vermont Statutes Annotated.

X. PIO CONTACT GUIDELINES

The following guidelines are distributed to area media regarding contacting the PIO or Department representative.

- A. All media inquiries between 8 a.m. and 10 p.m. that are non-emergent should be directed to 540- 2211.
- B. This phone number will be programmed to forward the call to the on duty Public Information Officer. This number should not be disseminated beyond the media.
- C. The media is strongly discouraged from calling multiple members of the Command Staff or Public Information team, as it is difficult to coordinate a response to multiple messages.
- D. ***This phone number is designed to be a single point of contact.*** We commit to fielding phone calls as quickly as possible.
- E. If the on call public information officer does not return a call within thirty minutes, the media may contact the Officer in Charge.
- F. Any media inquiry in response to a specific press release should be directed to the contact person named in the release.
- G. Any media inquiry that is time sensitive and pertains to ongoing police operations or occurring between 10 p.m. and 8 a.m. may be directed to the Officer in Charge at 540-2400.
- H. During a "critical incident" the media will be alerted by a press release. The Officer in Charge will either handle media inquiries or defer them until a member of the Public Information team is available.

XI. COMMUNITY OUTREACH NOTIFICATION

A. In those instances where it has been determined that a significant event has happened which will impact the perception of safety within the neighborhood, the OIC may authorize the implementation of the Community Outreach Team. The Team may consist of members of the Burlington Police Department and other designated agencies. The Team's goal will be to provide timely and accurate information directly to residents

regarding the recent traumatic event in their neighborhood, beyond that which is typically available in the published media.

B. The Team may utilize neighborhood canvassing, educational or informational flyers, holding community meetings, or conducting individual meetings to better inform the residents as to the actual circumstances, and the current status of the incident in the neighborhood. The Team may also offer referrals for counseling, crime prevention, and community support programs to the residents.

XII. RELEASE OF DEPARTMENT OF MOTOR VEHICLE INFORMATION

- A. Personnel may disclose personal information obtained from the Department of Motor Vehicles (DMV) to criminal justice agencies. (See DMV Agreement)
- B. Personnel may release information to any requestor pertaining to vehicular crash, driving violations and driver's license and registration status.
- C. However, in the event that personnel choose to disclose personal information about any individual obtained from the **DMV** to a **non-criminal justice agency**, they may only disclose such information under the following conditions:
 - 1. Personal information released to non-criminal justice agencies is **limited to name and address**. The Social Security Number or medical/ disability information may **NOT** be disclosed.
 - 2. **To disclose** personal information **means to verbally report** it to the requestor. **Copies** of personal information **are NOT to be released** to non-criminal justice users.
 - 3. Personal information may only be disclosed to the following non-criminal justice agencies:
 - a. Government agencies in carrying out official business or in response to a court order.
 - b. Legitimate businesses in connection with:
 - 1. matters of motor vehicle or driver safety and theft.
 - 2. providing notice to the owners of towed or impounded vehicles;
 - 3. investigative agencies or licensed security services for any of the purposes included in Section 3 of this amendment;
 - 4. obtaining or verifying information related to a holder of a commercial driver's license.
 - c. A properly identified person seeking information regarding his/her own record.

XIII. IMPORTANT CONSIDERATIONS REGARDING RELEASE OF INFORMATION

- A. When addressing the media it is important to remember that the general public is the audience. Speak in clear, concise language and avoid the use of jargon, military time or acronyms.
- B. Whenever any member of the Burlington Police Department addresses the media, he/she is representing the entire agency. Personnel should remember that thousands of citizens within the community and beyond would form impressions of the department based on a single interview.

XIV. WEBSITE

All media and informational release shall be cross-posted to the Department's website by the Executive Assistant to the Chief of Police. Additionally, the Department's website should be kept current with important operational information for the public, the contents of which vary widely as Department operations evolve.

XV. NIXLE BROADCAST SYSTEM

A. Beginning on November 1, 2009, the Department will begin utilizing an electronic messaging system that allows direct communication with interested persons who sign up to receive messages via e-mail, SMS, or text to their mobile device. The service is provided by NIXLE, who is a trusted entity with partners such as NLETS, the U.S. Conference of Mayors, the Council of State Governments, the Police Executive Research Forum, and a host of others.

B. Messages that will be sent, from time to time, include:

1. **Traffic** – information related to traffic problems or diversions and parking bans
2. **Community Information** – information about meetings that relate to public safety topics
3. **Advisories** – Crime Alerts and Press/Informational Releases (from events in which we are seeking information from the public or a neighborhood that may be impacted by a response or have a recognizable interest in immediate information about an event)
4. **Alerts** – Critical Incident Information – information on major events, emergencies, or things such as Amber Alerts, missing persons, etc.

C. For those within the agency with access to post to NIXLE, the login page is located at: <https://agency.nixle.com/login>.

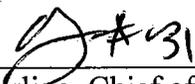
NIXLE is configured to broadcast to all persons subscribed to the BPDVT NIXLE messaging system or anyone following BPDVT on Twitter. Broadcasts can be configured to occur to all persons subscribed or within a geographic area around a particular address. Generally, a supervisor must approve any NIXLE posting. Supervisors and Communications Staff will have access to post to NIXLE. Communications Staff may post traffic advisory information to NIXLE without the approval of a supervisor.

Burlington Police employees are prohibited from posting information relating to Department operations directly to Twitter or any other social networking or other Internet site, or disseminating information via any other electronic means other than NIXLE without the express consent of a supervisor.

Residents, businesses or others interested in following Department NIXLE broadcasts can register securely at no charge by visiting: <http://local.nixle.com/city/vt/burlington>. In the event that members of the public would prefer to follow these broadcasts via Twitter, NIXLE postings are automatically cross-posted to Twitter at the following Tweet: <http://twitter.com/BPDVT>. BPD personnel do not directly post to Twitter. Rather, using a feature of NIXLE that allows automatic population of the BPDVT Twitter page.

Information about the NIXLE service can be found at www.nixle.com. The site provides tutorial information about its operation for both end users and persons posting information.

Reviewed and adopted by the Burlington Police Commission on November 17, 2010.



Michael E. Schelling, Chief of Police

17 NOVEMBER 2010
Effective Date