	<b>Winchester City Sheriff's Office</b> <b>Manual of General Orders</b>  <b>Administration</b> <b>115</b>	<b>Effective Date:</b> May 1, 2014 Accreditation Standards: ADM .22.01 ADM .22.02
		<b>Original Policy:</b> May 1, 2014 <b>Last Review Date:</b> October 31, 2023 <b>Next Review Date:</b> October 31, 2024
<b>Subject: Media Relations</b>		<b>By Authority of:</b> <hr/> William E Sales, Sheriff

Effective/ Review Date	Section Changed	Changes	Reviewed By	Approved by
01-04-23	III B 1	Added " to assist Sheriff or act as the spokesperson in his/her absence.	BWD	WES
01-04-23	III I 1	Removed "Unless otherwise authorized, the Sheriff or Chief Deputy will release daily media information.	BWD	WES
01-04-23	III I 5	Removed "or" Added "or media spokesperson"	BWD	WES

### I. PURPOSE

The purpose of this order is to provide guidelines as to the types of information that may be released to media representatives, to specify some types of information that may not be released, to identify who may release information, and to establish procedures for media relationships with the Winchester City Sheriff's Office.

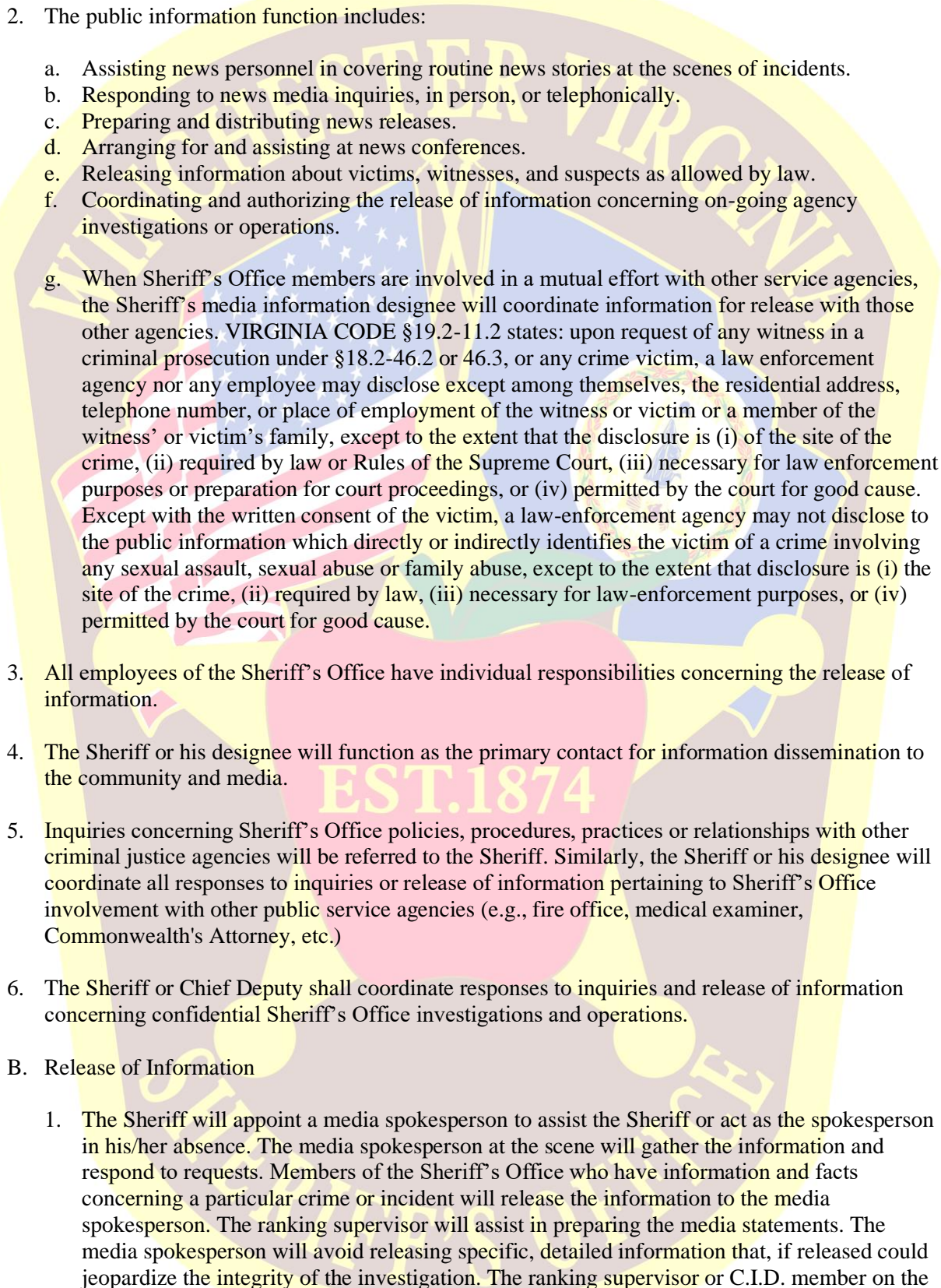
### II. POLICY

One of the first and most fundamental considerations of the nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They recognized that a well-informed citizenry is vital to the effective functioning of a democracy. Law enforcement operations profoundly affect the public and, therefore, arouse substantial public interest. Law Enforcement agencies should make every reasonable effort to serve the needs of the media in informing the public about crime and other law enforcement problems. This should be done with an attitude of openness and frankness whenever possible. Further, they should be given whatever information they request, unless the information cannot lawfully be given, infringes on a person's right to a fair trial, impedes a criminal investigation, imperils human life, or seriously endangers the security of the people. In all other matters dealing with the media on current news, members of the Sheriff's Office designated by the Sheriff should make every reasonable effort to provide the media representatives with full and accurate material. The effort must be consistent with accomplishing the law enforcement task.

### III. PROCEDURE

#### A. General

1. The Sheriff's Office is committed to informing the community and the news media of events within the law enforcement domain that are handled by or involve the Sheriff's Office. The Sheriff or Major will perform routine new releases.

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2. The public information function includes:
    - a. Assisting news personnel in covering routine news stories at the scenes of incidents.
    - b. Responding to news media inquiries, in person, or telephonically.
    - c. Preparing and distributing news releases.
    - d. Arranging for and assisting at news conferences.
    - e. Releasing information about victims, witnesses, and suspects as allowed by law.
    - f. Coordinating and authorizing the release of information concerning on-going agency investigations or operations.
    - g. When Sheriff's Office members are involved in a mutual effort with other service agencies, the Sheriff's media information designee will coordinate information for release with those other agencies. VIRGINIA CODE §19.2-11.2 states: upon request of any witness in a criminal prosecution under §18.2-46.2 or 46.3, or any crime victim, a law enforcement agency nor any employee may disclose except among themselves, the residential address, telephone number, or place of employment of the witness or victim or a member of the witness' or victim's family, except to the extent that the disclosure is (i) of the site of the crime, (ii) required by law or Rules of the Supreme Court, (iii) necessary for law enforcement purposes or preparation for court proceedings, or (iv) permitted by the court for good cause. Except with the written consent of the victim, a law-enforcement agency may not disclose to the public information which directly or indirectly identifies the victim of a crime involving any sexual assault, sexual abuse or family abuse, except to the extent that disclosure is (i) the site of the crime, (ii) required by law, (iii) necessary for law-enforcement purposes, or (iv) permitted by the court for good cause.
  3. All employees of the Sheriff's Office have individual responsibilities concerning the release of information.
  4. The Sheriff or his designee will function as the primary contact for information dissemination to the community and media.
  5. Inquiries concerning Sheriff's Office policies, procedures, practices or relationships with other criminal justice agencies will be referred to the Sheriff. Similarly, the Sheriff or his designee will coordinate all responses to inquiries or release of information pertaining to Sheriff's Office involvement with other public service agencies (e.g., fire office, medical examiner, Commonwealth's Attorney, etc.)
  6. The Sheriff or Chief Deputy shall coordinate responses to inquiries and release of information concerning confidential Sheriff's Office investigations and operations.
- B. Release of Information
1. The Sheriff will appoint a media spokesperson to assist the Sheriff or act as the spokesperson in his/her absence. The media spokesperson at the scene will gather the information and respond to requests. Members of the Sheriff's Office who have information and facts concerning a particular crime or incident will release the information to the media spokesperson. The ranking supervisor will assist in preparing the media statements. The media spokesperson will avoid releasing specific, detailed information that, if released could jeopardize the integrity of the investigation. The ranking supervisor or C.I.D. member on the

scene may screen the details so as to aid the spokesperson in avoiding releasing information critical to the investigation.

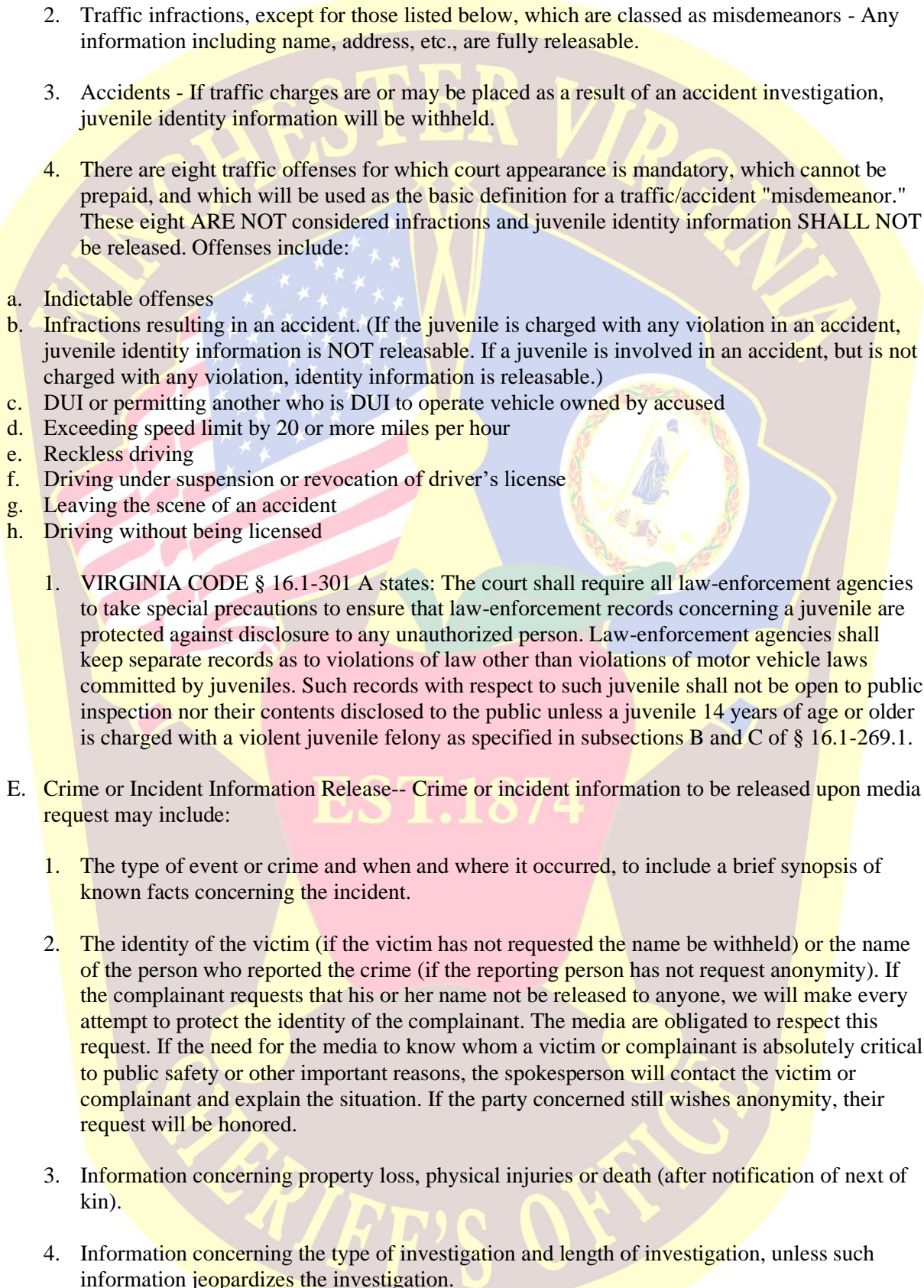
2. In the case of follow-up investigations, the deputy or investigator conducting the follow-up may provide information to the media spokesperson.

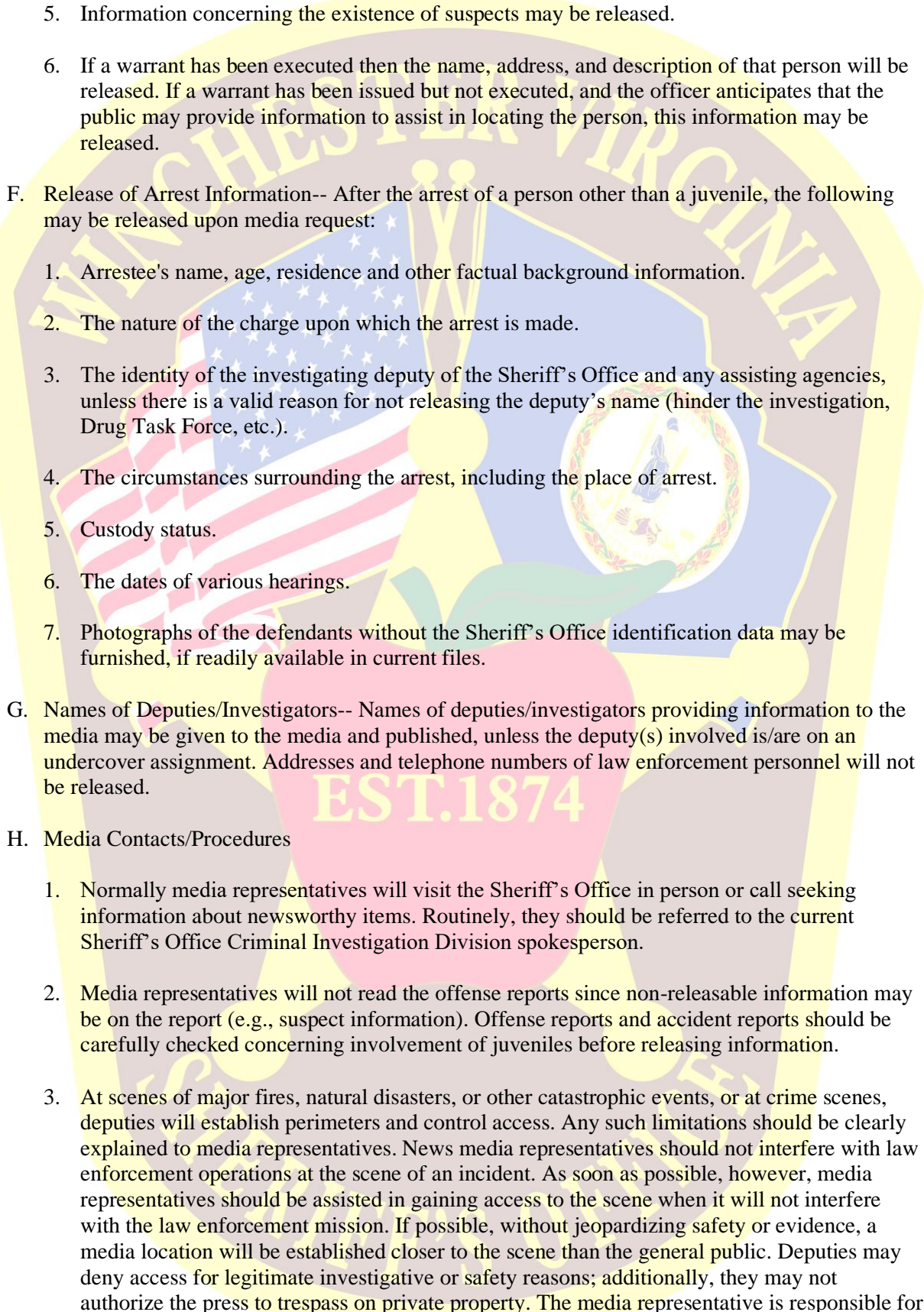
C. Information that cannot be released-- The following information will not be released due to the 6th Amendment, statutory, or other restrictions:

1. The identity of victims of sex related crimes, or the identity of victims of crimes who have requested their names be withheld as previously outlined in this order.
2. The identity of any suspect for whom a warrant or summons has not been issued, or indictment returned.
3. The existence of any criminal record or any information concerning the character or reputation of the accused or remarks, which tend to establish the defendant as a "professional" criminal.
4. The existence or contents of any confession, admission, or statement of the accused.
5. The performance of any examination or test by the accused or the refusal or failure to submit to an examination or test.
6. The identity of actual or prospective witnesses to crimes, or comments on the expected testimony or credibility of any witness. This information may be released if a victim has signed a release.
7. Any opinions as to the innocence or guilt of the accused, the merits of the case, the possibility of any pleas or negotiations or the value of any evidence.
8. The identity of any juvenile arrested who has not been certified by the Circuit Court as an adult. NOTE: A judge may authorize release of juvenile identity information when the crime is a Class 3 felony or above or when the juvenile is sentenced as an adult.
9. The names of deceased before the notification of the next of kin.
10. Information obtained from the Virginia Criminal Information Network.
11. Comments, which suggest that a defendant has aided in the investigation.
12. Information concerning the planning of raids or other specialized enforcement efforts.

D. Release of Information Pertaining to Juveniles

1. Criminal Offense - Normally, juvenile's name, address, or other distinctly unique information which would serve to identify a juvenile SHALL NOT be released; age, sex, and details of the offense MAY be released. Under certain circumstances, a judge may authorize release of identity information.

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2. Traffic infractions, except for those listed below, which are classed as misdemeanors - Any information including name, address, etc., are fully releasable.
  3. Accidents - If traffic charges are or may be placed as a result of an accident investigation, juvenile identity information will be withheld.
  4. There are eight traffic offenses for which court appearance is mandatory, which cannot be prepaid, and which will be used as the basic definition for a traffic/accident "misdemeanor." These eight ARE NOT considered infractions and juvenile identity information SHALL NOT be released. Offenses include:
    - a. Indictable offenses
    - b. Infractions resulting in an accident. (If the juvenile is charged with any violation in an accident, juvenile identity information is NOT releasable. If a juvenile is involved in an accident, but is not charged with any violation, identity information is releasable.)
    - c. DUI or permitting another who is DUI to operate vehicle owned by accused
    - d. Exceeding speed limit by 20 or more miles per hour
    - e. Reckless driving
    - f. Driving under suspension or revocation of driver's license
    - g. Leaving the scene of an accident
    - h. Driving without being licensed
1. VIRGINIA CODE § 16.1-301 A states: The court shall require all law-enforcement agencies to take special precautions to ensure that law-enforcement records concerning a juvenile are protected against disclosure to any unauthorized person. Law-enforcement agencies shall keep separate records as to violations of law other than violations of motor vehicle laws committed by juveniles. Such records with respect to such juvenile shall not be open to public inspection nor their contents disclosed to the public unless a juvenile 14 years of age or older is charged with a violent juvenile felony as specified in subsections B and C of § 16.1-269.1.
- E. Crime or Incident Information Release-- Crime or incident information to be released upon media request may include:
1. The type of event or crime and when and where it occurred, to include a brief synopsis of known facts concerning the incident.
  2. The identity of the victim (if the victim has not requested the name be withheld) or the name of the person who reported the crime (if the reporting person has not request anonymity). If the complainant requests that his or her name not be released to anyone, we will make every attempt to protect the identity of the complainant. The media are obligated to respect this request. If the need for the media to know whom a victim or complainant is absolutely critical to public safety or other important reasons, the spokesperson will contact the victim or complainant and explain the situation. If the party concerned still wishes anonymity, their request will be honored.
  3. Information concerning property loss, physical injuries or death (after notification of next of kin).
  4. Information concerning the type of investigation and length of investigation, unless such information jeopardizes the investigation.

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5. Information concerning the existence of suspects may be released.
  6. If a warrant has been executed then the name, address, and description of that person will be released. If a warrant has been issued but not executed, and the officer anticipates that the public may provide information to assist in locating the person, this information may be released.
- F. Release of Arrest Information-- After the arrest of a person other than a juvenile, the following may be released upon media request:
1. Arrestee's name, age, residence and other factual background information.
  2. The nature of the charge upon which the arrest is made.
  3. The identity of the investigating deputy of the Sheriff's Office and any assisting agencies, unless there is a valid reason for not releasing the deputy's name (hinder the investigation, Drug Task Force, etc.).
  4. The circumstances surrounding the arrest, including the place of arrest.
  5. Custody status.
  6. The dates of various hearings.
  7. Photographs of the defendants without the Sheriff's Office identification data may be furnished, if readily available in current files.
- G. Names of Deputies/Investigators-- Names of deputies/investigators providing information to the media may be given to the media and published, unless the deputy(s) involved is/are on an undercover assignment. Addresses and telephone numbers of law enforcement personnel will not be released.
- H. Media Contacts/Procedures
1. Normally media representatives will visit the Sheriff's Office in person or call seeking information about newsworthy items. Routinely, they should be referred to the current Sheriff's Office Criminal Investigation Division spokesperson.
  2. Media representatives will not read the offense reports since non-releasable information may be on the report (e.g., suspect information). Offense reports and accident reports should be carefully checked concerning involvement of juveniles before releasing information.
  3. At scenes of major fires, natural disasters, or other catastrophic events, or at crime scenes, deputies will establish perimeters and control access. Any such limitations should be clearly explained to media representatives. News media representatives should not interfere with law enforcement operations at the scene of an incident. As soon as possible, however, media representatives should be assisted in gaining access to the scene when it will not interfere with the law enforcement mission. If possible, without jeopardizing safety or evidence, a media location will be established closer to the scene than the general public. Deputies may deny access for legitimate investigative or safety reasons; additionally, they may not authorize the press to trespass on private property. The media representative is responsible for

obtaining any permission necessary once the legitimate law enforcement mission allows access to the scene on private property. Refer to VIRGINIA CODE § 15.2-1714 establishing police lines, perimeters, or barricades.

I. Employees Authorized to Release Information

1. Persons authorized to release information at critical incidents, i.e., homicides, major crime scenes, etc. will be designated by the Sheriff or in his absence the ranking administrative officer. 3. The Sheriff or his designees are the only authorized persons to release any information in any incident were a deputy has used deadly force against a suspect
2. Any sworn member of the Sheriff's Office may release information to the press on routine investigations following the procedures outlined in this policy.
3. All statements will be prepared to assure accuracy and protect the integrity of the investigation. Statements will not be made without forethought.
4. The Sheriff or media spokesperson will be responsible for media responses after normal business hours.

