



POLICY MANUAL

Emergency Operations Policy

Public Information

Revised: 08-18-03

Code: 1 – 2 – 12

Book Chapter Subject

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12.0 Purpose: Establish Procedures and Guidelines for the Dissemination of Information to the News Media and Community.

12.01 Scope: All Fire Department Personnel.

12.02 **INTRODUCTION**

The release of information to the news media and the community has a potential impact on the operation of the Fire Department and its service delivery to the community. Therefore, this policy is formulated to give direction and guidance on existing law. No policy can encompass every situation. These broad guidelines are presented to help reduce confusion and provide consistency in dealing with members of the media.

12.03 **RELEASE OF INFORMATION ON PEOPLE**

There are two basic criteria for release of information regarding people:

1. Would disclosure of the information endanger the safety or privacy of the person involved?
2. Would disclosure of information endanger the successful completion of an investigation.?

If the answer is yes to either question, then it is appropriate to decline to provide the information. Patient confidentiality must be observed. You can not mention specific medical conditions; i.e., H.I.V., alcoholism, etc.

The release of information regarding juveniles is more restrictive. Do not release any information regarding juveniles. Refer the requesting party to the Bureau of Life Safety and Enforcement for follow-up information. The Bureau will determine if it is appropriate to release any information.

It is the intent of the Clovis Fire Department to work with and provide as much information as is appropriate, establish an atmosphere of trust and understanding, and develop a sound consistent relationship with the media.



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12.04 POLICY

All members of the Department shall cooperate as completely as possible with the media. When asked a question, you should:

1. Decide if you are qualified to respond,
2. Decide if the person making the request is the proper one to receive the information, and
3. Do not present an opinion as fact.

If you are unsure how to respond, contact the on-duty Chief when dealing with the media.

Notify your supervisor when there is a request for information from the media.

At emergency scenes, refer the news media to the Incident Commander or the Public Information Officer (PIO).

12.05 DUTIES AND RESPONSIBILITIES OF THE PUBLIC INFORMATION OFFICER (PIO)

The position of Public Information Officer (PIO) will operate within the Bureau of Life Safety and Enforcement. The regular duties of the PIO will be performed by the Community Service Officer (CSO) or a Bureau designee during regular business hours.

Emergency operation duties will be rotated among qualified Bureau Personnel and trained ad hoc PIO's.

The PIO should handle most incidents from beginning to end to ensure that consistent, accurate information is released to the media.

The PIO should work to better the relationship between Department Personnel and the media. Good news media relations will make everyone's job easier.



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12.06 SECURITY AND DISSEMINATION OF INFORMATION INVOLVING AN INVESTIGATION OF A CRIME OR ARREST

Pursuant to Government Code Section 6250-6265 of the Public Records Act, all information related to an arrest or investigation of a crime is public record, unless disclosure of the information would endanger the safety of a person or persons involved in the investigation or frustrate the completion of the investigation itself. The Public Records Act also balances the public's right to know what its governmental agencies are doing with the need to protect an individual's right to privacy and ensure that an individual has access to or copies of appropriate documents.

Section 6254(f) of the Public Records Act, interpreted by the California Court of Appeals in *South Coast Newspapers vs. City of Oceanside*, allows disclosure except in those instances

which would deprive an individual of his or her fair trial rights, constitutes an unwarranted invasion of privacy, discloses the identity of a confidential source, endangers the life or physical safety of an officer, or discloses confidential or sensitive procedures. Even in these instances, only that portion of the record that would lead to the disclosure of that information should be deleted and the remaining record be released.

Unless the information would ultimately endanger the safety of an individual or successful completion of investigation, we must provide, in the case of investigation or crime report, the following information:

1. Calls for Service
 - a. Time, substance and location of all complaints or requests for assistance
 - b. Time and nature of response
 - c. Date, time and location of incident
 - d. Date and time of report
 - e. Victim's name, age and current address, except victims of specific abuse and sex crimes. **Names will not be given for juveniles.**
 - f. Factual circumstances surrounding the crime or incident
 - g. General description of any inquires, property or weapons involved



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2. Arrestees

- a. Full name, current address, and occupation
- b. Date of birth and physical description: sex, height, weight, color of eyes and hair
- c. Date and time of arrest
- d. Location of arrest
- e. Factual circumstances surrounding arrest
- f. Whether or not the person arrested has been released on bail and amount of bail
- g. Location where suspect is incarcerated
- h. Charges upon which suspect is being held
- i. Any outstanding arrest warrants
- j. In those instances where we can not provide the media with the above information, a reason will be given as to why; i.e., we don't have the information, there is a juvenile involved, etc.

3. Public Records

If a record is a public record, all persons have access thereto as permitted by the Public Records Act. A person who may be the subject of particular record sought, does not, because he or she is personally affected, have any greater right than any other person to examine records and, conversely, any subject person has no right to prevent disclosure of records to other persons.

4. Criminal Offender Records (Criminal History)

Ordinarily all criminal offender record information is confidential and "not public" or subject to disclosure.



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12.07 DISCLOSING INFORMATION

- A. Once information is released to one party, it becomes a public record and can not be withheld from another member of the public.
- B. Under Government Code Section 6256 of the Public Records Act, any person may receive a copy of any identifiable, non-exempted public record. Upon receiving a request for a copy of a record, the public agency must determine within ten (10) days whether or not the copy will be provided, and notification of the decision to withhold or provide the request must be made to the person requesting the record.
- C. Under Government Code Section 6257 of the Public Records Act, the public agency may charge a fee for producing copies of non-exempted information covering the direct costs of duplication, or a statutory fee, if applicable.

12.08 CRIME AND DISASTER SCENES

There is a greater chance for misunderstanding and conflict between the Clovis Fire Department and the media at scenes of tactical operations, crime scenes and disasters. Such events heighten the interest of both the public and the media. Journalist, as well as Clovis Fire Department Personnel, will likely be working under stress.

- 1. Disaster and accident scenes may be closed to the public pursuant to 409.5 Penal Code, however, news media representatives are exempt from this restriction. As soon as a disaster or accident has been identified and secured, authorized media shall be permitted free access to the affected area, after being advised of any existing danger.

Authorized members of the news media are to be permitted free movement in the area as long as they do not hamper, deter or interfere with the Fire Department or public safety functions.



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2. Crime scenes may be closed to all unauthorized persons including the news media. Crime scenes which are located in areas of public access may be opened for media inspection after any search, preservation and processing of evidence has been completed and the scene is secured. Reporters and/or photographers shall be kept sufficiently distant from a crime scene being searched or preserved to protect it from being disturbed, or evidence from being destroyed or contaminated. News media representatives have no right of access to private property greater than the general public and, therefore, are subject to any public access restrictions of the owner or person in charge of the property when a crime scene is located on private property.
3. The scene of a Fire Department tactical operation is the same as a crime scene except that authorized news media shall be permitted within the outer perimeter of the scene subject to any restrictions as set forth by the Incident Commander. An officer or other person shall be assigned to keep the news media briefed. Fire Department Personnel shall not jeopardize the news media, but every effort shall be made to keep them well informed of the progress of the operation.

12.09 MEDIA CREDENTIALS

Supreme Court held that law enforcement agencies, through the issuance of press identification cards, may determine which members of the media are to be allowed access to crime or disaster scenes.

12.10 MULTI-AGENCY COORDINATION

The media should address the importance of inter-agency cooperation and coordination. When the Fire Department is involved with other agencies on incidents or matters of mutual responsibility and concern, Department Personnel will cooperate and coordinate fully with those agencies in releasing public information. Generally, the agency of primary jurisdiction should make appropriate news releases indicating assisting or secondary agencies.



12.11 RESPONDING TO EMERGENCIES

A. Call Out Procedure

During normal office business hours someone from the Bureau who is trained as a Public Information Officer (PIO) will respond to the scene to act as the PIO.

After normal business hours a PIO will be recalled by using the paging system.

Dispatch or one of the other paging sites will use the "PIO" Group page requesting a PIO to respond and give basic information on the emergency.

The first PIO to call Dispatch or an alternate site will be advised to respond. Dispatch will then put out a page on who is working the incident. The PIO taking the incident must respond immediately to the scene.

B. On-scene Procedures

Once on scene, the PIO will report to the **INCIDENT COMMANDER** to get a briefing on the situation.

The assigned PIO will use one of the News Release worksheets. There is one for fire incidents or other fire-related incidents (Appendix "A") and one for hazardous condition emergencies (Appendix "B").

Blank forms are kept in the command vehicle and in the Forms File cabinet at Headquarters.

Use the worksheet to write down the information from your briefing with the Incident Commander.

Use the worksheet to answer questions from the media.

C. Safety

The appropriate safety clothing will be worn at the scene.



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D. Follow-up

Once the incident is completed, use the worksheet to write the news release. A blank news release format is stored on the network in (p:\readonly\forms\reports\news-rls.doc). (There are also blank hazardous condition and fire incident forms there if you want to retype your work.) The front page of the news release is set up for Clovis Fire Department letterhead.

A copy of the news release will be faxed to Dispatch, all stations, and to the media depending on the importance of the incident. Media fax numbers are posted over the Headquarters' fax machine (Appendix "D"). (NOTE: Please identify on the bottom of the Headquarters new release which media was sent a fax.)

Finally, a copy of the release with the worksheet attached will be posted at Headquarters on the bulletin board, labeled "Press Release." A copy will be placed in the box of all Chief Officers and Fire Administration staff. All work on the news release must be completed before signing off the incident.

1. The PIO may be required to stand by at Headquarters and handle follow-up questions from the media.
2. If the incident is protracted over a long period, the PIO(s) may have to work in shifts. In these cases, work periods and schedules will be worked out as needed. Extended periods on public information duties will be authorized by the Fire Marshal, Incident Commander or Fire Chief.