

Information Release

805.1 POLICY

The Urbana Police Department recognizes that information must flow between agencies involved in the criminal justice system in order to provide effective service. Additionally, the Department recognizes the need to cooperate with the media, public, and other interested agencies with regard to releasing information. The Department has an interest in the public education of facts surrounding particular events, trends, crime, and crime prevention. However, there are restrictions and needs which require some information to be kept confidential. The Department's policy is to attempt to strike an appropriate balance between the two needs.

805.2 PURPOSE

This policy outlines the basic function and authority of providing information to the public and other criminal justice organizations, including legal processes, statistical requests, media releases, and public appearances.

805.3 PROCEDURE

1. Confidentiality

Unless otherwise authorized by this policy manual, law, or a command officer, all employees shall consider all Department records as confidential and not disclose any information outside of the Department. Such unauthorized disclosure will be grounds for discipline, up to and including termination. All information requested from Department files shall be routed through the Services Division Commander, the Deputy Chief or the Chief of Police. Nothing herein shall prohibit the sharing of information for field operations purposes either between officers at Urbana or between Urbana and other police agencies.

2. Public Information Function

The responsibility of providing information outside the Department is a shared function of the Chief of Police and the three Divisions.

a) Chief of Police – The Chief has the ultimate authority in the Department to release any information.

b) Patrol Division – The Patrol Division is generally involved in the release of public information about daily operational issues. This includes but is not limited to, exchanging crime and tactical information on the street with other police departments, supervisors making basic media comments at the scenes of significant events (accidents, weather, lost children, etc.), and assisting media in covering routine news stories at scenes of incidents and special speaking assignments.

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c) Investigations Division – The Investigations Division has primary responsibility to discuss specific crimes with the media. CID staff also exchanges information with other criminal justice agencies, gathers and appropriately disseminates intelligence, and directs the Crimestoppers program. They also prepare and distribute news releases and respond to crime specific media inquiries.

d) Support Services Division – The majority of reports released from the Department comes from the Support Services Division. Copying reports for insurance companies, other departments, crime statistics, and other such activities are a daily responsibility of the Services Division.

3. Crime and Other Police Statistics

a) Responsibility

The Support Services Division Commander is responsible for the crime analysis function. In that role he shall:

- Provide analysis of crimes and trends for the rest of the Department
- Provide crime statistics to the media and other interested parties such as researchers, citizens, and other agencies
- Provide the necessary monthly reports on Department activity

b) Dissemination

Analysis of crime and police activity may be disseminated at the discretion of the Support Services Division Commander. He may require a written request for requests for crime and police activity statistics. The request shall specifically state what information is required and the parameters of the datasearch; the ramifications of FOIA should be considered when addressing these types of requests.

4. Speeches and Other Public Appearances

a) Speeches

Other than court appearances, all public speeches given by employees where they represent themselves as members of the Department, or could be considered acting on behalf of the Department, shall be previously authorized by the Chief of Police or his designee.

b) Articles

Employees shall not write public articles for any publication where they purport to speak for the Department without first notifying the Chief of Police.

5. Supervisor Review of Media Report Prior to Public Release

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The A.R.M.S. software produces a daily summary of police activity for media and public distribution; this summary is known as the Media Report. Patrol supervisors are required to review each Media Report prior to allowing it to be released. The primary objective of the supervisor review is to ensure that nothing inappropriate is released to the media and the public. Along with the Tiburon recap and the accident reports, it is merely a daily posting of police activity. The general rule is that everything should be released with few exceptions, although the judgement and experience of the supervisor may allow for deviations. Those exceptions include, but are not limited to:

- Incident reports created and filed specifically for internal investigative purposes of the Police or other City Departments or other governments.
- Incidents where the synopsis improperly releases suspect or victim information that is not otherwise outlined in the media report or where it is written in an unprofessional manner and/or below acceptable Department standards. In either of these cases, the supervisor should have the synopsis fixed by either the PSR or the officer prior to the Media Report going out.
- Incidents where the investigation is on-going and releasing information could compromise the investigation. (i.e., confidential on-going drug activity) Additionally, any incident where the reporting officer requests "no press."
- All death investigations should be "no pressed" and all information concerning them should come from the Investigations Commander.

If the reviewing supervisor has any question as to whether or not a specific report should be release, he/she should check with any Division Commander.

6. Individual Right to Access and Review

Every citizen has a right to review his/her criminal history record. This record is collected, maintained, and disseminated by the State Central Repository at the Illinois Bureau of Identification. The individual's right to access and review applies only to the records maintained by the State and does not apply to local original and criminal justice agency records. The detailed instructions concerning this process is outlined in the "Rules and Regulations Governing Individual Right to Access and Review Criminal History Information" manual which is maintained by the Support Services Supervisor.

7. Illinois Freedom of Information Act

Please refer to the Freedom of Information Act Policy for details on FOIA requests made under its authority.

8. Criminal Justice Agencies

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Copies of report may be supplied to other bona fide criminal justice agencies. This includes police departments, State's Attorneys, Court Services, probation/parole, Corrections, DCFS, Illinois Attorney General, etc. All reports distributed to these agencies shall be entered into a secondary dissemination file as directed by the Support Services Commander.

9. Subpoenas & Court Orders

Any subpoena or court order should be promptly provided to the records supervisor for review and proper processing. While a subpoena or court order may ultimately be subject to compliance, it may not automatically require the release of the requested information. Department employees are encouraged to seek out guidance from the City's Legal Division.

The information or parts of information requested must be reviewed to determine if the subpoena or court order seeks information protected from disclosure.

10. Juvenile Reports

Due to statutory restrictions regarding the release of certain information pertaining to juveniles, when a FOIA request, order, subpoena or any other record for a juvenile report is received, a copy shall be forwarded to the Services Division Commander and the City Legal Department. They will coordinate the appropriate response. All juvenile reports provided to anyone but DCFS, the Youth Assessment Center, and the State's Attorney's Office shall be reviewed by the Services Division Commander or the primary juvenile detective prior to release and shall be logged in the secondary dissemination log within ARMS.

11. Information/Press Release

All information released through Media Reports, interviews, or press releases shall be made in accordance with this policy and applicable state and federal laws. Written press release may be authorized at the discretion of the shift supervisor, investigator in charge of a particular case, the Services Division Commander, Deputy Chief of Police or the Chief. Employees shall not comment on an incident once a press release has been issued. Press releases are most often used when:

- A report is incomplete or the investigating officer is unavailable on an important or newsworthy event
- Some details of an important case could jeopardize the investigation if released
- There is a high volume of requests for information concerning a newsworthy event
- There is important information that the Department wishes to disseminate among the news media and the public

12. Accident Reports

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Basic accident reports are public records and are to be made available at the front desk.

13. Original Reports

Original reports are not to be removed from the Services area unless permission is first obtained by the Chief of Police or his designee.

14. Report Copy Dissemination

a) General: The general rule is that no copy of a report may leave the building without going through the Support Services Division. The Support Services Division Commander shall develop a system to monitor and control the dissemination of reports. All employees are obligated to obey these regulations and procedures.

b) Reports Available: Some reports will be made available to the press and public at the Department and various versions will be available online. These reports include:

- Recap Book
- Media Reports
- Accident Book

The Media Reports shall be updated routinely and reviewed by a Shift Supervisor prior to its release. Officers shall not offer unapproved reports for the news media to review.

15. Field Media Relations

Members of the news may not resist, obstruct, or oppose an officer in the lawful execution of a legal duty. The presence of the news media at a field incident, the taking of pictures (still or video), or the asking of questions relative to the incident do not constitute unlawful interference. The media has a right to photograph and to report events occurring on public property. Members of the news media may be asked to produce their credentials. Denial of access to crime scenes or other restricted areas is generally a necessity. Members of the media apprehended for violating the law shall be dealt with in the same manner as any other violator. Officers should not encourage the taking of pictures of suspects when they are in public areas. Officers shall not pose a person in custody for the press.

16. Command Post Operations

When a Field Command Post or the City Emergency Operating Center has been established, officers shall make no media comments but rather direct members of the media to the established spokesperson.

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17. News Conferences

All news conferences must be authorized by the Chief or his representative.

18. Expungement and Sealing Records

Expungement and sealing orders received by the Department shall be reviewed for appropriate action by the Custodian of Records or Freedom of Information Officer. The Custodian of Records or Freedom of Information Officer shall expunge such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once expunged, members shall respond to any inquiry as though the record did not exist (20 ILCS 2630/5.2).