

Policy – Wauwatosa Police Department

POLICY: Public Information/News Media Policy

CHAPTER & SECTION: 1.6.1

DISTRIBUTION: All Employees

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I. INTRODUCTION

It is the policy of the Wauwatosa Police Department to inform the community and the news media in their efforts to gather factual information of public interest, as long as it does not interfere with department operations, infringe upon individual rights, or violate the law. The purpose of this policy is to establish consistent means of communicating public information through social and news media. The Wauwatosa Police Department will ensure the constitutional rights of the free press and the rights of the accused to a fair trial. This policy rescinds policy number 21-17.

II. DEFINITIONS

- A. News Media:** Persons employed by the print or electronic media. Freelance workers will be considered members of the general public, but may be authorized by the Chief of Police as media representatives.
- B. Public Information:** Information that may be of an interest to the general public regarding departmental policy, procedures, or events that is not legally protected, which does not infringe on the rights of a defendant, or compromise the safety and privacy of officers, victims, or witnesses.
- C. Public Information Officer (P.I.O.):** A supervisory member of the Department designated by the Chief of Police to assist with, prepare and distribute news releases, arrange for and assist at news conferences, assist in crisis situations, and coordinate the release of authorized information concerning confidential

department investigations and operations. The P.I.O. is also responsible for the operation of the Public Information Team and managing the Department's social media presence in accordance with the Social Media policy.

- D. Public Information Team (P.I.T.):** A group of Department members assigned to assist the P.I.O. with the function of public information. The members of the group will be appointed by the P.I.O. based upon their merit.
- E. Spokesperson on-call:** A P.I.T. member acting as P.I.O. in the absence of the P.I.O. The P.I.O. will identify the spokesperson on-call and disseminate that information to all supervisors.

III. PROCEDURE

A. Authority

1. The Chief of Police or his/her designee is responsible for the release of information to the community and news media.
2. The Chief of Police grants authority to the Public Information Officer to disseminate information on his/her behalf in accordance with this policy.
3. P.I.O. is a collateral duty, however while operating in public information capacity, the P.I.O. reports directly to the Chief of Police.
4. Regardless of rank, the P.I. O. or acting P.I.O., while working in official public information capacity, assumes the authority of a Police Lieutenant.

B. Media Guidelines

1. ***All supervisors are authorized to respond to legitimate news requests regarding routine incidents without approval from the Chief of Police or P.I.O.*** When the supervisor is unsure of the facts or questions regarding the release of information, or in non-routine matters, he/she should refer the inquiry to the P.I.T.
2. Authorized members of the Department will provide factual, accurate, and timely information to all news media on a fair and equal basis.
3. If the Department denies the media requested information or access to a scene, an explanation will be provided.
4. So as not to jeopardize the safety of officers and the public, it is the policy of the Wauwatosa Police Department not to share any information with the

media or public regarding any on-going tactical situation. The information will be shared as soon as practical upon resolution.

5. Only the Chief of Police, or P.I.O., after consultation with the Chief of Police, will make statements of department policy, official position of the Department, response to criticism, pending litigation, or personnel matters.
6. Written news statements will be released by the P.I.T. These new statements will be released to the department and City elected officials/administrators before being released to the media.
7. All requests for copies of police reports will be processed in accordance with the department's Open Records Policy.
8. News media interviews of subjects in custody will not be granted.
9. Information released regarding incidents that involve multiple public agencies in mutual efforts will be the responsibility of the agency having primary jurisdiction.
10. All news statements, to include written and conference, should be disseminated on Department sanctioned social media in accordance with the Social Media policy.

C. Release of Information before Charging / or Upon Issuance of a Warrant

1. The following information **may be released** to the media prior to charging or prior to the issuance of a warrant:
 - (a) Description of the offense, including a brief summary of events.
 - (b) Location and time of offense.
 - (c) General injuries or damages resulting from the action.
 - (d) Whether or not there are suspects, and if so their physical and/or vehicle description.
 - (e) Length of investigation and name of the supervisor in charge.
2. The following information **will not be released**, unless otherwise required by law, to the media prior to charging or prior to the issuance of a warrant:
 - (a) Any information that would compromise the security of the investigation.
 - (b) Video or audio evidence. (Unless released to assist in identifying suspect)

- (c) Identity of suspects.
- (d) Identity of the victim or witnesses.
- (e) Exact identifying information about the method of the crime, weapon, or other physical evidence.
- (f) Specific cause of death, unless officially determined by the Medical Examiner.

D. Release of Information After Charging, Issuance of a Warrant or Issuance of a Municipal Citation

1. The following information **may be released** to the media regarding adults and juveniles who are 17 years old:
 - (a) The time and place of arrest.
 - (b) The arrested person's name, address, age, family status, and occupation.
 - (c) The charges, facts, and circumstances relating to the arrest.
 - (d) The name of the investigating and arresting officer(s), and length of investigation.
 - (e) The amount of bail, scheduled court appearances, and place of detention.
 - (f) The fact that laboratory test will or will not be performed on evidence.
 - (g) Other items as required by applicable law.
2. The following information **will not be released** to the media:
 - (a) Any opinion as to the guilt or innocence of a defendant or suspect.
 - (b) Comments on prior convictions, character, or reputation of a suspect or witness.
 - (c) Existence or content of any confession or statement made by the defendant.
 - (d) If the information for the arrest was derived by an informant.
 - (e) Description or results of laboratory examination of physical evidence.

- (f) The name of any injured / killed officer or employee. (Names may be released by the Chief of Police only after proper notification / authorization.)

E. Media Access

1. The news media is allowed to be in an area where the public is allowed to gather. The Department recognizes that the news media has a duty to gather information at the scenes of accidents, crimes, disturbances and other emergencies and will not prevent them from doing so unless:
 - (a) The media is interfering with the performance of police, fire, or emergency personnel.
 - (b) The media is placing themselves, members of the public or members of the Department in jeopardy.
2. Media representatives should not be excluded from the general vicinity of a crime or accident scene, however, entrance to a specific area where evidence could be destroyed or compromised will be denied.
3. For the safety of media representatives and photographers at the scene of major incidents (i.e. fires, airplane crashes, hazardous material situations, etc.) officers will alert them concerning any known potentially hazardous situations. The department will deny access to the scene until all known risks concerning personal safety are eliminated.
4. Photographers
 - (a) Photographers should not be restricted from taking pictures at the scene of a crime, accident or other major situation if they are on property open to the public. However, if any media representatives are on private property and the owner objects, officers will ask the media to move to public property.
 - (b) Photographs may be taken of a suspect exposed in transit, but an officer will not pose a suspect.
 - (c) The Chief or his/her designee may release a photograph when:
 - i. The aid of the public is needed to apprehend or identify a suspect.
 - ii. The suspect has been arrested.
 - iii. Arrest numbers on mug shots have been removed.

F. Death Information

1. Information released on the cause of death in cases under investigation by the Department will be taken only from the Milwaukee County Medical Examiner's written report.
2. Officers will not attempt to interpret the findings in the report and will refer such questions to the Medical Examiner.
3. The identity of a person who has died will not be released until the next of kin has been notified.

G. Public Appearances by Employees

1. Unless pre-approved by the Chief of Police or executive designee, only members of the P.I.T. may participate in any "on-camera" or "on-air" news media interviews.
2. All requests for media appearances shall be forwarded to the P.I.O. Department members are encouraged to participate in approved media requests.

A handwritten signature in black ink, appearing to read 'J. MacGillis', is positioned above the printed name and title.

James H. MacGillis
Chief of Police

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