

**BAY CITY DEPARTMENT OF PUBLIC SAFETY
BAY CITY, MICHIGAN**

SECTION 1 - ADMINISTRATIVE
GENERAL ORDER

April 23, 2019
INDEX NO. 1.11

MEDIA RELATIONS / PUBLIC STATEMENTS

I. PURPOSE

The purpose of this General Order is to establish guidelines governing the release of information to the news media. This General Order also governs the making of any statements, either written or oral.

II. SCOPE

This General Order shall apply to all personnel of the Bay City Department of Public Safety.

III. DEFINITIONS

- A. *Shall* - indicates mandatory action.
- B. *May* - indicates discretionary action.
- C. *News media representative* - indicates a member of the news media.
- D. *Public Information Officer (PIO)* - indicates the staff member designated by the Public Safety Director or as outlined in this directive as authorized to release information to accredited members of the media.
- E. *Press Release* - indicates a written summation of pertinent information which is releasable and can be provided to media representatives by posting it on the departmental Facebook page.

IV. APPLICATION

This document is for internal use only, and is not intended to enlarge the employee's civil or criminal liability in any way. This policy shall not be construed as the creation of a higher legal standard of safety or care and in an evidentiary sense with respect to third party claims, insofar as the employee's legal duty is imposed by law. Non-compliance with this policy constitutes a violation of an employment duty only, except in such case as any non-compliance is also a violation of the laws of our state and nation. Therefore, violations of this policy shall only form the basis of disciplinary action within the agency. In the event that a violation of the duties imposed by this policy also constitute a breach of the duties imposed by the laws of our state and

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nation, nothing herein shall be construed to relieve personnel from that legal duty or from any action resulting from a breach of that legal duty.

V. POLICY

By virtue of being a public safety agency, the Bay City Department of Public Safety is frequently involved in situations which are of common interest to the general public. The activities of this agency, by their very nature, contain detailed information about crimes, victims, perpetrators, witnesses, and other related sensitive information. Accordingly, any information released to the media must be carefully scrutinized to ensure that no further information is prematurely made public. It is the intent of the Bay City Department of Public Safety to cooperate with news media representatives in fulfilling their right to know details of certain occurrences of interest and yet safeguard the privacy of individuals involved in such incidents. Therefore it is the policy of the Bay City Department of Public Safety to comply with media requests for information and details insofar as it may legally be accomplished.

VI. PUBLIC INFORMATION OFFICER (PIO)

- A. The Public Safety Director will either act as the PIO for an incident or designate another individual on a case by case basis.
 - 1. For incidents that are more related to the Patrol Operations Division, the Patrol Operations Captain will generally serve as the PIO for the incident.
 - 2. For incidents that are more related to the Support Operations Division, the Support Operations Captain will generally serve as the PIO for the incident.
 - 3. For incidents that are more related to the Fire Operations Division, the Fire Chief will generally serve as the PIO for the incident.
 - 4. For high profile public safety incidents (homicides, officer involved shootings, etc...) the Public Safety Director will general serve as the PIO for the incident.

VII. PROCEDURE

- A. Authorization to Release Information
 - 1. Prior to release of information to the news media, employees must be so authorized by the Public Safety Director, their designee, or the

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person designated as the PIO for an incident to release information to representatives of the media.

2. It is recommended that a media release be prepared by the supervisor with the most knowledge of the incident whenever practical. This ensures that the information contained has been properly approved and all media requests shall provide uniform information.

B. Media Release Procedure

1. Preliminary information regarding an incident may be released to members of the media when **specifically requested**, under the conditions as outlined in this General Order. This information shall be in the form of a “press release”. The press release is intended to provide basic, general information and to direct further inquiries to the appropriate person or agency at a later time.
2. Any press release should be completed on the departmental Facebook page. This provides equal access to all media agencies and the public in general.
 - a. Supervisors are authorized to prepare press releases on the departmental Facebook page as directed by the Public Safety Director or their designee.
3. The following is a basic list of generally releasable information. Any additional information must be approved by the Public Safety Director or their designee.
 - Date and time of occurrence.
 - Type of incident (criminal activity, fire, emergency medical incident, etc.).
 - Location of the incident (use non-specific information for incidents involving a private residence such as: “the 2000 block of Chestnut St”).
 - Age, race, sex, residency of any suspect who has been arrested.
 - An arrested suspect’s name may be released only after they have been formally arraigned.
 - Person(s) and appropriate time to obtain additional information.
4. In instances where department personnel are working with other agencies, no information will be release to the media without consulting all of the agencies involved. This could include but is not limited to other law enforcement agencies, fire departments, or the prosecuting attorney’s office.

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C. Media Access

1. News media representatives shall not be allowed uncontrolled access where it could interfere with law enforcement operations.
 - a. If media representatives respond to an active crime scene, they shall not be allowed within the active crime scene under any circumstance.
 - i. This does not preclude or prohibit the right of media representatives to move about in public environments that are not restricted by law enforcement.
 - b. Media representatives will not be allowed in the non-public areas of the Law Enforcement Center without the approval of the Public Safety Director or their designee. If authorized by the Public Safety Director or their designee, they shall be escorted by a member of the department at all times.

D. Making of Statements

1. Guidelines for the regulation of information through oral and written statements by Bay City Department of Public Safety personnel are set forth in this General Order. It is not the intent of the Bay City Department of Public Safety to eliminate access to information by persons having a legitimate need to know, but rather to provide a mechanism by which the Bay City Department of Public Safety can regulate the release of information.
2. The release of information shall be monitored by the Public Safety Director or their designee. All requests to receive written statements or to speak with Bay City Department of Public Safety personnel without benefit of appropriate court order shall be submitted in writing to the Public Safety Director. This request shall include:
 - Name of person(s) or organization requesting said information.
 - The information being sought.
 - Reason for seeking information requested.
 - Freedom of Information request, as applicable.
3. All appropriate information (standard reports, forms, documentation, etc.) may be released upon written request as outlined by the Freedom of Information Act. All such requests shall be reviewed by the Public Safety Director or his/her designee.
4. Any and all oral statements shall be made available to MMRMA or legal counsel designated by the MMRMA upon request. Personnel shall restrict comments to facts as they pertain to the case under examination. Personnel who feel that they require personal legal

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counsel may do so at their own expense and shall advise the Public Safety Director of such intent.

- E. Public Appearances/Speeches
1. On occasion members of the Bay City Department of Public Safety are requested to make public appearances and address public organizations, school classes, public forums, etc. It shall be the policy of the Bay City Department of Public Safety that all such requests be made in writing to the Public Safety Director or their designee. Such requests shall contain the following information:
 - Organization/group making the request.
 - Date, time, and location of the appearance.
 - Subject of any remarks, comments, or speech.
 - Reason for the appearance.
 2. All assignments to fulfill public appearance requests shall be made by the Public Safety Director or their designee.
 3. Any such public addresses shall not divulge information of a sensitive or tactical nature. Any questions regarding agency policy and procedure shall be referred to the Public Safety Director's office, and personnel making any public appearance shall not make any statements which bring the Bay City Department of Public Safety into disrepute or the appearance of disrepute.
 4. Person(s) making a public appearance shall provide the Public Safety Director or their designee with a copy of planned remarks a minimum of 48 hours prior to such scheduled appearance, when practical.

By order of:


Michael J. Cecchini
Public Safety Director