

MEDIA RELATIONS

8.09.01 PURPOSE

The San Francisco Police Department is committed to transparency and to protecting the 1st amendment rights of the media to cover law enforcement and public safety incidents and events.

8.09.02 POLICY

This policy details our obligations regarding media interviews and media access to disaster scenes, crime scenes, and critical incidents, including incidents involving a hostage or barricaded suspect. Members are encouraged to contact the Media Relations Unit when situations arise not covered by this order or when further guidance is needed.

8.09.03 RELEASING INFORMATION

- A. Cooperation/Interviews** - It is the policy of the San Francisco Police Department to cooperate with members of the media in their news-gathering activities so long as investigations are not jeopardized, police operations are not interfered with, or officer safety is not endangered. Each member of this Department has the authority to speak with the news media to their level of personal knowledge and is encouraged to do so. Members should consult with the Lieutenant of Homicide prior to speaking to the press regarding any homicide case.
- B. Information That Must Be Released** - The law requires that certain information must be given to the media. That information is listed in Department General Order 3.16, Release of Police Reports.
- C. Information Which May Be Withheld** - The law permits the Department to withhold certain information under the circumstances described in Department General Order 3.16, Release of Police Reports. In addition, members shall not:
1. Make prejudicial statements about the suspect or the arrestee.
 2. Disclose or comment about the suspect's criminal record.
 3. Disclose the names of juvenile suspects or arrestees.
 4. Disclose the names of deceased person (suspects/victims) until confirmation has been received from Office of the Chief Medical Examiner that the next of kin has been notified.

D. Questions - If a member has a question about the propriety of releasing information not covered in these guidelines, the media representative should be referred to the member's supervisor, the investigator assigned to the case, or Media Relations Unit.

E. Release of Police Reports - See DGO 3.16, Release of Police Reports.

8.09.04 MEDIA ACCESS

A. Disaster Scenes - While the Department may exclude members of the public from a disaster area for safety reasons, the media is exempt from exclusion and must be allowed into the disaster area (see 409.5 P.C.).

1. The media, however, may be restricted from specific areas within a disaster scene when police personnel at the scene reasonably determine that unrestricted media presence will interfere with the emergency operations. Restrictions on media access may be imposed only for so long and only to the extent necessary to prevent actual interference.
2. Disaster scenes, such as airplane crash sites, shall not be designated crime scenes unless the commanding officer at the scene determines from facts then available that there is a reasonable cause to believe the disaster may have been the result of criminal activity.

B. CRITICAL INCIDENT SCENES - (also see DGO 8.01, Major and Critical Incident Evaluation and Notification and DGO 8.02, Hostage and Barricaded Suspect).

Recognizing that the media has both a right and an obligation to report the news, the Department will maintain a policy that provides for dissemination of current information to the media on a continuing basis. Authorized news media shall be permitted within the outer perimeter of the scene subject to any restrictions set forth by the Incident Commander.

The Incident Commander should determine the location of the media staging area and may consult with the Media Relations Unit when establishing a media staging area. The Incident Commander should always assume that a barricaded subject or hostage taker has access to live reporting, and the media should be staged accordingly. The Media Relations Unit can offer advice on designating the location of the media staging area and assist with notifying the media of its location.

C. CRIME SCENES - At a crime scene, unlike a disaster scene, the media DOES NOT have a constitutional right to enter and may be legally kept out. Crime scenes which are located in publicly accessible areas may be opened for media inspection after any search,

preservation and processing of evidence has been completed and containment ends (see DGO 6.02, Physical Evidence and Scene Preservation).

- D. FIRST AMENDMENT ACTIVITY** – When members close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest or rally where individuals are engaged in activity that is protected pursuant to the First Amendment, member shall follow the policies outlined in DGO 8.03, *Crowd Control*.

8.09.05 PARKING OF PRESS VEHICLES

Generally, a vehicle being operated by a member of the media who is engaged in the gathering of news is exempt from the provisions of the San Francisco Transportation Code, provided that a press card is properly displayed in the front and rear windows of the vehicle. The period of this exemption is 2 hours or the duration of the event, whichever is greater.

- A. PROHIBITED PARKING FOR PRESS VEHICLES** - Press vehicles may not park in or block tow-away zones, transit lanes, bicycle lanes, commercial loading zones, or park within 3 feet of a wheelchair access ramp for use by the physically disabled.
- B. FIRE DEPARTMENT ACCESS** - News vehicles must be parked with due regard for access of Fire Department vehicles to any property.

Nothing in this order or local ordinances supersedes or cancels the provisions of the California Vehicle Code, but members should balance media access with the need to enforce parking laws and ensure access by emergency vehicles.

References:

DGO 3.16 Release of Police Reports
DGO 6.02 Physical Evidence and Scene Preservation
DGO 8.01 Major and Critical Incident Evaluation and Notification
DGO 8.02 Hostage and Barricaded Suspect
DGO 8.03 Crowd Control
Event Management Manual, SFPD
California Penal Code 409.5