



## VSP-DIR-350

### Press Release and Public Information Policy

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#### 1.0 Purpose

- 1.1 To establish guidelines for the creation and dissemination of press releases and interactions with media and the public.
- 1.2 It is the intention of the Vermont State Police to be open and transparent with the public and the media, in accordance with state statutes, to include the Vermont Public Records Law.

#### 2.0 Definitions

- 2.1 Public Record: any information written or recorded, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business.
- 2.2 Juvenile: any person under the age of eighteen (18) years.
- 2.3 Press Release: any written document reporting law enforcement and public safety actions taken by the Vermont State Police, and disseminated through state email listserves or otherwise for the benefit and use by the media and public.
- 2.4 Public Interest
  - A. An event or circumstance that impact or concerns public safety;
  - B. An event or circumstances that impact or concerns public officials or public places;
  - C. An event that the public has witnessed;
  - D. An event or circumstance that could reasonably be expected to cause public concern or alarm.

#### 3.0 Press Release Guidelines

- 3.1 Press releases will be issued as soon as practicable for incidents of public interest, including, but not limited to arrests, citations, road closures, hazardous scenes and motor vehicle crashes.
- 3.2 Press releases shall be constructed using the approved Vermont State Police templates and delivered using Vermont State Police media distribution groups. Once complete, the press release shall be incorporated into the case file.
- 3.3 Press releases, media interviews, reports and public information released shall adhere to Vermont's Public Records Law and department records release policy, as outlined in the Vermont State Police Records Release Policy.
- 3.4 Death investigations are often performed in response to an incident of public interest. Deaths that occur in a public place and generate a response from law enforcement may generate public and media interest. A press release shall be issued within 24 hours for all death investigations, with the exception of the following:
  - A. Suicides with no public interest.
  - B. Natural deaths with no public interest
  - C. Deaths where the release of information would impede or cause harm to the integrity of an investigation.
- 3.5 The name(s) of the decedent(s) in fatalities will be withheld until notification of next of kin.
- 3.6 The identity of a department member involved in a shooting will be withheld for 24 hours or as otherwise determined by the Commissioner of Public Safety

#### 4.0 Information that Will Be Released if available;

- 4.1 Details to be included in press release;
  - A. Name, age, sex, town of residence; (Do not release date of birth)
  - B. Nature and description of incident;

- C. Town and location of incident;
- D. Date, time, and place of arrest or citation;
- E. Offense(s) for which person was arrested or cited;
- F. Arresting officer and agency;
- G. Disposition (lodged, bond, court date/arraignment time if known);
- H. Vermont Civil Violation Complaints (VCVC);
- I. Mug shot; and
- J. Except as provided in paragraphs 5.1 and 5.2, the identity of the victim.

4.2 Information contained in an affidavit of probable cause, which has been filed with the court and is public (i.e., not under seal), may be released.

#### 5.0 Information that Should **Not** Be Released

- 5.1 The identity of any person who is a witness to or victim of a crime, or any victim or witness information that could jeopardize the safety of a victim or witness or otherwise impede an investigation.
- 5.2 The name(s) or any information that could identify the victim of a sex crime or the victim of a domestic assault.
- 5.3 Information related to criminal investigations should not be released if it relates to the detection and investigation of crime and if the release could or would reasonably:
  - A. Interfere with an investigation or other enforcement proceedings;
  - B. Deprive a person of a right to a fair trial or an impartial adjudication;
  - C. Constitute an unwarranted invasion of personal privacy;
  - D. Disclose the identity of a confidential source;

- E. Disclose techniques and procedures or guidelines for law enforcement investigations or prosecutions, which would reasonably be expected to risk circumvention of the law, or;
  - F. Endanger the life or physical safety of an individual.
- 5.4 Department of Public Safety internal investigation reports, except as provided in 20 V.S.A. § 1923.
  - 5.5 Autopsy reports.
  - 5.6 Uniform Crash Reports.
  - 5.7 Sealed or expunged files.
  - 5.8 Medical Information.
  - 5.9 The character, reputation or prior criminal record of a person, unless contained in a bail statement or affidavit filed with the court and is public.
  - 5.10 The existence or content of a confession.
  - 5.11 The performance or results of any examination or test or the refusal or failure of a person to submit to an examination or test.

## 6.0 Juveniles

- 6.1 A juvenile's identity or any information that could reveal a juvenile's identity shall not be released until such time that the State's Attorney determines whether the juvenile will be charged in criminal court.
- 6.2 A juvenile's custody status, e.g., juveniles in the custody of the Department of Children and Families, or any information that could reveal a juvenile's custody status shall not be released. All media inquiries regarding a juvenile's custody status shall be referred to the Department of Children and Families.
- 6.3 Juvenile arrests, including records or information reflecting an initial arrest or citation of a juvenile shall not be released if a juvenile is cited into juvenile or family court, as determined by the State's Attorney's Office, pursuant to 33 V.S.A § 5117.

6.4 The names of juvenile crime victims shall not be released, except in situations where the victim is deceased.

6.5 The names of juveniles shall be released in the following instances:

A. Drivers/passengers in motor vehicle crashes;

B. Individuals issued a Vermont Civil Violation Complaint (VCVC) regardless of age, and;

C. When the release, to include a photograph, would aid in locating a missing person.

#### 7.0 Information Related to Vermont Civil Violation Complaints (VCVC)

7.1 Information from records pertaining to VCVC may be released, except for the following:

A. An individual's photograph;

B. Social Security Number;

C. Driver identification number;

D. Street address or P.O. Box;

E. Date of birth;

F. Telephone number.

#### 8.0 Media Relations Procedure

8.1 Media access to a crime or serious incident scene is the responsibility of the incident commander and should usually be restricted to the outer perimeter of a crime scene or serious incident. The purpose of restricted access includes, but is not limited to, public safety and crime scene integrity.

8.2 Members shall strive to respond promptly to requests for information from the public and members of the press.

8.3 Except for information subject to paragraph 5.3 or otherwise properly withheld under this policy, the Vermont State Police Public Information

Officer (PIO) will release a daily activity log of Vermont State Police response activity identifying the time, nature of the activity, officer, and location of the response activity and distribute the log via the state email listservs and/or the Vermont State Police Public website.

- 8.4 To further facilitate the dissemination of information to the public and the media, the VSP PIO will post on the Vermont State Police Public website guidance on available resources such as Crimereports.com that allow the public and media to access and research crime data, including date/time, address, case number, description, and responding agencies. The guidance, which will be updated at least semi-annually, will also include navigational and filtering guidance to meet specific needs/requests and to assist the public and media get the most value from these tools; as well as any known limits to available data such as the types of cases identified in paragraph 5 above.
- 8.5 The Public Information Officer (PIO) shall be appointed by the Director or designee and shall be responsible for:
  - A. Assisting, preparing, and disseminating news releases and public information regarding matters of public interest, public educational campaigns, or other matters as determined by the Commissioner or Director;
  - B. Soliciting feedback and input from media and the public regarding agency policies and procedures related to public information;
  - C. Chairing the Media Relations Committee, comprised of members from the press and the Department of Public Safety; and
  - D. Such other matters as determined by the Commissioner or the Director.
- 8.6 The Watch Commander shall work in conjunction with the PIO to respond to public media inquiries.

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