

OSP web site Media Guide

This guide is intended to assist the media in getting timely information and provide basic guidelines on what is releasable information. This guide should only be used as a reference and is not intended to cover every situation.

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Introduction

It is the policy of the Department of State Police to furnish to accredited representatives of the media such timely information as may properly be published, broadcast or televised. The purpose of this guide is to provide reference information to assist the media and Oregon State Police (OSP) officers with a basic outline of releasable information.

The Department values a positive, professional, and responsible relationship with the media. We understand that the media plays an important role in providing information that helps the public understand our valuable public safety role. More importantly, news helps people know what is happening and be aware of events that they may not have seen. It influences the quality of our lives.

The Department's Public Information Officer is assigned to General Headquarters. The Public Information Officer is positioned in the Portland metropolitan area but is available to respond statewide for major incidents at the request of our local offices. The Public Information Officer is available to assist media representatives in obtaining general information about the OSP, statistical data, and answer questions regarding agency issues or incidents.

The Department encourages contact with media at the local areas. If media representatives need help in locating local OSP work sites, contact information is available on this web site. All requests for media ridealongs will be considered, and when possible the request will be arranged.

Media Access at Incident Scenes

It is the intentions of this Department to provide media representatives' scene access without compromising safety, the integrity of the investigation, and citizen's rights.

- Upon arrival at an incident or crime scene, media representatives are asked to first contact an officer to determine if someone has been designated as the media contact. This individual will assist media representatives with releasing appropriate information and provide any needed escorted access to get video/photos.
- Attempts will be made to provide an established media area with maximum access under each circumstance.

The following guidelines may affect on scene media access:

- Access may be denied if it clearly would interfere with an operation or investigation, or may lead to destruction or tampering of possible evidence. Attempts will be made to provide clearly marked boundaries to protect the scene from the public, but nothing should prevent a duly authorized media representative from entering a closed area with permission from a supervisor.
- Access will be denied to private property without the owner's permission.
- Access may be denied if it may endanger others by on scene actions. Restriction may last only so long as there is a clear interference or impact to tactical operations. Escorted access to a pool reporter and cameraperson may be provided, if possible.

Media Ride Along

Effective April 2006, the Oregon State Police implemented a minor procedural change as it relates to media representatives requesting to accompany department personnel during their assigned duties.

Since the beginning of the Oregon State Police Ride Along program, every person has been required to submit a "Ride Along Information, Application and Liability Agreement". This document explains important information to anyone requesting to ride with an OSP trooper; provides applicant background and emergency contact information; and, acts as a liability release toward the Department of Oregon State Police related to actions, claims, or demands that may arise out of participating in the program.

Prior to a media representative accompanying a member of the Oregon State Police as a participant of the Ride Along Program, a Ride Along application and Liability Release will be completed for approval. These forms may be obtained from the local OSP office where the ridealong will be completed.

A copy of these forms will be kept at the local OSP office where the ride along was done. All approved ride alongs will be in compliance with OSP Policies, Rules and Regulations Chapter 502.19 including a total number of hours allowed in a one-year period (24) and time frame restrictions (6:00 a.m. to 12 midnight).

Media questions regarding this procedural change and the Ride Along Program should be directed to the Department's Public Information Officer.

Oregon State Police News Releases

Oregon State Police news releases are usually distributed through an internet-based service called *Flashnews.net*. This is a free service to the media through email. The releases are held in an archive web site for one month for the media's future use. The Department also places news releases on this web site in the "News Release" section as a media resource.

What's Releasable and What's Not?

Guidelines for Disclosure and Reporting Information in Criminal Proceedings

These guidelines are cautionary, not mandatory. They do not prohibit the release of, or publication of, information needed to identify or aid in the capture of a suspect or information required in the vital public interest after arrest. Neither do they proscribe publication of information that is already in the public domain. These guidelines were adopted in 1968 and revised in 1993. (*Oregon State Bar, Oregon Newspaper Publisher's Association, Oregon Association of Broadcasters*)

It is generally appropriate to disclose or report the following:

1. The arrested person's name, age, residence, employment, marital status and relevant biographical information.
2. The charge.
3. The amount of bail and/or release conditions.
4. The identity of and biographical information concerning both complaining party and victim. Specific information about sexual assault or hate crime victims should be disclosed only when the public's right to know clearly outweighs the victim's or the complaining party's right to privacy or safety.
5. The identity of the investigating and arresting agency and the length of the investigation.
6. The circumstances of arrest, including time, place, resistance, pursuit and weapons used.

It is rarely appropriate to disclose for publication or to report prior to the trial the following:

1. The contents of any admission or confession, or the fact that an admission or confession has been made.
2. Opinions about an arrested person's character, guilt or innocence.
3. Opinions concerning evidence or argument in the case.
4. Statements concerning anticipated testimony or the truthfulness of prospective witnesses.
5. The results of fingerprints, polygraph or mental health examinations, ballistic tests or laboratory tests.
6. Precise descriptions of items seized or discovered during investigation.
7. Prior criminal charges or convictions.
8. Evidentiary details that were excluded in prior judicial proceedings in the same case.

Please note that Blood Alcohol Content (BAC) results related to a criminal investigation are generally considered evidence and would not be released without authorization of the appropriate District Attorney's office.

Photographs

Photographs of a suspect may be released by law enforcement personnel provided a valid law enforcement function is served. It is proper to disclose such information as may be necessary to enlist public assistance in apprehending fugitives from justice. Such disclosure may include photographs as well as records of prior arrests and convictions.

Law enforcement and court personnel should not prevent the photographing of defendants when they are in public places outside the courtroom. However, they should not pose the defendant.

Juveniles

Information related to juveniles and crimes are generally not releasable. If a juvenile (17 years and younger) will be prosecuted as an adult, their identifying information may be released with authorization of the appropriate District Attorney's office. Information related to a juvenile involved in a traffic crash is generally releasable. If a juvenile is arrested for a criminal offense related to a traffic incident (e.g., DUII), their identifying information may not be released unless they will be charged as an adult.

Notification of Request For Restricted Public Safety Employee Photograph/Information

ORS 192.502 prohibits, except under certain circumstances, the disclosure of any information by a law enforcement agency regarding any employee involved in undercover investigative duties while conducting such duties or for a period of six months following the assignment. This statute also prohibits the disclosure of a photograph of a public safety employee without written consent, as well as information about the employee that is either exempt or prohibited from disclosure.

A *public safety employee* is defined as a "certified reserve officer, corrections officer, parole and probation officer, police officer or youth correction officer".

Except for certain circumstances, this information, or a photograph would not be released without notifying the employee of the request and receiving written consent to release such information and/or photograph.

Traffic Crash Information

Local OSP work sites may release information in accordance to Oregon Revised Statutes. The following personal information may not be releasable on a traffic crash report unless the requestor is allowed access to this information:

- Name
- Address
- Customer ID Number (e.g. Oregon Drivers License Number)
- Telephone Number

Media representatives may be able to receive this information. Please note that a media representative may be required to forward some type of verification as proof identifying who they are and whom they work for.

Crime Reports

Local work sites are not authorized to release any report involving criminal charges or possible criminal charges. Written public record requests for Oregon State Police Crime Reports are to be sent to the following address:

Oregon State Police
Criminal Division
Attention: Police reports
4th Floor
255 Capitol Street NE
Salem, OR 97310

Media requests may also be faxed to (503) 363-5475.

Command Center Audio Tapes

It is the practice of the Oregon State Police that regional Command Center radio and telephone conversations are recorded to document Departmental action in response to information received. The recordings are generally considered public records and are subject to disclosure upon receipt of reasonable, timely requests. Reasonable requests for disclosure of recordings are those which do not place an administrative burden on Command Center personnel. Approved requests will be handled as soon as practical, given the specifics of each associated incident.

All media requests for tape screening and/or copies shall be submitted in writing to the Oregon State Police General Headquarters Information and Communication Management Division, accompanied by a set \$30.00 fee, prior to release. Written requests should be forwarded to:

Oregon State Police
Information and Communication Management Division
Attention: Manager – Dispatch Support Unit
4th Floor
255 Capitol Street NE
Salem, OR 97310

Media requests may be faxed to (503) 363-5475.

Requests shall include the following information:

- Requestor Name, Address, and Telephone Number
- Date of Incident
- Time of Incident
- Subject of Incident

A Command Center supervisor shall pre-screen master tapes and copies to prevent release of unauthorized portions. Media requests generally will be reviewed with the Department's Public Information Officer to determine if the request is associated with an investigation or incident that may require authorization from investigators, as well as other authorities such as the local District Attorney or Department of Justice attorney with jurisdiction of the case or incident.

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