

# ILLINOIS STATE POLICE DIRECTIVE

## ADM-015, MEDIA GUIDELINES

<b>RESCINDS:</b> ADM-015, 2023-005, revised 01-03-2023.	<b>REVISED:</b> 05-01-2023 <b>2023-153</b>
<b>RELATED DOCUMENTS:</b> OPS-049, OPS-052	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b> 41.2.4, 41.2.5, 41.2.6, 45.2.1, 46.1.3, 46.1.4, 46.1.10, 54.1.1, 54.1.4, 54.1.2, 54.1.3, 61.4.4

### I. POLICY

In an effort to foster a relationship of mutual trust between the Department and news media agencies, the Illinois State Police (ISP) will cooperate impartially to provide factual information relating to matters within the Department's jurisdiction. This will be completed through the use of designated personnel, using established guidelines, in the interest of the public's right to know.

### II. AUTHORITY

20 ILCS 2605/2605-302(a) – Civil Administrative Code of Illinois, Illinois State Police Law - Arrest Reports  
5 ILCS 160/4a – State Records Act – Arrest Records and Reports  
5 ILCS 140/1 et seq. - Freedom of Information Act  
5 ILCS 430/5-20 – Public service announcements  
Illinois Supreme Court Rules, Article VIII. Illinois Rules of Professional Conduct, RULE 3.6. TRIAL PUBLICITY  
Ill. Admin. Code 1030.140 – Use of Captured Images  
625 ILCS 5/6-110.1 - Confidentiality of captured photographs or images  
705 ILCS 405/5-905 – Illinois Juvenile Court Act, (Law Enforcement Records); 705 ILCS 405/1-7 – Illinois Juvenile Court Act, (Confidentiality of law enforcement records)  
720 ILCS 5/12-3.6 - Disclosing location of domestic violence victim  
725 CS 5/112-6 – Secrecy of Proceedings  
725 CS 190/3 - The Privacy of Child Victims of Criminal Sexual Offenses Act – Confidentiality of Law Enforcement and Court Records.

### III. DEFINITIONS

- III.A. Mandated News Release – News releases that are sent prior to and after details associated with hire-back funds. This includes:
  - III.A.1. Roadside Safety Checks (RSC)
  - III.A.2. Alcohol Countermeasure Enforcement (ACE)
  - III.A.3. Distracted Driving Enforcement Program (DDEP)
  - III.A.4. Nighttime Enforcement (NITE)
  - III.A.5. Special Traffic Enforcement Patrols (sSTEP)
  - III.A.6. Occupant Restraint Enforcement Patrols (OREP)
- III.B. Media and/or Media Organization - Legitimate print, radio, television, internet, or film sources of news, information, commentary, and/or entertainment.
- III.C. Media Inquiries – In-person or electronic (email, text, or telephone) requests for information from media and/or media organization. The types of inquiries are:
  - III.C.1. Routine – Inquiries dealing with:
    - III.C.1.a. Specific routine facts of an incident, crash, or arrest.
    - III.C.1.b. Information presented by Safety Education Officers (Provided a Safety Education Officer handles the inquiry).
    - III.C.1.c. Routine Departmental holiday safety messages.

- III.C.2. Non-Routine – Inquiries dealing with, but not limited to:
    - III.C.2.a. Department legislation, policy, and budget.
    - III.C.2.b. Department views.
    - III.C.2.c. Internal investigations.
    - III.C.2.d. Department matters, including discipline and personnel.
    - III.C.2.e. Governor’s Office or other state agencies.
  - III.D. Media Representatives –Individuals employed by media and/or a news organization.
  - III.E. News Conference – A pre-arranged gathering of department representatives and media representatives for the purpose of releasing written and/or oral information and/or responding to inquiries.
  - III.F. News Release – A written communication to inform the public through media representatives.
  - III.G. Primary Media Liaison – A person assigned to a work unit outside the Public Information Office (PIO) who is delegated the responsibility to assist the PIO with media activities occurring in their respective work unit.
  - III.H. Public Information Office (PIO) – A bureau within the Office of the Director (OOD) containing individuals who serve as the central source of news media activities for the Department. Contact information is as follows:
    - III.H.1. Email – ISP.PIO.Personnel@illinois.gov
    - III.H.2. Office – (217) 524-2500
    - III.H.3. Cellular – (312) 907-4601 – Chief Public Information Officer (CPIO)
  - III.I. Public Service Announcement (PSA) – A public safety message prepared wholly by or in cooperation with the Department that will be made available to the media and for public view.
  - III.J. Social Media – On-line sources that allow people to communicate, share, and/or exchange information with others via an electronic platform (e.g. Facebook, Twitter, Instagram, etc.).
  - III.K. Traffic Advisory – A brief statement sent to the media identifying an incident that is causing traffic issues. The advisory will list the location, date, time, brief description, and estimated duration of traffic congestion or road closure.
- IV. RESPONSIBILITY
- IV.A. The CPIO, or his or her designee, is responsible for:
    - IV.A.1. Managing the efforts and activities of the PIO.
    - IV.A.2. All media activities for the Department. Activities include, but are not limited to:
      - IV.A.2.a. Coordinating and responding to media inquiries.
      - IV.A.2.b. Coordinating all departmental social media accounts and activity.
      - IV.A.2.c. Assisting all Primary Media Liaisons.
      - IV.A.2.d. Coordinating PSAs.
      - IV.A.2.e. Coordinating the release of departmental information. This may include, but is not limited to:
        - IV.A.2.e.1) Departmental Awards.
        - IV.A.2.e.2) Employee Awards.
        - IV.A.2.e.3) New Department Programs and Initiatives.
        - IV.A.2.e.4) Promotions within the Department.

- IV.A.2.f. Maintaining a master media list that contains contact information for media organizations that normally report on matters occurring in the state. Any addition or removal of a media organization from the master list will be managed by the PIO.
  - IV.A.2.g. Contacting representatives of the news media for input and comment when changes in media guidelines are planned.
  - IV.A.2.h. Developing procedures for the issuance of Mandated News Releases and notifying work unit Commanders of such procedures.
  - IV.A.2.i. Providing contact information to all ISP Divisions for all PIO members.
- IV.B. Work unit Commanders are responsible for:
  - IV.B.1. Appointing a Primary Media Liaison.
  - IV.B.2. Providing the CPIO with contact information for the work unit's Primary Media Liaison.
  - IV.B.3. Ensuring the Primary Media Liaison is aware of the procedures for issuing Mandated News Releases.
- IV.C. Primary Media Liaisons are responsible for:
  - IV.C.1. Communication with the CPIO, or his or her designee, regarding media inquiries, social media activities, news conferences, and news releases related to their respective work.
  - IV.C.2. When applicable, drafting Mandated News Releases for hire-back.

## V. PROCEDURES

- V.A. Employees will not initiate any written or oral contact with the media concerning ISP activities without prior approval of the PIO and appropriate Deputy Director, Assistant Deputy Director, Troop/Zone Commander, Lab Director, or designee unless such contact is consistent with this directive.
- V.B. Employees may reference specific divisions or work units within the Department on first reference in a news release. Upon subsequent references, it should be referred to as "Illinois State Police ISP."
- V.C. Information Dissemination
  - V.C.1. Rules of Professional Conduct, adopted by the Illinois Supreme Court in March 2000, restricts lawyers from making statements that would pose a threat to the fairness of an adjudicative proceeding.
    - V.C.1.a. These rules further instruct prosecutors to exercise reasonable care to prevent law enforcement personnel from making an extrajudicial statement that the prosecutor would be forbidden from making.
    - V.C.1.b. Therefore, ISP employees will consult with their relevant state's attorney or prosecuting attorney on the release of information in criminal proceedings.
  - V.C.2. The fact that a defendant has been charged with a crime may NOT be released unless the following or a similar statement is included:
    - "All subjects are presumed innocent until proven guilty in a court of law."
  - V.C.3. During an investigation or litigation of a civil action, employees will not make, or participate in making, any statement. Any specific inquiries referencing public records will be directed to the PIO and/or the Freedom of Information Act (FOIA) Officer within the Legal Office.
  - V.C.4. Factual information contained on a crash report may be furnished to the news media. Crash alerts sent to the media from the PIO should contain first name, M.I., last name, age, and city of residence of drivers and passengers who are age 18 years and older only (e.g. John E. Doe, 41, Springfield). The names of minors younger than 18 years will not be released and should be listed as child/children, age(s), city of residence (e.g. child, 8, Springfield).

NOTE: If the crash is criminal or has the potential to be criminal (e.g. Agg. DUI, crash involving Agg. Battery/UUW, etc.), the name(s) and age(s) will NOT be released. Only the gender (male or female) and age category (adult or minor) will be released (e.g. adult female or minor male.)

NOTE: Identification of seriously or fatally injured persons will not be released until next-of-kin are notified. Exceptions must be approved on a case by case basis by the CPIO.

V.C.5. Employees will **NOT** make the following information available:

V.C.5.a. Information on activities of other governmental agencies, unless prior coordination is made with the affected agency.

V.C.5.b. Commenting on ongoing investigations. The Department's policy is not to comment on or confirm ongoing criminal or administrative investigations, except when:

V.C.5.b.1) In the opinion of the investigating Commanders and agents, public comments or confirmation of the investigation serves the investigative effort.

V.C.5.b.2) ISP involvement is confirmed by others with co-responsibility for the investigation, i.e., state's attorney, coroner, local or state agency head, etc.

V.C.5.b.3) It is already common knowledge that the ISP is involved.

V.C.5.c. The names of minors arrested or taken into custody before their 18th birthday in accordance with the provisions of 705 ILCS 405 (Juvenile Court Act of 1987).

V.C.5.d. The character, credibility, reputation, or criminal record of any party involved in a criminal investigation or the expected testimony of a party or witness.

V.C.5.e. The possibility of a plea of guilty to the offense or the existence or contents of any confession, admission, or statement (including alibis) given by a defendant or suspect or that person's failure to make a statement.

V.C.5.f. The performance or results of any examination or test or the failure of a person to submit to an examination or test.

V.C.5.g. Evidence expected to be presented at trial.

V.C.5.h. Any opinion as to the guilt or innocence of a defendant or suspect.

V.C.5.i. Reference to evidentiary matters, including fingerprints, polygraph examinations, ballistics tests, laboratory tests, or refusal of the defendant to submit to any test or examination.

V.C.5.j. Reference to investigative procedures, including surveillance techniques, operational specifics of covert activities, or other information that may compromise current or future investigative activities.

V.C.5.k. Victim/Witnesses information to include:

V.C.5.k.1) Identities of sex crimes victims will NOT be released.  
NOTE: Sex (male/female) and reference to age (adult/minor) MAY be released. E.g., an adult female, a minor male, etc.

V.C.5.k.2) Location of domestic violence victims will not be released.

V.C.5.k.3) Identities of minors younger than 18 years will not be released.

**NOTE:** Release of adult victim or witness information other than outlined above will be reviewed on a case-by-case basis by the CPIO and/or the FOIA Officer.

V.C.6. Release of information related to criminal acts will generally be limited to the following:

V.C.6.a. The identity, age, city of residence of the suspect unless such information is to be withheld by court order.

V.C.6.b. The information contained within the charge, such as a complaint, indictment information, or other public record. NO COMMENT OR RELEASE can be made regarding grand jury deliberations including: witnesses appearing, testimony

given, the voting of a true bill, etc., until an indictment is released (see 725 ILCS 5/112-6).

- V.C.6.c. The fact that an arrest has occurred as well as the time and location of the arrest.
- V.C.6.d. A request for assistance from the public in obtaining evidence and information, and if the accused has not been apprehended, information necessary to aid in the apprehension of that person.
- V.C.6.e. A warning of danger concerning the behavior of a person involved when there is reason to believe there exists the likelihood of substantial harm to an individual or the public interest.
- V.C.6.f. The identity of investigating agencies and the length of the investigation.
- V.C.6.g. If available, a booking photo of the suspect(s) will be released.
- V.C.6.h. Dissemination of Secretary of State images captured in the process of issuing a driver's license or identification must comply with ILL.ADMIN.CODE tit. 92§1030.140(b)(2).
- V.C.6.i. If the suspect(s) is incarcerated, the time and date the individual(s) was discharged and the amount of any bail or bond.

**NOTE:** Exceptions must be approved by the CPIO or designee.

#### V.D. Media Inquiries

- V.D.1. Routine inquiries – Members of the PIO will handle all media inquiries. Employees should refer all inquiries from the media to the PIO. If a public information officer is not immediately available, employees may provide a verbal response to on-the-scene, in-person, or telephone inquiries concerning their respective division's activities if they are personally involved and/or informed.
  - V.D.1.a. Employees who are NOT informed on the subject of inquiry will refer the person seeking information to someone capable of providing an appropriate response.
  - V.D.1.b. Employees who make an immediate response to such an inquiry will notify their chain-of-command as soon as possible.
  - V.D.1.c. Employees will also notify the PIO as soon as possible of any communication with the media and what was discussed.
  - V.D.1.d. The CPIO will be notified for any routine inquiry that is related to an incident that is likely to generate media attention from outside the employee's assigned work area.
- V.D.2. Non-routine inquiries – All non-routine inquiries should be directed to the CPIO. Contact information for the CPIO is listed in the definitions.

**NOTE:** If an employee is unsure as to whether the inquiry is routine or non-routine, the employee should treat the inquiry as non-routine.

#### V.E. News Releases

- V.E.1. All ISP news releases, with the exception of hire-back news releases, will be issued to the media by PIO.
- V.E.2. The issuance of news releases will conform to procedures set out by the CPIO.
- V.E.3. All releases will be placed on Departmental "news release" letterhead. Special task forces and Metropolitan Enforcement Group (MEG) units may use their own letterhead in accordance with their respective policy board rules.
- V.E.4. Information pertaining to department enforcement activity (i.e., traffic crash investigations or traffic or criminal arrests) will be made readily available to media representatives subject to guidelines established in this directive.
- V.E.5. News releases relating to activities involving more than one ISP entity will be coordinated between the CPIO and the appropriate Deputy Director(s) prior to release.

- | V.F. News Conferences
  - | V.F.1. Employees who wish to schedule or participate in a formal news conference must have prior approval from the CPIO through the appropriate chain-of-command.
- | V.G. Public Service Announcements (PSAs)
  - | V.G.1. All PSAs will be coordinated through the ISP CPIO. The CPIO must approve all public safety related PSAs; except where exigent circumstances exist, in which case, a copy of the PSA will be forwarded to the CPIO.
  - | V.G.2. Any PSA or advertisement that is on behalf of any state administered program to be aired on television or radio, to be printed in commercial newspapers or commercial magazines, or posted electronically (internet, social media platforms, etc.) must NOT contain the following:
    - V.G.2.a. The proper name, voice, or image of the Governor
    - V.G.2.b. The proper name, voice, or image of any executive branch constitutional officer
    - V.G.2.c. The proper name, voice, or image of any member of the General Assembly
  - | V.G.3. The ISP Legal Office and the ISP Ethics Officer must approve all non-public safety related PSAs prior to forwarding for final approval by the Director.
- V.H. Traffic Advisories
  - | V.H.1. Any Primary Media Liaison, Shift Commander, or designee of a Zone or Troop Commander may issue a traffic advisory.
  - V.H.2. Traffic advisories should be sent out for full or partial lane closures resulting from:
    - V.H.2.a. Traffic crashes
    - V.H.2.b. Disabled vehicles
    - V.H.2.c. Weather conditions
    - V.H.2.d. Roadway obstructions
    - V.H.2.e. Any other instance when partial or full lane closure is occurring.
  - | V.H.3. Traffic advisories can be sent using an ISP email account or authorized social media account in accordance with ISP Directive SRV-222, "Social Networking/Media Guidelines," Addendum 1.
- VI. Media Access
  - VI.A. News media representatives may be permitted access to crime scenes only after investigators and crime scene investigators have completed their examination of the premises. Access to a crime scene on private property will be restricted if the owner, agent of the owner, or tenant requests such action be taken by the Department.
  - VI.B. During the execution of an arrest/search warrant on private property, officers will not bring along members of the media to witness, film, or photograph the execution of the warrant.
  - | VI.C. In the event of a major fire, natural disaster, or other catastrophic event, the news media (including photographers) will not be allowed access into the established perimeter until emergency services and law enforcement officers have completed their responsibilities and secured the area to ensure the media's safety as much as possible.
  - VI.D. Members of the news media will be permitted to photograph crash scenes as long as their actions do not interfere with emergency services or the performance of police duties.
- | VII. FOIA - All FOIA requests will be submitted to the FOIA Officer and will be handled pursuant to ISP Directive ADM-102, "Freedom of Information Act."

| Indicates new or revised items.

**-End of Directive-**