

ILLINOIS STATE POLICE DIRECTIVE

ADM-015, MEDIA GUIDELINES

RESCINDS: ADM-015, 2013-045, revised 04-24-2013.	REVISED: 03-20-2017 2017-010
RELATED DOCUMENTS: OPS-049, OPS-052	RELATED CALEA STANDARDS: 41.2.5, 45.2.1, 46.1.3, 46.1.4, 46.1.10, 54.1.1, 54.1.2, 54.1.3

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, Department of 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. Chief Public Information Officer (CPIO) – The person who serves as a central source of news media activities for the Department. The CPIO contact information is as follows:

III.A.1. Email – PIO@isp.state.il.us

III.A.2. Cellular – 312.907.4601

III.A.3. Office – 217.782.6637

III.B. Media - persons who represent public print, radio, television, Internet, or film sources of news, information, commentary, and/or entertainment.

III.C. Media Inquiries – In-person or electronic (email or telephone) requests for information from a media representative. The types of inquiries are:

III.C.1. Routine – Inquiries dealing with

III.C.1.a. Specific routine facts of an incident, accident, or arrest.

III.C.1.b. Information presented by Safety Education Officers (Provided the Safety Education Officer is the one dealing with 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 policy.

III.C.2.b. Department views.

III.C.2.c. Internal investigations.

III.C.2.d. Department matters, including discipline and personnel.

NOTE: In-person media inquiries may be interviews that are audio or visually recorded or live broadcasts.

III.D. Media Organization – Legitimate print, radio, television, internet, or film sources of news, information, commentary, and/or entertainment.

III.E. Media Representatives – Those persons employed by a media organization.

III.F. Press 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 inquiry.

III.G. Press Release – A written communication to inform the public through media representatives. The types of releases are:

III.G.1. Routine – Releases dealing with:

III.G.1.a. Specific routine facts of an incident, accident, or arrest.

III.G.1.b. Information presented by Safety Education Officers (Provided the Safety Education Officer is the one drafting and sending the release).

III.G.1.c. Routine Departmental holiday safety messages.

III.G.1.d. Legally mandated hireback patrols.

III.G.2. Non-Routine – Releases dealing with but not limited to:

III.G.2.a. Department policy.

III.G.2.b. Department views

III.G.2.c. Internal investigations.

III.G.2.d. Department matters, including discipline and personnel

III.H. Primary Media Liaison – A person NOT assigned to the Public Information Office (PIO) that is responsible for media activities occurring in their respective assignment.

III.H.1. Each District will be staffed by a full-time Safety Education Officer (when staffing allows) and he/she will act as the primary media liaison for the District. If a District is temporarily without a Safety Education Officer, the District Commander will appoint a Primary Media Liaison.

III.H.2. Each Zone Commander will appoint a primary media liaison.

III.H.3. Labs/Specialty Functions (e.g. SWAT, Air Ops, CSSC, DII) – Each Lab Director and Unit Commander may appoint a Media Liaison. If a Media Liaison is not appointed, the CPIO, or his designee, will assist with routine and non-routine media activities.

NOTE: District and Zone Commanders are encouraged to appoint an alternate media liaison.

III.I. Public Service Announcement – 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. Traffic Advisory – A brief statement sent to the media identifying an incident that is causing traffic issues. The advisory should list the location, date, time, brief description, and estimated duration of traffic congestion or road closure.

IV. RESPONSIBILITY

IV.A. The Chief Public Information Officer (CPIO) is responsible for:

IV.A.1. Managing the efforts and activities of the Public Information Office (PIO).

IV.A.2. Coordinating and preparing non-routine press release.

- IV.A.3. Coordinating and responding to non-routine media inquiries.
- IV.A.4. Coordinating and assisting all media liaisons.
- IV.A.5. Coordinating public service announcements.
- IV.A.6. Coordinating the release of Departmental information. This may include but is not limited to:
 - IV.A.6.a. Departmental Awards.
 - IV.A.6.b. Employee Awards.
 - IV.A.6.c. New Department Programs and Initiatives.
 - IV.A.6.d. Promotions within the Department.
- IV.A.7. 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 forwarded to the appropriate District so media lists remain consistent.
- IV.A.8. Contacting representatives of the news media for input and comment when changes in media guidelines are planned.
- IV.B. District Primary Media Liaisons are responsible for:
 - IV.B.1. Coordination, preparing, and/or responding to all routine press releases and media inquiries related to activities in their respective area.
 - IV.B.2. Providing copies of all disseminated information relating to major incidents that may result in inquiries to the Public Information Office and the appropriate Colonel.
 - IV.B.3. Maintaining a list that contains contact information for Media Organizations that normally report on matters occurring in their geographical area. The list will be reviewed and updated semi-annually or as the need arises. Any removal or addition of a media organization to a District list will be forwarded to CPIO so media lists remain consistent.
 - IV.B.4. When staffing by a full-time SEO, the SEO will issue a monthly press release containing district activity for the previous month. The release will include, at a minimum:
 - IV.B.4.a. Traffic and criminal arrests (citations/record copies)
 - IV.B.4.b. Crashes investigated
 - IV.B.4.c. Driving under the influence (DUI) arrests
 - IV.B.4.d. Seat belt arrests
 - IV.B.4.e. Motorist assists
 - IV.B.4.f. Commercial vehicle inspections (as reported by the OSC Command Motor Vehicle Section)
 - IV.B.4.g. Traffic Crash Fatalities (worked by the District)
 - IV.B.5. Maintaining a log of all news releases and responses to news media inquiries. This log will detail the date, time, news representative's name, organization, and topic of the inquiry.
 - IV.B.6. Issuing legally mandated pre- and post- press releases regarding district hireback activities.
 - IV.B.7. Assisting Zone Media Liaisons with routine press releases, when requested.
- IV.C. Zone Primary Media Liaisons are responsible for:
 - IV.C.1. Coordinating, preparing, and/or responding to all routine press releases and media inquiries related to activities in their respective area, but may request assistance from the CPIO or District SEO.
 - IV.C.2. Providing copies of all disseminated information relating to major incidents that may result in inquiries to the Public Information Office and the appropriate Colonel.

- IV.C.3. Maintaining a log of all news releases and responses to news media inquiries. This log will detail the date, time, news representative's name, organization, and topic of the inquiry.
- IV.C.4. Issuing legally mandated pre- and post- press releases regarding zone hireback activities.
- IV.D. DOO, Shift Commanders are responsible for:
 - IV.D.1. Adhering to the direction as outlined in the Division of Operations Notification Protocol, located on the DOO Commander's Sharepoint site.

V. PROCEDURES

- V.A. Employees will not initiate any written or oral contact with the media concerning ISP activities without prior approval of the appropriate Colonel, Lieutenant Colonel, District/Zone Commander, Lab Director, or designee unless such contact is consistent with this directive.
- V.B. Employees will refer to the Illinois State Police and will not make reference to particular divisions or work units within the Department when stating the source of information or describing services or activities, refer to "The Illinois State Police."
- V.C. Employees will obtain advance approval from the CPIO and applicable chain of command when:
 - V.C.1. responding to media inquiries or making written news releases that may have statewide or national interests or exposure;
 - V.C.2. releasing any news release having more than an individual district focus, or quoting the Director.
- V.D. Employees may respond to media inquiries or provide written news releases related to a single district on subjects of less than statewide interest and may quote, the applicable Commander. If there is question as to whether the release should have prior approval, contact the CPIO or his designee.
- V.E. Information Dissemination
 - V.E.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.E.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.E.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.E.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.E.3. During an investigation or litigation of a civil action, employees will not make, or participate in making, any statement. Any specific inquiries making reference to public records will be directed to the PIO.
 - V.E.4. Employees will **NOT** make the following information available:
 - V.E.4.a. Information on activities of other governmental agencies, unless prior coordination is made with the affected agency.

- V.E.4.b. Commenting on ongoing investigations. The Department's policy is not to comment on or confirm ongoing criminal or administrative investigations, except:
- V.E.4.b.1) In the opinion of the investigating commanders and agents, public comments or confirmation of the investigation serves the investigative effort.
 - V.E.4.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.E.4.b.3) It is already common knowledge that the ISP is involved.
- V.E.4.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.E.4.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.E.4.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.E.4.f. The performance or results of any examination or test or the failure of a person to submit to an examination or test.
- V.E.4.g. Evidence expected to be presented at trial.
- V.E.4.h. Any opinion as to the guilt or innocence of a defendant or suspect.
- V.E.4.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.E.4.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.E.4.k. Victim/Witnesses information to include:
- V.E.4.k.1) Identities of sex crimes victims will not be released (age and city of residence may be released (e.g., "... a twenty-year old Springfield resident...")).
 - V.E.4.k.2) Location of domestic violence victims will not be released.
 - V.E.4.k.3) Identities of minors under age 18 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 Freedom of Information Act (FOIA) Officer.
- V.E.5. Release of information related to criminal acts will generally be limited to the following:
- V.E.5.a. The identity, age, city of residence, unless such information is to be withheld by court order.
 - V.E.5.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.E.5.c. The fact that an arrest has occurred, as well as time and location of the arrest
 - V.E.5.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.E.5.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.E.5.f. The identity of investigating agencies and the length of the investigation.
 - V.E.5.g. If available, a booking photo of the suspect(s) will be released
 - V.E.5.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.E.5.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 Chief Public Information Officer or designee.

V.F. Media Inquiries

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.F.1. Routine inquiries – Generally, media liaisons will handle all routine inquiries. If a media liaison is not available, employees may make an immediate, oral 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.F.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.F.1.b. Employees who make an immediate response to such an inquiry will notify their chain of command as soon as possible.

V.F.1.c. Employees will also notify the assigned media liaison as soon as possible of any communication with the media and what was discussed.

V.F.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.F.2. Non-Routine inquiries – All non-routine inquiries should be directed to the CPIO. Contact information for the CPIO is listed in the definitions.

V.G. Press Releases

V.G.1. Any media liaison, shift commander, or designee of a zone or district commander may issue a routine press release.

V.G.2. All non-routine press releases must be coordinated between the respective division and the CPIO.

V.G.3. All releases will be placed on Departmental "news release" letterhead. News release letterhead may be obtained from the PIO and duplicated. Special task forces and Metropolitan Enforcement Group (MEG) units may use their own letterhead in accordance with their respective policy board rules.

V.G.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.G.5. Copies of all disseminated information relating to incidents that may result in significant media attention must be forwarded via email to the CPIO and appropriate Colonel.

V.G.6. News releases relating to activities involving more than one ISP entity will be coordinated between the CPIO or his designee and the appropriate Colonel(s) prior to release.

V.H. Press Conferences

V.H.1. Employees who wish to schedule or participate in a formal press conference must have prior approval from the CPIO through the appropriate chain of command.

V.I. Public Service Announcements (PSA)

V.I.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 PIO.

V.I.2. Any PSA or advertisement that is on behalf of any state administered program to be aired on television or radio, or to be printed in commercial newspapers or commercial magazines, must NOT contain the following:

V.I.2.a. The proper name, voice, or image of the Governor

V.I.2.b. The proper name, voice, or image of any executive branch constitutional officer

V.I.2.c. The proper name, voice, or image of any member of the General Assembly

V.I.3. The ISP Legal Office and the ISP Ethics Officer must approve all non-public safety related Public Service Announcements prior to forwarding for final approval by the Director.

V.J. Traffic Advisories

V.J.1. Any media liaison, shift commander, or designee of a zone or district commander may issue a traffic advisory.

V.J.2. Traffic advisories should be sent out for full or partial lane closures resulting from:

V.J.2.a. Traffic crashes

V.J.2.b. Disabled vehicles

V.J.2.c. Weather conditions

V.J.2.d. Roadway obstructions

V.J.2.e. Any other instance when partial or full lane closure is occurring.

V.J.3. Traffic advisories can be sent using an ISP email account or authorized social media account in accordance with 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.

VI.D.1. Factual information contained on a crash report may be furnished to the news media. Crash alerts sent to the media should contain the first name, M.I., last name, age, and city of residence of drivers and passengers who are age 18 and over only (e.g., John E. Doe, 41, Springfield). The names of juveniles under the age of 18 will not be released, and should be listed as child/children, age(s), city of residence (e.g., Child/Children, 8, Springfield).

VI.D.2. However, 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.

VII. FOIA - All FOIA requests will be submitted to the FOIA Officer and will be handled pursuant to ADM-102.

| Indicates new or revised items.

-End of Directive-