

**CORNWALL POLICE SERVICE
GENERAL ORDER – MEDIA AND NEWS RELEASES**

ADM042

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| | Directive Type Administrative Order | Revision Number 14 |
| Distribution All Members | Subject Media and News Releases | |
| | Effective Date December 16, 2021 | Re-evaluation Period Annually |
| Applicable Standards C.A.L.E.A. 41.2.4, 54.1.3 | Review Date December 15, 2022 | |
| Special Instructions Refer to FOB129 Social Media | Originator Chief of Police | |

1. RATIONALE

- 1.01 To operate effectively, the Cornwall Police Service must sustain the support of the public. By providing the news media and the community with information on administrative and police operations, a relationship of mutual trust, cooperation and respect will be maintained.
- 1.02 An open and professional working relationship between the police and the media is essential to:
- a) Keep the public accurately informed of crime and newsworthy occurrences;
 - b) Maintain media involvement in crime prevention and community policing programs;
 - c) Promote public services performed by police.

2. POLICY STATEMENT

- 2.01 It is the policy of the Cornwall Police Service to cooperate fully and impartially with representatives of the news media in their efforts to gather factual, public information concerning activities of the Service. The Cornwall Police Service shall provide information to the media without undue delay, using methods which are convenient, economical and which comply with confidentiality mandates.

3. DEFINITIONS

- 3.01 For the purpose of this document, the following definitions will apply:
- a) **Authorized Persons:**
 - 1) Chief of Police
 - 2) Deputy Chief of Police
 - 3) Inspector
 - 4) Staff Sergeant (SDO and CIB)
 - 5) Sergeant
 - 6) Communications Coordinator
 - 7) FOI Analyst (in response to written requests)
 - 8) Members holding the above positions in an acting capacity
 - 9) Members acting under the direction of an authorized person
 - b) **Media Release:** A release of information to the media, by an authorized person, pertaining to an activity by our Police Service.

- c) **Media Representative:** An employee of an accredited media organization.
- d) **MFIPPA:** Municipal Freedom of Information & Protection of Individual Privacy Act, 1989, came into effect January 1, 1991. The Act provides access to records in the custody and control of the Police Service while balancing and ensuring the privacy rights of individuals.
- e) **Personal Information:** Personal information means recorded information about an identifiable individual. (Definition per Section 2 MF1PPA (Appendix A))

4. GENERAL - CONTROL OF INFORMATION

- 4.01 The Communications Coordinator will meet with representatives of the media on an annual basis, to review the existing policy and procedure relating to the public information function.
- 4.02 Media releases issued by the Communications Coordinator will also be in French, whenever possible.
- 4.03 It is the responsibility of all Service members who are authorized to make media releases to maintain a good working relationship with the members of the media, bearing in mind the provisions of the Municipal Freedom of Information and Protection of Privacy Act, the Police Services Act, the Rules and Regulations, the Policies and Procedures of the Service and the member's own level of knowledge, experience and authority relative to a given incident.
- 4.04 Anonymous, invalidated or any information that may be detrimental to an investigation shall not be released.
- 4.05 In the event a community emergency is declared, the Cornwall Police Service's Communications Coordinator will be the On-Scene Media spokesperson. Once the Emergency Operations Centre is established, the Media Co-ordinator will be appointed as set out in the City of Cornwall Emergency Plan. [CALEA 41.2.4](#)

5. ACCREDITING JOURNALISTS

- 5.01 The Cornwall Police Service will work with all professional journalists interested in policing and criminal justice issues. The Service supports the constitutional right to freedom of expression and recognizes the important role that members of the media play in the exercise of that right.
- 5.02 The Cornwall Police Service reserves the right to determine which journalists are deemed accredited, in recognizing that there is no national organization that currently makes this determination. The Communications Coordinator and the Deputy Chief of Police shall determine which media outlets or journalists are considered to be accredited.
- 5.03 In general, a media outlet deemed to be accredited will be one with information that is subject to a professional editing process and adheres to the journalistic principles of accuracy, fairness and balance. The media outlet should also have a published policy regarding journalistic standards and ethics.

- 5.04 Individuals not accredited via this process can still access the media from the Cornwall Police Service website. Attendance at media conferences will not be permitted without permission from the Chief of Police or designate.
- 5.05 This is not an attempt to restrict the media in any way. The Cornwall Police Service has to ensure that its media resources are accessed by qualified journalists so they can do their job without disruption or distraction.

6. RELEASE OF INFORMATION

6.01 No one shall release:

- a) The identity, address and personal information of a young person charged with an Offence, unless permitted by a Youth Court Judge's Order.
- b) The identity, address and personal information of victims without their consent.
 - 1) Information that could serve to identify a victim shall not be released, however, descriptions of general nature are permissible, e.g. "...a 30-year-old Cornwall man was robbed at gunpoint today..."
 - 2) **EXCEPTIONS:** An authorized person, after consultation with the investigating officer, may release the identity, address and personal information of a victim which, if not released, may adversely affect the health or safety of an individual.
 - 3) The identity, address and personal information of witnesses and complainants without their consent.
 - 4) The identity of parents, step-parents, foster parents, caregivers or relatives of accused persons in child abuse cases.
 - 5) The particulars of the offence in child abuse cases.
 - 6) The name of the accused in cases of sexual assault where the information may tend to identify the victim.
 - 7) The name of suspects unless he/she is charged with an offence or a valid warrant is in effect.
 - 8) Any information that may endanger an informant or a witness.
 - 9) Any information that may hinder or jeopardize an investigation, project or operation of an ongoing investigation.
 - 10) Any information regarding any investigation being conducted by another police agency.
 - 11) Information relating to an accused as follows:
 - a) The existence of an alibi, admission, confession or statement;
 - b) The reputation or character of an accused;
 - c) The criminal record of an accused;
 - d) Possible guilt or innocence;
 - e) Any tests taken by, refused by, or offered to, an accused;
 - f) Any evidence or information that may prejudice a trial.
 - 12) Information on members of this Police Service who are charged or under investigation by another agency. Media enquiries regarding details or circumstances of the investigation are to be directed to the originating agency.

- 13) Amounts of money stolen during a robbery or theft (except at the direction of the investigating officer or Detective Sergeant).
- 14) Information relating to the issuance of a Search Warrant namely: the location of the place searched or to be searched. The identity of any person(s) on the premise or person(s) who may be charged with an offence resulting from the search **MUST NOT BE RELEASED UNLESS** charges have been laid in relation to the Search Warrant. (Reference: Section 487.2 (1) Criminal Code).
- 15) Information with respect to an incident or investigation in which the Special Investigation Unit (SIU) is involved. The Communications Coordinator shall be notified by the Officer in Charge of the Professional Standards Bureau in the event that SIU has invoked their mandate. Only the fact that the SIU Director has been notified and is conducting an investigation into the matter may be released. (Reference: Ontario Regulations 673/98 & CPS General Order [FOB086](#)).

7. PROCEDURES - GUIDELINES FOR MEMBERS DEALING WITH THE MEDIA

7.01 Police Officers – When approached by a media representative, a police officer shall:

- a) Be courteous with media personnel, confirm obvious and basic facts of what you are doing and then refer reporter to authorized person for specific information,
Examples:
 - 1) I am investigating a motor vehicle collision with injuries and the roadway will be closed for a period of time. For further specifics please call the Communications Coordinator;
 - 2) I am providing security at the scene of an ongoing investigation. For further specifics please call the Communications Coordinator;
- b) Refer questions and inquiries from media representatives on the specifics of a case, accused, victim, complainant, etc. to an authorized person when an offence is being investigated;
- c) Prevent the posing or parading of suspects and accused persons for photographing by media representatives;
- d) Do not restrict, prevent or obstruct the media from videotaping or photographing scenes, people, or events within public view (there is no legal authority to do so, unless an exception under "media access to crime scenes" is present);
- e) Allow the photographing and/or videotaping of police officers in the performance of their duties, if in public view.
- f) Refrain from commenting on the activities of other agencies, i.e. Fire, Ambulance, Public Works, Health Department, etc. They may have policies or guidelines that are different or more restrictive than ours. An authorized person can arrange for them to speak with the particular agency.

- 7.02 Authorized Person – Upon receipt of an enquiry from a media representative or upon becoming aware of an incident likely to be of interest to the media, the authorized person shall:
- a) Ensure the Communications Coordinator is in attendance if the incident is of such magnitude to require their presence;
 - b) Call for the assistance of the media to advise the public of hazardous or dangerous situations, i.e. gas leaks, derailments, explosions, etc.;
 - c) As appropriate, ensure a news release is prepared at the earliest opportunity;
 - d) Provide all information in an impartial manner;
 - e) Maintain physical control of evidence being shown to media representatives;
- 7.03 If it is necessary to restrict information released to media representatives, the reason(s) shall be made known to them without undue delay.
- 7.04 Local news agencies generally contact the Communications Coordinator daily for information on occurrences or arrests. After hours and on weekends, it is the responsibility of the Uniform Staff Sergeant, Sergeant or their designate to release newsworthy information to the media.

8. EXCEPTIONS AND GUIDELINES FOR RELEASE OF PERSONAL INFORMATION

- 8.01 When a Police Service deals with personal information, the access and privacy legislation that is in place must be reviewed to make decisions and disclosure.
- 8.02 In considering whether personal information may be released, the Police Service must bear in mind the two very important purposes of the MFIPPA Legislation; that disclosure of as much information as possible should be encouraged while balancing that right of access with the need to protect personal privacy. A "reasonable" interpretation of these purposes should result in fair and consistent disclosure practices.

9. PERSONAL INFORMATION MAY BE RELEASED WHEN

- 9.01 The release of personal information assists in warning the public of a grave environmental, health or safety hazard, e.g. when a dangerous fugitive is at large, their identity may be revealed to protect the community and to assist in apprehension;
- 9.02 The individual involved consents to the release of his/her personal information; police officers may consider asking a victim of a crime if they wish their information released;
- 9.03 Compelling circumstances exist, which affect the health or safety of an individual, e.g. The identity of an individual may be disclosed to the public in an attempt to notify the person that necessary medication has been forgotten;

- 9.04 It will assist in locating or contacting the next-of-kin or a friend of a person who has been injured, is ill or deceased;
- 9.05 The facts or circumstances of the individual case warrant disclosure; some exceptions may be:
 - a) Disclosure is required to continue an investigation or
 - b) Disclosure would promote public safety
- 9.06 The records are available to the public, e.g. if an information is laid or will be laid, the personal information in the document such as the name, date of birth, address (street name only) of the accused may be disclosed;
- 9.07 Other factors may result in decision to disclose, e.g. where the public has a compelling interest in the individual's personal information held by the Police Service, the information may be disclosed;
- 9.08 Attempting to identify a deceased or person suffering from amnesia;
- 9.09 The identity of a deceased person is generally released when the investigation has been completed and the next of kin notified;

EXCEPTIONS: suicides, sudden deaths by natural causes or at the discretion of the investigating officer.

- 9.10 All requests for media assistance by members must first be approved by their OIC. When approved, an e-mail will be sent to the Communications Coordinator and copied to their OIC.
- 9.11 Members should consider utilizing media when attempting to identify suspects or when requesting the assistance of the public with an investigation if local broadcasts prove unsuccessful. To make a request to have content placed on social media, members should email the Communications Coordinator with the suspect photo(s), particulars of the incident, the incident number, as well as the member's contact information to be shared in the post. The requesting member will advise the Communications Coordinator to remove the post from social media when the suspect has been identified or when there is no longer a need for public assistance.

10. DECEASED PERSONS

- 10.01 The Communications Coordinator will ensure that a media release is prepared for a death that is a result of a homicide, subject to notifying next-of-kin, and subject to the release of information specified in Section 6 and Section 9 of this policy.
- 10.02 The Communications Coordinator may issue a media release for serious and/or fatal collisions, providing a brief summary of the incident.
- 10.03 The name of a deceased person may not be released until identity has been confirmed and the next of kin has been notified. Specific details regarding the cause of death will not be released.

10.04 Should an inquiry from the media be received concerning a sudden death investigation, the Cornwall Police Service will release information about the investigation in accordance with Section 6 and Section 9 of this policy.

11. MEDIA ACCESS TO CRIME SCENES, ETCETERA

11.01 Generally, media representatives, including photographers, shall not be permitted access to the scene of a crime, major fire, natural disaster or other catastrophic event, unless in the company of an authorized Communications Coordinator or his/her designate.

11.02 Media representatives, including photographers, SHALL NOT be permitted access to the inside perimeter of a scene when: [CALEA 54.1.3](#)

- a) Dangerous or hazardous conditions exist;
- b) The presence of media representatives may interfere or obstruct emergency services personnel;
- c) Their presence poses a danger to victims or others;
- d) Their presence may disturb evidence or a protected crime scene.
- e) Access would constitute trespassing or the violation of another Act.

11.03 When the Communications Coordinator has been summoned to the scene, media representatives shall be taken to a prearranged staging area for a briefing.

11.04 If it is necessary to restrict the movements of media representatives, it is important that the reason(s) be explained fully and without undue delay.

12. CONTEMPT OF COURT ISSUES

12.01 The publication of information that could influence a judicial proceeding constitutes contempt of court. Three types of information have been deemed to constitute contempt of court if released by police:

- a) Criminal record information (of accused, witnesses, conspirators).
- b) Statements, confessions, admissions and other evidence.
- c) Prejudicial comments or descriptions (i.e. links to mafia, gang members, etc.).

13. RELEASE OF PHOTOGRAPHS

13.01 Photographs of criminals taken under the authority of the Identification of Criminals Act may be

distributed to the media only when the person is wanted by this Police Service and public assistance is requested.

13.02 Photographs of members of our Police Service provided to the media shall only be released with the permission of the member or at the direction of the Chief of Police or his designate. (There is no control over the use of photographs already in the news agencies' archives).

14. MEDICAL INFORMATION

14.01 Members shall only refer to a person's medical condition as "good", "fair", "serious", or "critical". "No change" indicates there has been no change in the person's condition since the previous release.

15. NEWS RELEASE PREPARATION

15.01 A written news release should be used for consistent timely release of information. A news release should include enough information to answer the five "Ws" - who, what, where, when, why and how. Be aware that a written news release often invites reporters to call the originator for further information or a "personalized" quote.

a) A news release reporting an occurrence or incident shall include:

- 1) The nature or type of incident;
- 2) The location and time of the incident;
- 3) Limited particulars of the victim(s);
- 4) The names of the Police Unit or Bureaus involved in the incident.

b) A news release reporting an occurrence or incident may include:

- 1) Particulars of any weapons used;
- 2) Particulars of the item(s) taken or involved;
- 3) Description of the suspect(s) ("non white" should be qualified, i.e. black, oriental, native Indian);
- 4) Description of vehicle(s);
- 5) Further police action, if known.

c) A news release reporting an arrest shall include:

- 1) The particulars of the person arrested: full name, age and address (street name and city/town only); (Note: The address of an accused should not be listed as a correctional facility or penitentiary. The community where the facility is located should be mentioned).
- 2) Charges laid
- 3) Particulars of the crime, including time and location;
- 4) Limited particulars of the victim(s);
- 5) Particulars of the arrest, including time and location;

- 6) Name of the investigating Unit or Bureau;
- 7) Court location and time.

15.02 All media releases must contain the date, identity of author and a contact person.

15.03 Authorized persons shall comply with the information release prohibitions, regarding evidence, the accused, victim(s), witness(es), complainant(s) and Young Offender(s), as specified in this Administrative Order.

15.04 The Communications Coordinator will provide a link to the CPS Crime Map on the daily media releases and on the website.

16. RELEASE OF INFORMATION CONCERNING MEMBERS OF THE POLICE SERVICE

16.01 Information regarding internal discipline and complaints against police shall be released at the direction of the Chief of Police, or his designate.

a) CRIMINAL CHARGES

- 1) Police Members: When a police officer is charged with a Criminal Offence, the relevant information concerning the offence(s) and the member will be pro-actively released in the form of a news release. If a member is charged with a criminal offence by another police service, the Communications Coordinator shall consult with that service prior to releasing any details. Pending approval from the Chief of Police or designate, the Communications Coordinator shall issue a News Release, including the employee's name, rank and the charge(s) laid, so long as the information would not identify a victim (i.e. domestic-related charges) or violate a court publication ban.
- 2) Civilian Members: Information concerning criminal charges against a civilian member will be pro-actively released if it is of a serious nature and a public interest.

b) POLICE SERVICES AND INTERNAL DISCIPLINE

- 1) Police Members: Once a member has been served with a Notice of Hearing under the Police Services Act, as a result of ~~allegations~~ of misconduct arising from criminal activity or a situation initiated by a member of the public, their name, charges and first appearance date will be published to the Disciplinary Hearing section of the Cornwall Police Service website (www.cornwallpolice.ca). The Statutory Powers Act requires that Hearings held under the Police Services Act be open to the public. Subsequent appearance dates will be updated on the Cornwall Police Service website, once available. The Chief of Police, or designate, shall ensure that every decision made after a hearing held under subsection 66(3) or 68(5) of the Police Services Act, is made available to the public in the manner that they consider appropriate in the circumstances, and shall give a copy of every such decision to the Independent Police Review Director. All decisions/dispositions posted after a hearing to the Cornwall Police Service website will only be made

available for six months past the hearing date, at which time the Communications Coordinator will remove the information from the website.

- 2) Civilian Members: Generally, there will be no release of information concerning Police Services Act misconduct or informal discipline.
- c) PUBLIC NOTIFICATION OF MEMBERS SERIOUSLY INJURED OR KILLED IN THE LINE OF DUTY
- 1) Information concerning any member(s) injured as a result of a police-related incident or otherwise shall not be released until notification of next-of-kin is completed; or with the member's consent. Release of information must be authorized by the Chief of Police or designate.
 - 2) Information concerning any member(s) killed as a result of a police-related incident or otherwise shall not be released until notification of next-of-kin is completed. Release of information must be authorized by the Chief of Police or designate.

17. MEDIA INTERVIEWS

17.01 Members conducting media interviews must identify themselves.

17.02 Members of the Service are not to conduct interviews with members of the media on any issue not related to a current news story, i.e. feature articles or research items, without permission from the Chief of Police, Deputy Chief of Police or a designate.

17.03 Members are not to speculate or offer opinions on ongoing investigations to the media.

17.04 Always remember there is no such thing as off-the-record. Once the information is released you have no control over it. Whenever possible and warranted, the Communications Coordinator shall:

- a) Brief the officer before the interview; and
- b) When necessary, attend the interview.



**BY ORDER OF: Shawna Spowart
Chief of Police**

APPENDIX A

Document Links

1. MFIPPA – S. 2 – Definition of Personal Information