

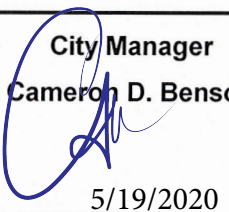


MIAMI GARDENS POLICE DEPARTMENT POLICY MANUAL

	PUBLIC INFORMATION AND MEDIA ACTIVITIES (FORMERLY PUBLIC INFORMATION)	Date of Issue 10/01/07 Revision 05/19/2020 Revision 10/28/10 Revision 06/10/10 Revision 11/10/09 Revision 08/17/08	Chapter 8.2
Chief of Police Delma K. Noel-Pratt  5/19/20	City Manager Cameron D. Benson  5/19/2020	Rescinds All Previous	CFA Standard 1.06, 1.07M Pages 13

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Section I: Purpose

The Miami Gardens Police Department (MGPD) recognizes the importance of the vital role the news media plays in a democratic society and the significance of social media platforms in the consumption and dissemination of criminal justice and public safety information to the community. The purpose of this General Order is to establish clear and consistent operating guidelines and procedures for the release and dissemination of agency information to the news media and the community.

Section II: Scope

This policy shall apply to all Miami Gardens Police Department personnel, sworn and non-sworn.

Section III: Policy

This agency has adopted the use of designated Public Information Officers (PIO) to lead in the creation and coordination of information distributed to the general media, on city/social websites, and/or blogs on behalf of the MGPD. The Chief of Police is the only person who authorizes MGPD information be distributed to the media, print, radio, television or social media postings on various platforms. In the absence of the Chief, his/her designee is delegated this same release authority verbally or in writing.

It is the policy of the MGPD that all information released to the media, on city/social websites, and/or blogs is in accordance with federal, state, and local law. In addition, information released to the public shall be accurate, factual, and presented in a professional and timely manner. Information shall not be released that could jeopardize the integrity of an official investigation, the safety or identity of crime victims/witnesses, involved officers or infringe upon the constitutional rights of an individual.

Section IV: Definitions

Public Records: “All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” (Chapter 119 of the Florida State Statutes)

Public Information: Information that may be of interest to the general public regarding policy, procedure, events involving the MGPD, or other newsworthy information that is not legally protected, does not interfere with the mission of the MGPD, infringe on the rights of a defendant, or compromise the legitimate safety or privacy interests of officers, victims, witnesses or others.

Authorized User: Any employee, or any person acting on the City of Miami Gardens (CMG)’ behalf, who has been authorized by the City Manager or the Chief of Police to establish, create, edit or maintain any social media account, and the posts it may contain, in the transaction of official business for the city or its’ police department.

Public Service Announcement: The release of information concerning events, crime reenactments, public safety threats, community activity or services of significance that the MGPD wants to share with media outlets and the public. These announcements are usually temporal and presented to enhance community awareness and participation positively.

Section V: Role of the Public Information Officer

The list of essential functions outlined is typical of the tasks performed. The omission of an essential function does not prohibit management from assigning duties not listed herein if such functions are a logical assignment to the position. This delegated authority and responsibility is from the Chief of Police and the Public Information Officer reports directly to the Chief of Police on all matters concerning media activities and newsworthy events. **(CFA 1.06) (A)**

- A.** The PIO shall coordinate the police department’s media relations in collaboration with CMG’s Public Affairs Department, and the community to ensure information relating to the MGPD is properly and accurately disseminated.

B. The PIO shall:

1. Assist media personnel in covering news stories at crime scenes, including access restrictions; **(CFA 1.06)(B)**
2. Coordinate staging areas for members of the media at incident scenes;
3. Maintain an “on-call” status in order to respond to police scenes and assist the media personnel in gathering pertinent information for public release; **(CFA 1.06)(C)**
4. Prepare and distribute agency press releases in collaboration with CMG’s Public Affairs Department;
5. Arrange and assist at news conferences in collaboration with CMG’s Public Affairs Department; **(CFA 1.06)(E)**
6. Research, assemble, and edit news releases regarding significant activity involving the agency, including social media; **(CFA 1.06)(D)**
7. Coordinate and authorize, with investigative supervisor, the release of information about victims, witnesses, and suspects in collaboration with CMG’s Public Affairs Department; **(CFA 1.06)(F)**
8. Coordinate and authorize, with investigative supervisor, the release of information concerning confidential investigations and operations in accordance with state statute; **(CFA 1.06)(G)**
9. Contribute information to the MGPD website pertaining to public information;
10. Report as needed to crime or incident scenes to coordinate response to media inquiries;
11. Be familiar with all agency activities, functions, operations, and programs;
12. Receive and coordinate responses to assist with public records requests from media organizations in coordination with the CMG Public Affairs Department. Whether to release information or grant an interview will be determined on a case-by-case basis with on-scene investigative supervisors and in accordance to the Florida Public Records Law (Chapter 119, F.S.)
13. Increase public safety efforts by raising awareness about crimes, crime trends, proactive initiatives, and significant events brought forth by the MGPD;
14. Meet with PIO’s from other departments and media representatives to discuss police/media issues;
15. Receive initial and ongoing training to remain prepared legally and professionally to deliver information to the media, the public, and within the MGPD;
16. Assist in crisis situations in the department.

Section VI: Procedures

- A.** The MGPD shall cooperate with the news media in collaboration with the Public Affairs Department and maintain an atmosphere of open communication. A positive working relationship with the media is mutually beneficial, essential, and keeps the community informed on public safety matters.
1. MGPD Supervisors are responsible for notifying the on-call PIO and informing them of any major incidents, offenses, and other events that may generate media interest.
 2. If the on-scene supervisor cannot personally make the notification, then the Communications Supervisor will be contacted, briefed, and asked to make telephone contact with on-call PIO.
 3. In the event that a PIO is unavailable to provide a response to the media, an on-duty Captain should contact the Chief of Police or Assistant Chief for guidance and authorization to respond to such media inquiries.
 4. Whenever information is provided according to paragraph 3 above, the member of the department who provided the information to the media will notify PIO, via email, providing them with a briefing so the information that was given is consistent and captured in departmental records.
 5. In the event the media is on scene prior to the PIO's arrival, the Operations supervisory personnel may be tasked with designating a media staging area. The location should not be too close to the incident to hinder operation, and not too far away to where the media coverage will be ineffective, but safe and outside police lines.
 6. Department members shall refer all media inquiries to a supervisor, commanding officer or PIO. Any media inquiries related to newsworthy events will be shared with the CMG Public Affairs Department.
 7. Accurate information and documentation of events are critical to the credibility of the MGPD, its' employees, investigations and the public; therefore, all information will be verified prior to release for circulation to the public through approved media outlets.
 8. Preferential treatment shall not be extended to any representative of the news media. An employee shall not in any official capacity, solicit news media aid for personal gain.

Section VII: Media Access

The MGPD extends certain privileges to members of the news media in order that they may gather adequate information regarding incidents, which are of public interest.

A. Media Credentials:

The MGPD recognizes that valid forms of identification are issued to media representatives by their respective local, national, and internationally accredited news agencies. Press privileges are extended to those news bureau representatives who carry and display proper identification issued by their agencies. Any questions concerning the validity of press credentials are referred to the PIO in coordination with CMG Public Affairs Department.

B. Media Access to the Police Facilities:

Representatives of accredited news media agencies entering the MGPD shall be allowed access to specific areas of the building authorized by the Chief of Police. They will be permitted to use their equipment only in designated areas of police facilities, and will not have unlimited and/or unescorted access. Media personnel will display their credentials while inside the police facility.

C. Authorization for Media Entry to the Scene of a Crime or Incident:

1. The news media does not have authority to be within a crime scene or any area which has been secured to preserve evidence, where their presence could jeopardize an investigation, police operations/tactics, or compromise the safety of victims.
2. Aerial news coverage restrictions can only be enforced by the Federal Aviation Authority (FAA). If we are concerned for the media helicopter's safety or the operational/tactical safety of our officers and citizens, we can ask for their voluntary cooperation to not fly in certain areas.
3. Police lines are established to prevent unauthorized persons from entering the area of a serious incident or crime scene. Dependent upon the tactical situation and likelihood of jeopardizing police operations, members of the media may not be permitted to enter such areas. Authorization for entry is dependent upon the decision of the lead investigator in conjunction with the PIO and command staff.
4. News media representatives should be placed in a position so they may readily gather information and take pictures without compromising the police mission. The evidence gathering area may be restricted at the discretion of the lead investigator. Photographing outside of established lines will not be restricted.
5. Filming from or in public access places will not be restricted.

Section VIII: Release of Information

- A.** The on-duty or on-call PIO shall be notified of any incident where there is media interest as evidenced by news media presence on the scene, frequency of inquiries, or the nature of the incident. Accurate and timely release of information is the objective.

The on-scene supervisor can be delegated the authority to release appropriate information; however, when an event is of major proportion such as major crimes, incidents or disasters, the PIO will coordinate such release with investigative

supervisors, the Chief of Police, CMG Public Affairs Department, and/or EOC command post supervisors.

Supervisors of elements preparing news releases will process it through the chain of command for approval and provide a copy to the PIO. The PIO will process the release through their chain for final approval and disseminate for formal release, to include CMG Public Affairs Department.

It is recognized that more than one agency may be involved in a mutual effort during a particular event, e.g. natural disaster, hostage situation, etc. Therefore, the agency having the primary jurisdiction in the case should be responsible for releasing the information or coordinating a joint news release. **(CFA 1.07)(I)**

- B.** Information which is not legally privileged, will not prejudice the rights of the suspect, or interfere with an investigation may be released. However, the scope and content of the information released must be determined according to the facts of each situation and applicable Florida State Statutes. Such determination is made by the lead investigator and supervisor in consultation with the PIO, the Police Chief, the Police Legal Advisor, and in collaboration with the CMG Public Affairs Department.

1. Information that may be released:

- a. Part I Crimes other than sex offenses: Victim's name, age, sex, race, occupation, nearest relative, address (if crime occurred at that location), and address of homicide victim after next of kin has been notified.
- b. Part II Crimes: other than sex offenses: Victim's name, age, sex, race, occupation, nearest relative, and address.
- c. Sex offenses: Victim's age, sex, race, and general location of the crime.
- d. The name, sex, race, occupation, address, and physical description of a suspect being sought for a crime.
- e. The name, sex, age, address, and photograph of a person arrested if the person is an adult, or a juvenile arrested for a felony charge and not prohibited by Florida State Statute. **(CFA 1.07)(B) (CFA 1.07)(H)**
- f. The name of a deceased person after identification has been verified and the nearest relative has been notified, or an earnest effort has been made to notify the nearest relative.
- g. Amount of money or property taken (at the discretion of the lead investigator).
- h. Type of force used (at the discretion of the lead investigator).
- i. Weapon used (at the discretion of the lead investigator).
- j. Injuries to the victim or suspect.

- k. Facts and essential circumstances of arrests or incidents, including charges. Existing procedures regarding juveniles will be followed.
- l. Events occurring in the judicial process which are not privileged information.
- m. Names of witnesses may be released at the discretion of the investigator except for Part I Crimes.
- n. Details of a suspect's previous arrest record, including arrest affidavits.

2. Information that may not be released:

- a. Any information that could lead to the exact location of a sex offense.
- b. Any information that could lead to the identity (including name, address, or photographs) of a victim of sexual battery offense. **(CFA 1.07)(G)**
- c. Any information that could lead to the victim's identity (including name, address or photograph) of certain child abuse violations, as outlined in Florida Statutes. **(CFA 1.07)(G)**
- d. Any information that could lead to the identity (including name, address or photograph) of a victim of a lewd or lascivious assault or indecent assault on a child. **(CFA 1.07)(G)**
- e. Information regarding evidence prior to a trial, including the following
- f. Any statement or evaluation of the character, reputation, or criminal record of the accused. **(CFA 1.07)(A)**
- g. The contents of any confession, admission, or statement of the accused. This does not preclude however, references that the accused refused or declined to make a statement, confessed, admitted to the allegations or provided some type of statement. This provision shall also be applicable when the accused is an agency member. **(CFA 1.07)(C)**
- h. The results of any examination or test by the accused, including the results of ballistic tests, a polygraph or Computer Voice Stress Analyzer (CVSA). This does not preclude however, acknowledgement that the accused submitted to or refused any examination or test, e.g. polygraph, Computer Voice Stress Analyzer (CVSA). **(CFA 1.07)(D)**
- i. Preliminary tests, such as breathalyzer results, and the fact that the defendant was identified through DNA or fingerprints is allowable. **(CFA 1.07)(D)**

- j. Any opinion by agency members regarding the guilt or innocence of the accused, the possibility of any plea, the merits of the case against the accused, or merits of the case. **(CFA 1.07)(F)**
- k. Any opinion or statement concerning the identity, testimony, and credibility of any prospective witness. **(CFA 1.07)(E)**
- l. Precise description of evidence seized or discovered during the investigation.
- m. Name, address, or photograph of a juvenile taken into custody, unless authorized by a juvenile court. **(CFA 1.07)(H)**
- n. Testimony presented to a Grand Jury.
- o. Any information that could lead to the identification of a confidential informant or source of information (unless required by law). See Confidential Informants policy
- p. Departmental confidential information.
- q. Information received from another jurisdiction on the promise of confidentiality when the information was not otherwise available. **(CFA 1.07)(I)**

- 3. **News Media not Exempt from Laws:** An officer shall not unnecessarily obstruct a media representative; however, members of the news media are not exempt from municipal, state or federal statutes.
- 4. **Employees Posing as Members of the News Media:** MGPD employees shall not pose as member of the news media to obtain intelligence information.
- 5. In any incident involving an employee of the MGPD or CMG (e.g. officer-involved shooting, officer-involved traffic crash, arrest of or investigation into alleged misconduct by an employee, or any other matter where an internal investigation will or may be conducted), only the Chief of Police, the PIO, or the Chief's designee in collaboration with the CMG Public Affairs Department, will release information to the media. All requests for information will be referred to the PIO. The Chief or designee, may release information concerning a complaint involving an agency law enforcement officer, in compliance with Florida Statutes. **(CFA 1.06)(A) (CFA 1.07)(J)**

Section IX: Social Media Protocols

As more and more citizens in our community make the shift toward, or include the use of, social media technology to receive and share information and communicate their opinions, it is imperative the Miami Gardens Police Department include these technologies as part of its effort to enhance customer and community service as well as outreach to our community.

As government employees and public servants to this community, we (MGPD) must earn and keep the public trust on various levels to ensure we deliver professional, objective, safety and security services. To accomplish this goal, MGPD endorses the secure use of social media to enhance communication, outreach, collaboration and information exchange and distribution; streamline processes; and foster productivity. Social media can also be an investigative tool when seeking evidence or information about missing persons or other criminal offenses.

MGPD also recognizes the role social media can play in the personal lives of its personnel. Law enforcement personnel are held to a higher standard of professionalism than private citizens; therefore, department members must give thoughtful consideration to their off-duty private communications on social media that may form the basis for discipline if such private activity damages the reputation of the City, departments, employees or that which erode MGPD objectivity or the public trust. Violations of this policy or related policies (general conduct, communications, etc.) in the use of social media that bring the member into discredit or the department into discredit, will result in the department taking appropriate disciplinary action up to and including termination.

A. Departmental Sanctioned Use and Presence

Departmental members representing the MGPD via social media outlets will do the following and follow the CMG Social Media guidance memorandum (see Appendix A).

1. Follow all security rules established from the Information and Technology Department.
2. Authorized users will identify themselves as a member of the department.
3. Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the department's presence on the website or platform.
4. Conspicuously post terms of agreement, setting guidelines and restrictions for use on each social media site officially sanctioned for city use, such as:

“The MGPD reserves the right to remove inappropriate comments including those that are discriminatory, obscene or sexual in nature, threaten or defame an individual or entity, support or oppose political candidates or proposals, violate the intellectual property rights of another party, promote illegal activity or commercial products or services or are not related to the topic in the original posting. Keep in mind that all of your posted comments are public records and subject to disclosure. Contact the Custodian of Public Records at 18605 Northwest 27th Avenue, Miami Gardens, Florida 33056. We remove from our site all posts that meet the criteria for removal stated above and keep a copy of the post as public record”.

5. All authorized MGPD users must conduct themselves at all times as representatives of the City, not as individuals, and accordingly adhere to all City rules, procedures and standards of conduct.

6. When posting, remain focused on customer service, the City and the MGPD mission and existing commitments. Use a professional tone.
7. Social media conducted on behalf of the MGPD and the CMG government is subject to the State of Florida Public Records and Retention laws and policies. Any comments posted, or submitted to this government social media site, are also subject to public disclosure.
8. Anonymous postings by MGPD personnel are not permitted.
9. Employees shall not disclose confidential information acquired by that employee by reason of the employee's official position.
10. Social media content will be consistent with departmental strategic goals and adhere to applicable laws, regulations, and policies including information technology and record management policies.
11. Employees are to refrain from accessing personal social media accounts or non-work related social media sites while on work time.
12. Authorized user employees will monitor public comments and respond to those that may spread misinformation.
13. Do not post or report on City or Departmental conversations that are pre-decisional or meant to be internal to the MGPD or the City, unless leadership or management has authorized the release of such information.
14. Employees will make no statements about a subject or an arrestee, or comments concerning pending prosecutions or otherwise disseminate personal or confidential information, including but not limited to photographs or videos, related to departmental training, activities, or work-related assignments without express written permission.
15. Employees shall not conduct political activities or private business on any City site.
16. Do not allow social media use to interfere with primary job duties, unless such use is a primary duty or an essential job function.

B. Precautions

1. Department employees should be mindful that once a photo or comment has been posted to the internet, it is never completely purged out of existence. As such, departmental members are cautioned that the following actions could have a detrimental effect on department member's safety and the operational security of the department:
 - a. Posting or displaying department logos, uniforms, or similar identifying items on social media.

- b. Posting or displaying on social media personal photographs, or providing similar means of personal recognition that may cause a person to be identified as an officer or departmental member.
- 2. Departmental members should be aware that privacy settings and social media sites are constantly in flux and should never assume that personal information posted on such sites is protected from public access.
- 3. Department members should expect that any information created, transmitted, downloaded, exchanged or discussed in a public forum may be accessed by the department at any time without prior notice.
- 4. Department members should be aware they may be subject to civil litigation for:
 - a. Publishing or posting false information that harms the reputation of another person, group or organization (defamation).
 - b. Publishing or posting private facts and personal information about someone, including other employees, without permission that has not been previously revealed to the public, is not a legitimate public concern, and would be offensive to a reasonable person.
 - c. Using someone else's name, likeness or other personal attributes without that person's permission for an exploitative purpose.
 - d. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
 - e. Exercise caution while interacting with any External Entity, both known and unknown to the user and the information that the Entity may provide or post. External information received shall not be utilized, commented on, or re-posted, unless the information has been verified and corroborated as true and accurate by an independent and/or reputable resource(s).

Section X: Posting on Social Media Restrictions

- A.** The City and the MGPD does not allow graphic, obscene or explicit comments or submissions, nor do we allow comments that are abusive, threatening, hateful or intended to defame anyone or any organization or comments that suggest or encourage illegal activity.
- B.** Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, gender identity or sexual orientation will not be tolerated.
- C.** Content posted by persons whose profile or picture or avatar, username or e-mail address contain any of the aforementioned prohibited conduct will not be tolerated.
- D.** Content should be related to the subject matter of the social media site where it is posted.

- E.** We do not allow solicitation or advertisements. This includes promotion or endorsement of any financial, commercial or governmental agency. Similarly, we do not allow attempts to defame or defraud any person or financial, commercial or governmental agency.
- F.** We do not allow information intended to compromise the safety or security of the public or public systems.
- G.** You participate at your own risk, taking personal responsibility for your comments, your username and any information provided.
- H.** All comments are subject to public records law.
- I.** The appearance of external links on our website does not constitute official endorsement by MGPD or the CMG.

Section XI: Departmental Patches

Requests for a departmental patch will be routed to the Public Information Unit for response.

City of Miami Gardens

18605 NW 27th Avenue
Miami Gardens, Florida 33056



Mayor Oliver Gilbert
Vice Mayor Rodney Harris
Councilman Erhabor Ighodaro, Ph.D.
Councilman Reggie Leon
Councilwoman Lillie Q. Odom
Councilman David Williams, Jr.
Councilwoman Katrina Wilson

MEMORANDUM

TO: Directors

FROM: Cameron D. Benson, City Manager

DATE: September 11, 2019

RE: City of Miami Gardens Social Media Usage

The City of Miami Gardens recognizes the importance and benefits of communicating through social media. Consequently, the use of social media as an official communications channel by the City must be managed responsibly as it is a representation of the City in its entirety including our elected officials and employees. While it is encouraged to take full advantage of social media it is critical to ensure mechanisms are in place to mitigate risks during the conveyance of information to members of the public.

The City has an overriding interest to protect the integrity of the information posted on its social media sites and as such will now establish an internal procedure for the use of social media across all Departments. **All content intended for use on all City of Miami Gardens social media sites shall be reviewed and approved by the Office of the City Manager via the Public Affairs Department. The Public Affairs team will monitor content posted on City social media sites to ensure adherence and advancement of the interest and goals of the City.**

Content approval is a key step in assuring technical correctness, strategic alignment with City goals and the delivery of cohesive communications when representing the City of Miami Gardens for the purposes of resident engagement, dissemination of information and public relations.

I thank you for your cooperation regarding this matter.