



| DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL | | |
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| CHAPTER 206 | PUBLIC INFORMATION AND PRESS RELATIONS | |
|  | Effective: 04/21/2011 | Commissioner Approval:  |
| | Authorities: AS 47.12.030 ; AS 12.61.100-150 ; AS 40.25.122 ; AS 40.25.120 (6) ; AS 28.15.151 ; AS 40.25.110 ; 2 AAC 96.350 ; 2 AAC 96.335 ; AS 40.25.120 (a) | |
| | Applicability: ALL DEPARTMENTAL EMPLOYEES | |
| | Special Instructions: PUBLIC RECORDS DISCLOSURE KEY | |

206.100 INTRODUCTION

The Department of Public Safety, by virtue of its mission and work, comes into possession of confidential information that is of great importance to the public generally as well as individual citizens. The purpose of this policy is to provide guidance regarding if, when, and/or how confidential information is to be released in order to meet the often competing goals of advising the general public as to the matters in which we are involved, assuring the integrity of investigations and prosecutions, and protecting against release of information prohibited by law.

206.300 DISCLOSURE OF INFORMATION - PENDING CRIMINAL CASE

A. *Criminal Investigations/Warn of Public Danger.* On occasion it may be necessary to disclose confidential information to facilitate a criminal investigation and/or assure public safety. Confidential information is to be disclosed in this context only by a Commander and only after consultation with the lead investigator and the local district attorney. The information to be disclosed shall be limited to that necessary to solicit assistance in obtaining evidence, warning of danger concerning the behavior of a person involved, when there is reason to believe that there exists the likelihood of substantial harm to an individual or to the public interest, and, if the suspect/accused has not been apprehended, information necessary to aid in apprehension of that person.

B. *Media and Public Access to Crime/Investigation Scenes.* Members of the media and public are not to be allowed access to non-public scenes of crimes and criminal investigations. The access is to be denied to protect the integrity of investigations as well as to protect the privacy interests of the owners, users, or occupants of the scene.

Members of the media and public are to be allowed to view, photograph, and video record public scenes of crimes and criminal investigations to the extent that the activity does not adversely affect our investigation.

Members of the media and public may be ordered to remain in certain places in order for all law enforcement to perform their legal duties. Orders issued to members of the media and public shall be clear and acknowledged prior to the taking of enforcement actions.

C. *Arrests or Filing of Charges.* The disclosure of confidential information following an arrest or the filing of charges, and while criminal charges are pending may be made only by a Commander and only after consultation with the lead investigator and the local District Attorney.

1. In cases in which the defendant is 18 years of age or older or a juvenile is being prosecuted as an adult, the information to be disclosed will be limited to:
 - a. Identifying the accused with name, age, occupation, and community of residence;
 - b. The fact, time, and place of arrest;
 - c. Identifying the charged offense(s);
 - d. Identity of investigating/arresting law enforcement officials and the agencies for which they are employed; and
 - e. The length of the investigation culminating in the arrest.
2. In cases in which the juvenile defendant is not being prosecuted as an adult, the information to be disclosed will be limited to:
 - a. The fact, time, and place of arrest;
 - b. Identity of investigating/arresting law enforcement officials and the agencies for which they are employed; and
 - c. The length of the investigation culminating in the arrest.

D. *Press Conferences.* As a general matter, press conferences will not be conducted since they present the greatest danger to adversely affect the prosecution of cases. Press conferences are to take place only upon obtaining the express advance approval of the Commissioner. Press releases are to be issued only after being reviewed and approved by Commanders.

206.310 DISCLOSURE OF INFORMATION – CRIMINAL CASE COMPLETE

Confidential information more readily can be disclosed once a criminal case has been completed at both the trial and appellate court levels. The law, however, precludes the disclosure of certain confidential information even at this stage. Disclosure of information is to be made only in accord with the referenced DPS [Public Records Decision Key](#).

206.320 DISCLOSURE OF INFORMATION IN NON-CRIMINAL MATTERS

A. *Identification of type.* Care must be undertaken to not incorrectly or prematurely identify a matter as non-criminal. What may at first appear to be a non-criminal matter may turn out to be a criminal matter upon further investigation. Even in non-criminal matters, the law precludes the disclosure of certain confidential information. Disclosure of information is to be made only in accord with the referenced DPS [Public Records Decision Key](#).

B. *Press conference and release.* Press conferences are to be conducted only upon obtaining the express advance approval of Commanders. Press releases are to be issued only after being reviewed and approved by Commanders.

206.330 DISCLOSURE OF INFORMATION OR DENIAL OF DISCLOSURE - STANDARDS

A. *Timelines.* Alaska Administrative Code dictate timelines associated with responding to requests for information and specific verbiage is required when a disclosure of information is denied in part or in full. Such denials include an appeal period for the requestor, which must be cited in the denial. The Commissioner may delegate his authority to deny requests for disclosure of information. Examples of denial letters are attached to this chapter.

B. *Tracking and recording.* Each office is required to track written requests for information and record the response provided.

C. *Requirement to inform Commissioner's Office.* Requests that are controversial, high profile or to which the State is party to litigation shall be brought to the attention of the Commissioner's Office for handling guidance.

206.340 INTERNAL ACTIONS

A. *Public Information Office responsibility.* The Public Information Office (PIO) shall inform the media of, and assist them in reporting Department activities and matters of public safety; assist local Detachments/Posts in any major event in which there is widespread news interest; and inform the Commissioner and Directors of events or activities that may affect the Department. PIO will assist in the preparation and presentation of special press releases on "soft" news items such as the acquisition of new equipment, anniversaries, promotions, training, and on those stories designed to encourage the public to assist in the solution of a crime or the recovery of missing persons or property.

B. *Press releases to be sent to Anchorage e-mailed to the PIO dispatch web page.* Press releases will be sent by e-mail to the DPS daily dispatch prior to 0100 hours of the following day.

C. *PIO to maintain daily dispatch press release web pages.* The DPS/PIO will manage and maintain the formatting of press releases in the daily dispatch web pages and make corrections as needed. Each page will begin with the following disclaimer: **"Any charges reported in these press releases are merely accusations and the defendant is presumed innocent until and unless proven guilty."** DPS/PIO is not responsible for checking the accuracy, grammar, or spelling of compiled releases.

D. *PIO to be notified of major events.* Employees shall advise PIO immediately of major events of widespread news media or public interest. PIO shall receive regular briefings on continuing incidents or activities and will advise and update the media as necessary.

In the event of a major news story, (e.g., hostage situation, plane crash, officer involved shooting, prisoner escape, or other incident affecting the public) the Commander or his designee shall contact the PIO supervisor as soon as practical. PIO will assist in the rapid and orderly release of appropriate information to the public through the media.

E. *Public appearances are encouraged.* All personnel are encouraged to appear before schools, military, civic, sport, and other groups as representatives of the Department to promote respect and trust between the public and the Department. Such appearances must receive prior approval from the appropriate Commander or his designee, or immediate supervisor for non-AST or AWT employees.

RESOURCES

Request for information partial denial - [Link to Example](#)

Request for information full denial – [Link to Example](#)

2 AAC 96.335-350 – [Link to Document](#)

Recovery of Costs Incurred – [Link to Document](#)