

**N.Y.P.D. OFFICIAL PROCEDURES FOR  
RELEASE OF INFORMATION TO NEWS MEDIA**

Dated 3-20-92

**Purpose** To ensure the right of the public to be informed and to facilitate the accurate, timely and proper dissemination of information concerning the official business of the Department.

**Scope** As part of the strategy for community policing, it is the policy of this Department to keep the community informed on matters of public interest. All members of the service will make every effort to assist media representatives who request information or safe access to incident scenes. Information, assistance or access should be rendered to whatever extent possible when it does not:

- a. Pose an undue risk to the personal safety of members of the service, media representatives, or others.
- b. Interfere with police operations.
- c. Adversely affect the rights of an accused or the investigation or prosecution of a crime.

**Note** Access to incident scenes does not extend to interior crime scenes or areas frozen for security reasons.

**Procedure** Upon receiving a request for information from representatives of the media:

- Members Of The Service**
1. Release the following information after an arrest is made
    - a. Name, age, residence, employment, marital status and similar background information of the arrested persons
    - b. Substance or text of the charge (s) such as a complaint, indictment, information, and, only when appropriate, the identity of the complainant.
    - c. Identity of the investigating and arresting agency and the length of the investigation.
    - d. Circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons and a general description of items seized at the time of arrest
  2. The following information will be released **ONLY** by the Deputy Commissioner of Public Information and upon conferral with the Chief of Detectives. (Pretrial disclosure of the following information may have an adverse impact on a court case.):
    - a. Statements concerning the reputation or character of accused person or prospective witness,
    - b. Performance of, or results of, test or the refusal by the accused to take a test.
    - c. Statements concerning the credibility or anticipated testimony of prospective witnesses.
    - d. Opinions or statements concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.

- e. Photographs, films videotapes, and/or mug shots.
3. Do not release the identity of the following:
- a. Child under sixteen years of age, taken into custody, unless the child is a juvenile offender.
  - b. Complainant under sixteen years of age.
  - c. Neglected or abused child.
  - d. Victim of a sex crime.
4. Do not release the home address and/or telephone number of:
- a. Member of the service.
  - b. Complainant
  - c. Witness to a crime.

**Additional Data** Members of the service having questions regarding cooperation with the news media or having any questions about what they can or cannot release may call the Public Information Division at \_\_\_\_\_, 24 hours a day, 7 days a week for assistance.

### CONFIDENTIALITY OF THE VICTIM OF A SEX CRIME

The Civil Rights Law, Section 50-B, was amended in 1991 to protect the identity of the victim of a sex crime. The law provides that the identity of a victim of a sex crime be provided to the defendant charged with the crime and their counsel or guardian. It also permits disclosure to public officers and employees investigating, prosecuting and keeping records relating to the offense. A new section 50-C was also added to the law which allows victims of a sex offense to bring private action to recover for any damage suffered by the disclosure of their identities. Therefore, those members of the service (uniformed and civilian) assigned to units (Public Information Division, Identification Section, Communications Division, etc.) which may, at times, be called upon to provide information from Department records, files, tapes, etc., must ensure that the identity of a victim of a sex crime is NOT divulged when this information is released.