



## **GENERAL ORDER**

### **Media Contacts and Access**

#### **Purpose and Scope**

The purpose of this order is to provide employees with media protocols as established by the Sacramento County Communication and Media Office, the Superior Court of California, County of Sacramento, and the Probation Department with regard to inquiries from the media; and media access to department personnel, clients, and facilities, including print and broadcast coverage of juvenile proceedings.

#### **Affected Personnel**

All employees

#### **Effective Date**

March 17, 2017

#### **I. Media Requests**

- A. Prompt acknowledgment of media inquiries and timely responses to requests for information are important factors in developing and maintaining positive media relationships.
- B. All media requests for information or access shall be referred to a designated department media representative or, if unavailable, the applicable division manager.
- C. When information cannot be released for legal or ethical reasons, those reasons should be explained to the media representative requesting such information.
- D. Requests for information pursuant to the California Public Records Act (CPRA) shall be processed in accordance with applicable law<sup>1</sup> and County Policy.

#### **II. Responsibilities of Media Representative**

- A. It shall be the responsibility of the authorized employee responding to media requests to ensure that restricted information is not inappropriately released.
- B. Information released must be consistent with County and department policy and not violate any legal privilege, privacy policy, or other law.

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<sup>1</sup> Government Code §§ 6250-6270.

- D. Responses to politically sensitive subjects, such as issues affecting or involving the Board of Supervisors or other county officials, shall be handled in consultation with the Chief Probation Officer.
- E. All information provided to the media shall be clear, concise, accurate, and without political overtones. Authorized employees responding to the media shall represent the Department's position/mission rather than personal viewpoints.
- F. No sworn employee who is under investigation shall be subjected to media visits or interviews without his/her express consent.

### **III. Information Disclosable to the Media**

A. Employees shall have approval from their manager or the designated media representative prior to releasing any official information to the media.

B. Adult Arrest Reports<sup>2</sup>

Except where disclosure would endanger the safety of persons involved, or jeopardize an investigation or a related investigation, the following information may be released:

1. Full name and occupation of individual arrested by the agency;
2. The individual's physical description including date of birth, color of eyes and hair, sex, height, and weight (includes booking photographs);
3. Time, date and location of arrest;
4. Time and date of booking;
5. Factual circumstances surrounding the arrest;
6. Location where the individual is currently being held;
7. All charges the individual is being held upon, including outstanding warrants from other jurisdictions and parole or probation holds;
8. Set bail amount; and
9. Time and manner of release.

C. Adult Probation Reports<sup>3</sup>

Any report of the probation officer filed with the court, including any report arising out of a previous arrest of the person who is the subject of the report, may be inspected or copied only as follows:

1. By any person, from the date judgment is pronounced or probation granted or, in the case of a report arising out of a previous arrest, from the date the subsequent accusatory pleading is filed, to and including 60 days from the date judgment is pronounced or probation is granted, whichever is earlier;
2. By any person authorized or required by law to inspect or receive copies of the report;
3. By court order; and
4. By the subject of the report at any time.

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<sup>2</sup> Government Code § 6254(f)

<sup>3</sup> Penal Code §1203.05

D. Juvenile Delinquency Records Involving Specific Class of Offenses

When a petition has been sustained for an offense listed in Welfare and Institutions Code § 676(a), the following information may be disclosable:

1. The charging petition;
2. The minutes of the proceeding;
3. The orders of adjudication and disposition of the court.
4. The name of a minor, unless so ordered by the court.
5. Copies of these records shall not be provided without a court order.

E. Escape from Secure Detention

The name of, and any descriptive information about, a minor who has escaped from a secure detention facility may be released if specifically requested, or when a law enforcement agency deems the release of this information would be necessary to assist in apprehension or to protect the public from substantial physical harm.

F. Juveniles Tried as Adults

A law enforcement agency may disclose information regarding a minor 14 years of age or older who was found by the court to have committed any felony enumerated in Welfare and Institutions Code § 707(b). This information shall not be disclosed if the court, for good cause, so orders.

G. Search Warrants

Information relative to an executed warrant, if not sealed, is considered public record.

H. Employee Personnel Records

The California Supreme Court has determined that public employees, including peace officers, do not have a reasonable expectation of privacy related to:

1. Name, salary information, and dates of employment.<sup>4</sup>
2. The identities of peace officers involved in shootings or other critical incidents may be subject to release under specified circumstances. County counsel shall be consulted prior to authorizing the release of officer identities.
3. All other media inquiries relative to an employee's personal information shall not be provided without the employee's express consent or as authorized by County Counsel.

#### **IV. Media Field Contacts**

A. Authorized members of the media shall be provided access to law enforcement activities subject to the following conditions:

1. Valid press credentials shall be prominently displayed at all times while in areas otherwise closed to the public.

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<sup>4</sup> Reasonable effort will be made to notify an employee when the media requests this information from the Department.

2. Reasonable effort should be made to provide a safe staging area for the media near the incident that will not interfere with the operation.
- B. All information released to the media in the course of any field operation shall be coordinated through the department's media representative or designee.
  - C. The media is prohibited from photographing or video recording any minor under the supervision of the Probation Department, either surreptitiously or in a manner that might depict identity.
  - D. The media shall not photograph or video record any probation activity or event occurring in a private residence without written consent from the homeowner/tenant.
  - E. Employees contacted during a field operation or incident shall refer media inquiries to the on-scene manager, or designee.

## **V. Press Releases**

- A. A press release serves as a valuable means to deliver information to the community about the services and programs provided by probation.
- B. All press releases shall be coordinated through the department's designated media representative and/or the appropriate division manager.

## **VI. Planned Activities or Operations**

- A. Unless authorized by the Chief Probation Officer or designee, information about planned activities or operations, such as movement of persons in custody or execution of an arrest or search warrant, shall not be disclosed.
- B. Media representatives shall not be invited to any planned activities or operations except with prior approval from the Chief Probation Officer or designee.

## **VII. Media Access to Probation Facilities**

- A. Public lobbies and reception areas are considered public; however, media access is not automatic.
- B. Media access to the Youth Detention Facility (YDF), or other designated public or private property, must be cleared through the Chief Probation Officer or designee.
  1. Media representatives granted access to any probation facility or office must be accompanied by a designated probation employee at all times;
  2. All members of the print and broadcast media must display visible identification at all times while inside the YDF; and
  3. Except upon an order issued by the Presiding Judge of the Juvenile Court, no photograph or video recording of any portion of the body of a minor detained in, or committed to, the Youth Detention Facility is permitted.

- C. Without the written consent of the minor or his/her attorney, there shall be no photography or video/audio recording of the minor or his/her family:
  - 1. On the sidewalks or parking lot adjacent to the Juvenile Courthouse;
  - 2. Within 100 feet of the front door of the Juvenile Courthouse;
  - 3. Photography or video/audio recording beyond 100 feet of the courthouse shall not include any view of the front door or persons entering or exiting that door; or
  - 4. At the rear of the Juvenile Courthouse that displays the security entrance.
- D. Employees observing members of the media not adhering to the above restrictions are encouraged to notify a supervisor or manager.

### **VIII. Access/ Media Coverage of Juvenile Court Matters**

Unless otherwise ordered by the court, these rules apply both inside and outside of the courtroom.

#### **A. Non-Confidential Delinquency Proceedings**

- 1. Proceedings described in Welfare and Institutions Code § 676(a) are open to the public.
- 2. Print and broadcast media representatives may attend without prior permission of the court if seating is available in the courtroom.
- 3. Permission to use cameras or recording equipment is at the discretion of the bench officer presiding over the matter. A written request seeking permission to photograph or record proceedings must be filed.
  - a. When photography or video/audio recording is permitted, the camera view must be restricted to the shoulders of the minor and below. No view of the front or back of the head of the minor or his/her family shall be recorded.
  - b. In all cases where video is permitted for more than one broadcast media station, only a single camera shall be allowed in the courtroom. A condition of granting the order to record the courtroom session shall include a requirement that such media stations arrange for sharing of the recorded material with each other.

#### **B. Confidential Delinquency and/or Dependency Proceedings**

- 1. Proceedings are not open to the public.
  - 2. Permission to attend is in the discretion of the Presiding Judge of the Juvenile Court or bench officer presiding over the matter. A written request seeking permission to attend confidential juvenile or delinquency proceedings must be filed.
  - 3. Pursuant to California Rules of Court, the bench officer presiding over any delinquency matter not described in Welfare and Institutions Code § 676(a) shall not have discretion to permit cameras or recording equipment in the courtroom.
- C. Employees observing members of the media not adhering to the above restrictions are encouraged to notify a supervisor or manager.

**IX. Media Ride-Along**

Members of the media are eligible to participate in Probation's Ride-Along Program.

**References**

California Penal Code

Welfare and Institution Code

California Rules of Court

Juvenile Court Standing Order

Sacramento County Communication and Media Office Policies and Procedures

**Amends/Replaces**

Public Relations and Media Contacts

Approved By  Date 2/6/17  
*Lee Seale, Chief Probation Officer*