

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject MEDIA RELATIONS AND SOCIAL MEDIA	Policy Number GD-7 Effective Date 02-08-24
Related Information Arizona Revised Statutes CP-2, <i>Code of Conduct</i> CP-3, <i>Workplace Professionalism</i> CP-8, <i>Preventing Racial and Other Bias-Based Profiling</i> DJ-5, <i>Request to Photograph/Digitally Record an Inmate.</i> GD-9, <i>Litigation Initiation, Document Preservation, and Document Production Notices</i> GD-18, <i>Commitment to the Americans with Disabilities Act</i> GF-3, <i>Criminal History Record Information and Public Records Request</i> GH-2, <i>Internal Investigations</i> GJ-14, <i>Victims' Bill of Rights</i>	Supersedes GD-7 (06-02-20)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for employees of the Maricopa County Sheriff's Office (MCSO) and Public Information Office (PIO) personnel concerning media relations; the release of information to members of the media and the community by the Public Information Office; the use of the Office's social media; and the use of personal social media by Office employees.

Although this Office Policy refers to "employees" throughout, this Office Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to, reserve deputies and posse members.

POLICY

It is the policy of the Office to provide members of the media and the community with factual information on matters involving the administration and operations of the Office which is of public interest or concern. Information shall be disseminated so a relationship of mutual trust, cooperation, and respect can be maintained. Matters of mutual concern will be disseminated to other criminal justice agencies, as needed.

Additionally, it is the policy of the Office to ensure Office social media enhances public communications, collaborations, and information exchange with members of the community and that the Office provides employees with guidance regarding the use of personal social media.

DEFINITIONS

Digital Media: Audio, photo, and/or video recordings.

Exigent Circumstances: The sum of the conditions and information available in any event which, taken in totality, dictates a need for immediate action.

Next-of-Kin: The person or persons most closely related to a decedent by blood or affinity.

Office Social Media: An internet-based information service that departments may use, but are not owned or contracted for by the County, which enables Maricopa County information to be published to the public. This

information includes, but is not limited to, social networking sites, microblogging sites, photo- and video-sharing sites, wikis, blogs, and news sites.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

PROCEDURES

1. **Dissemination of Public Information:** The Office’s Public Information Office (PIO) has primary responsibility for the dissemination of Office-related information to members of the media and the community.
 - A. Information on current, ongoing, or upcoming Office operations, activities, or events should be properly released by the Sheriff, PIO, or designee.
 1. Release of information by other members of the Office requires prior authorization from the Sheriff, PIO, or designee.
 2. In the absence of a PIO, and with prior approval from the Sheriff, PIO, or designee, enforcement or detention personnel may release appropriate information, as specified in this Office Policy, to members of the media at crime scenes, Office jail facilities, or enforcement incidents.
 3. Dissemination of Criminal History Record Information to non-criminal justice users may be released, as specified in Office Policy GF-3, *Criminal History Records Information and Public Records*,
 - B. All inquiries from local, national, or international media agencies shall be referred to the PIO. The PIO shall research the inquiry and respond appropriately. The PIO can be contacted at mediarequest@mcs.maricopa.gov.
 - C. Whenever a question regarding the validity of a member of the media’s identity or credentials arises, the PIO shall be contacted.
 - D. Office personnel in charge of an incident shall provide the PIO with additional information regarding the incident as soon as practical.
2. **Responsibilities of the Communications Division:** At the request of an on-scene supervisor, Communications Division personnel shall notify the on-call PIO of any major operational or Office jail facility incident, as soon as practical, so the PIO can provide timely and accurate information to media organizations and the community. Office personnel encountering media on-scene of an Office operation, incident, or call for service may request a broadcast notification be sent through the Communications Division to the on-duty supervisor for advisement.
3. **Responsibilities of the PIO:** The responsibilities of the PIO include, but are not limited to, the following:
 - A. Assisting members of the media with newsworthy items involving the Office;
 - B. Responding to the news media 24 hours a day, seven days a week, on an on-call basis;
 - C. Preparing and distributing news releases for the Office;
 - D. Arranging official Office news conferences;

- E. Coordinating and authorizing the release of information concerning victims, witnesses, suspects, wanted persons and fugitives, missing persons, community notifications, and Office requests for information, as specified in this Office Policy;
 - F. Coordinating and authorizing the release of information to the Arizona System Broadcasts, America's Missing: Broadcast Emergency Response (AMBER) Alerts and Arizona Silver Alerts;
 - G. Assisting in the release of information to members of the media during any crisis situation involving the Office;
 - H. Coordinating and authorizing the release of information concerning confidential investigations and operations of the Office, with the approval of the Sheriff, or designee; and
 - I. Assisting and/or providing approval for detention and enforcement personnel to respond to media inquiries at crime scenes, Office jail facilities, or enforcement incidents, as needed.
4. **Releasable Information:** Information released to members of the media shall be on an as-needed basis.
- A. The information to be released will depend on the confidentiality dictated by each incident or investigation.
 - B. Most inquiries from members of the media can be satisfied with a summary of information as follows:
 - 1. Nature of the crime or event;
 - 2. Date and time of occurrence, if known, or date and time of response by Office personnel;
 - 3. Approximate location of the crime or event;
 - 4. Facts related to a death, serious injury, minor injury, or if no injury occurred;
 - 5. A general statement as to the value and nature of property loss;
 - 6. Name, age, and city of residence of any adult suspect arrested; and/or
 - 7. Victim's name if the following has occurred and/or has been confirmed:
 - a. The next of kin has been notified when the incident involves the death of a victim unless the victim is a juvenile;
 - b. The disclosure does not cause undue embarrassment to the victim or their family;
 - c. The information will not place the victim at further risk;
 - d. The information does not jeopardize the rights of the victim, as specified in Office Policy GJ-14, *Victims' Bill of Rights*, ARS Title 13, Chapter 40; and
 - e. The case agent, or designee, has authorized the release of the information.
5. **Restricted Information:** There are legal and ethical restrictions on information which can be released to members of the media. Information which could jeopardize an investigation or the ultimate prosecution of a case should not be released. Such information shall be released when there is no longer a need to restrict

dissemination. The following information shall not be released without authorization from the case agent, or designee, or the PIO:

- A. Witness information which includes, but is not limited to, the following:
 - 1. Names, addresses, or telephone numbers;
 - 2. The fact there are witnesses if such disclosure would create a significant danger to a witness or is detrimental to the investigation;
 - 3. Testimony or credibility of any witness; and/or
 - 4. Any other information that may place a witness at risk.
- B. Suspect information which includes, but is not limited to, the following:
 - 1. Address or telephone numbers;
 - 2. Prior criminal record information other than authorized in Office Policy GF-3, *Criminal History Record Information and Public Records*; and/or
 - 3. Results of any tests or examinations, or the refusal to submit to a test or examination, without authorization of the case agent or designee.
- C. Victim information, as specified in this Office Policy.
- D. The identity of a deceased person until the next-of-kin has been notified, except for juveniles, as specified in ARS 13-4434.
- E. Any information identifying juveniles, except under exigent circumstances, as approved by the PIO. Examples of exigent circumstances include, but are not limited to, missing persons, amber alerts, bulletins, and imminent threats to public safety.
- F. The content of any statement made by a witness or suspect, except for content that can be released in an Incident Report (IR), subject to the restrictions specified in Office Policy GF-3, *Criminal History Record Information and Public Records*.
- G. The existence of an on-going undercover investigation, until the case agent or designee so authorizes.
- H. Information on the cause of death, other than information taken from the medical examiner's written report.
 - 1. Office employees shall not attempt to interpret the medical examiner's findings.
 - 2. Any additional inquiries shall be referred to the Maricopa County Office of Medical Examiner (OME).
- I. The existence of any evidence unless the case agent or designee determines it would aid their investigation and authorizes the release.
- J. Information specific to an incident, such as manner of entry, type of weapon used, or location or number of wounds, without the authorization of the case agent or designee.

- K. Any criminal history or public records information that if released is a violation of law or Office Policy, as specified in Office Policy GF-3, *Criminal History Record Information and Public Records*.
 - L. Information about a law enforcement officer's internal affairs administrative investigative file until the investigation is complete, or the Office has discontinued the investigation, as specified in Office Policy GH-2, *Internal Investigations*.
 - M. The home addresses and phone numbers of Office personnel.
6. **Release of Information Regarding Internal Investigations and Disciplinary Actions:** Information about completed internal investigations and Office disciplinary actions may be released after the investigation is completed, discipline is imposed, and the appeal process has concluded, as specified in ARS 38-1109. Only the Sheriff or PIO shall make statements to members of the media regarding these matters.
7. **Employee Interaction with the Media:** In contacts with members of the media, Office employees shall not make any statements which are defamatory, obscene, unlawful, tend to disrupt or undermine the effectiveness of the Office, interfere with the maintenance of discipline, or are factually insupportable.
- A. In addition to other information specified in this Office Policy, Office employees shall not make any unauthorized statements to members of the media regarding the following information:
 - 1. Character or reputation of any person involved in a crime or incident;
 - 2. Guilt or innocence of a suspect; and/or
 - 3. Merits of an investigation or the quality of the evidence without the authorization of the case agent, PIO, or designee.
 - B. Office employees whose expressions to members of the media conflict with Office Policy, adversely affect relationships at the worksite, or disrupt or impede the Office in carrying out its mission may be subject to disciplinary action, up to and including dismissal, as specified in Office Policy CP-2, *Code of Conduct*.
 - C. Office employees shall not submit for publication or publish an article, manuscript, or any other material pertaining to the operations or activities of the Office without the prior written approval of the Sheriff or designee.
8. **Release of Photographs to the Media:** No Office employee shall furnish a photograph of a suspect to members of the media, except when the Office requests media assistance in locating a person currently wanted on criminal charges, or when such release would serve a law enforcement purpose.
- A. Authority for the release of such photographs is limited to the Sheriff, PIO, bureau chiefs, district commanders, and detective supervisors.
 - B. Any booking numbers or identifying data shall be removed from the photograph before release.
9. **Media Access:** Guidelines for the access of authorized members of the media, including photographers, to scenes of major fires, natural disasters, or other catastrophic events or crime scenes, is as follows:
- A. Members of the media should be limited to the outer perimeter of a crime or collision scene until it is determined by on-scene commanders that the scene can be observed more closely.

1. Office employees shall make a reasonable attempt to warn members of the media of the risks involved at the scene of a potentially hazardous event;
 2. If real and evident danger is present, employees shall exclude members of the media from the dangerous area;
 3. Members of the media shall be referred to a media staging area designated by the on-scene commander if one has been established; and
 4. In the absence of a command post, members of the media shall be referred to the PIO or the on-scene commander.
- B. Members of the media shall not be allowed to enter an unprocessed crime scene or any area where evidence could be destroyed or compromised by their presence.
- C. Office employees shall allow members of the media to record or photograph Office incidents so long as they do not interfere with the official duties of the Office or the investigation and do not place themselves or Office employees in danger. Official duties include the apprehension and transportation of suspects in any public place.
- D. Members of the media shall not be allowed to use cameras or any other type of digital media in Office jail facilities or be allowed into secured areas of an Office jail facility without the approval of a bureau chief or designee and notification of the PIO.
- E. Office employees shall not allow members of the media to interfere with an investigation or the official operation of the Office, but shall endeavor to accommodate and facilitate news gathering activities.
- F. Contacts between members of the media and Office employees shall be conducted in a courteous and professional manner.
- G. In the event an Office employee is confronted with questions from members of the media, the Office employee shall refer the matter to the on-scene commander or the PIO.
10. **Incidents Involving Multiple Other Agencies:** All media requests involving multiple agencies or other agencies shall be referred to, or through, the jurisdictional agency's PIO or their designee.
- A. The Office shall release authorized information pertaining to criminal investigations which are conducted by Office personnel.
- B. When the Office is investigating an incident involving other public service agencies, such as the fire department or utility companies, all requests for information not pertaining to criminal investigations shall be referred to, or through, the involved agency's PIO or designee.
- C. When the Office is not the primary investigating agency, information or comments concerning investigations conducted by other agencies shall not be released. Inquiries shall be referred to the investigating agency.
11. **Inmate Interviews with the Media:** It shall be the responsibility of the PIO to coordinate both media-initiated and inmate-initiated requests for inmate or media interviews. In response to a request for an interview, a telephone interview will be the only authorized communication method between the inmate and members of the media regarding an inmate's case or charges. An exception to this process may be

approved by the Sheriff or designee for Office jail educational programs benefitting both the Office and the inmate.

- A. The PIO, whenever possible, should notify the inmate's arresting agency prior to the interview or release of photographs.
- B. The PIO shall coordinate inmate interviews with the on-duty supervisor at the Office jail facility where the interview is to take place. The PIO will notify the Office jail commander by e-mail of the scheduled date and time for the interview.
- C. Interviews shall only occur between 0700 hours and 1700 hours in an Office jail facility unless otherwise approved by the Office jail commander or bureau chief and the PIO, for a period not to exceed 30 minutes.
- D. Members of the media may be required to submit to a search of their persons and equipment prior to entering an Office jail facility.
- E. Members of the media shall not deliver, give, or offer to give any gratuity to an inmate.
- F. Inmates shall not give or offer to give any consideration or gratuity to members of the media.
- G. An inmate wishing to contact a member of the media may do so by charge-a-call telephone, personal letter, relative, attorney, or submission of an *Inmate Request Form* which shall be forwarded to the Office jail commander and PIO. An inmate will be allowed access to the charge-a-call telephone in order to contact their legal counsel pertaining to a media interview request.
- H. Interviews with a juvenile requires written consent from a legal guardian or an attorney before a media interview may occur.
- I. Members of the media wishing to contact an inmate shall submit their request through the PIO. If a request is made by a member of the media to interview an inmate, the following shall occur:
 - 1. The inmate shall be asked if they desire to be interviewed.
 - 2. The PIO shall advise the member of the media as to the response of the inmate. If the inmate agrees to the interview, the inmate will be taken to a designated room at the Office jail facility that will accommodate a telephone call.
 - a. A detention officer shall remain with the inmate during the entire telephone interview in order to provide safety and security.
 - b. The PIO, or designee, shall be present while the interview is conducted over a speaker phone.
 - c. Telephone interviews, while in progress, may be terminated at the discretion of the PIO or designee who is monitoring the call if unauthorized access to the conference line occurs; safety and security are being discussed; safety of the Office jail facility is compromised; the integrity of an open investigation is compromised; or an emergency occurs.
 - 3. All media interviews with inmates shall be conducted by telephone only and will be limited to 30 minutes in duration. In-person media interviews with inmates are prohibited. Reasonable accommodations, as needed, will be made for inmates with disabilities, as

specified in Office Policy GD-18, *Commitment to the Americans with Disabilities Act*. Reasonable accommodations may include, but are not limited to, increasing the length of the interview.

4. A suspect or inmate who consents to an interview, must sign a *Prisoner Media Waiver Form*, provided by the Office. The form can be requested from the PIO. The form will advise the inmate they are responsible for notifying their legal counsel if they choose to consent to an interview. Inmates shall be allowed a legal phone call to make legal notification.
 - a. The *Prisoner Media Waiver Form* shall constitute a waiver of liability for the Office regarding the substance and consequences of the interview; and
 - b. The *Prisoner Media Waiver Form* shall be signed by an employee of the Office as a witness.
 5. Although not specifically related to media interview procedures specified in this Office Policy, requests to photograph and/or digitally record an inmate shall require Office approval by the designated jail facility commander or designee, as specified in Office Policy DJ-5, *Request to Photograph/Digitally Record and Inmate*.
12. **Justification for Denial of an Interview:** Requests for interviews by inmates and members of the media may be denied for reasons which include, but are not limited to, the following:
- A. The inmate refuses to grant the interview;
 - B. The inmate fails to sign the *Prisoner Media Waiver Form*;
 - C. A court order forbids such interviews;
 - D. The inmate is physically or mentally unable to participate; or
 - E. Safety and security concerns for the Office jail facility exists.
13. **Office Social Media:** Office assignments which use social media shall comply with applicable federal, state, county, and local laws, regulations, and policies. This includes adherence to copyright laws, records retention, open meeting laws, Arizona Public Records Law, privacy laws, Office Policies, design standards, and information security policies established by the Office.
- A. All Office social media accounts shall be approved by the PIO Director and the accounts shall be administered in accordance with this Office Policy.
 - B. The PIO Director shall maintain a control log of all official social media accounts, listing all authorized delegates and site credentials. Accounts shall represent the Office and shall adhere to all Office standards of conduct, as specified in Office Policies CP-2, *Code of Conduct*, CP-3, *Workplace Professionalism*; GF-3, *Criminal History Records Information and Public Records*, and CP-8, *Preventing Racial and Other Bias-Based Profiling*.
 - C. Authorized employees representing the Office on social media networks shall:
 1. Identify themselves as a member of the Office;

2. Not make statements about the guilt or innocence of any suspect or arrestee or comments concerning pending prosecutions. Employees shall not post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without written authorization; and
 3. Shall not conduct political activities or private business.
- D. Office social media pages shall clearly indicate they are maintained by the Office and shall have contact information prominently displayed.
1. The social media pages shall link to the Office’s official website, www.MCSO.org;
 2. Content shall adhere to applicable laws, regulations, and policies, including information technology and records management policies;
 3. Office social media content is subject to public records laws and release, as specified in Office Policy GD-9, *Litigation Initiation, Document Preservation, and Document Production Notices*;
 4. Content must be managed, stored, and retrieved to comply with open records laws and litigation discovery requirements; and
 5. Office employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
14. **Office Social Media Accounts:** Social media provides a valuable means of assisting the Office and its employees in meeting community outreach, problem-solving, investigations, crime prevention, and related objectives. Potential uses of Office social media accounts may be explored or expanded upon as deemed reasonable by administrative and command level personnel.
- A. Office social media accounts shall include an introductory statement clearly specifying the purpose of the Office’s presence on the website. Social media pages may only be utilized to communicate Office-related public or community information.
 - B. Office social media accounts shall state the opinions expressed by visitors to the pages and do not reflect the opinions of the Office.
 - C. Social media accounts shall indicate any content posted or submitted for posting is subject to public disclosure.
 - D. The following protocol statement shall be displayed in the ***About Page***: “The Maricopa County Sheriff’s Office presents this information as a service to the public. The Office has made every effort to ensure the information contained here is accurate. The Office makes no warranties or guarantees, nor may anyone assume any warranties or guarantees regarding the accuracy or reliability of its content or of other information to which there is a link. Assessing accuracy and reliability of information is the sole responsibility of the user. The Office shall not be liable for errors contained here or for any damages in connection with the use of the information contained here. The Office does not endorse the content found on non-Maricopa County Sheriff’s Office websites accessed via hyperlink. Further, the e-mail address and any other information found here shall not be used for unsolicited advertising, marketing or other commercial purposes.”

15. Use of Office Social Media Accounts:

- A. The Office's social media is a valuable investigative tool when seeking evidence or information such as:
 - 1. Missing, endangered, or wanted persons;
 - 2. Gang participation;
 - 3. Crimes perpetrated online such as cyberbullying, cyberstalking; and
 - 4. Photos or videos of a crime posted by a participant or observer.
- B. The Office's social media can be used for community outreach and engagement by:
 - 1. Providing crime prevention tips;
 - 2. Sharing crime maps and data;
 - 3. Soliciting tips about unsolved crimes;
 - 4. Announcing community events; and
 - 5. Providing information to persons seeking employment and volunteer positions.
- C. The Office's social media can be used to make time-sensitive notifications related to:
 - 1. Road closures;
 - 2. Weather emergencies; and
 - 3. Special events.

16. Use of Office Owned Equipment and Office Social Media Accounts:

- A. Social networking sites shall not be accessed on Office equipment while on-duty unless in the performance of official duties or accessing Office controlled social media sites, such as Facebook, Instagram, or X (formerly Twitter) for viewing purposes of Office announcements only, as specified in Office Policy CP-2, *Code of Conduct*. Employees are prohibited from accessing the TikTok social media application on any Office controlled devices. Employees are also prohibited from accessing the TikTok social media application on a personal controlled device connected to the Office or the Maricopa County courts Wi-Fi or direct network.
- B. Office employees shall not use Office social media for personal use.
- C. Office employees shall not place any Office technology at risk due to the use of social media.

17. Applications for Employment: The Office has an obligation to review internet-based content when conducting background investigations of job applicants.

- A. Search methods shall not involve techniques that are a violation of existing law.
- B. Screening techniques shall be applied uniformly to all applicants.

- C. Every effort must be made to validate internet-based information considered during the hiring process.
18. **Employee's Personal Use of Social Media:** Barring contrary federal, state, county, and local laws or regulations, Office employees shall abide by the following when using social media:
- A. Office employees are free to express themselves as private citizens on social media sites to the degree their speech does not impair working relationships of the Office for which loyalty and confidentiality are important, impede the performance of duties, compromise good discipline and harmony among coworkers, or negatively affect the public perception of the Office;
 - B. As public employees, Office employees are cautioned that speech, on or off-duty, made pursuant to their professional duties and responsibilities is not protected speech under the First Amendment when such speech is not of public concern or is of public concern, but such speech is detrimental to the operations of the Office and may form the basis for discipline;
 - C. Office employees may not disclose information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the Office without express authorization from the Sheriff or PIO;
 - D. Office employees should not display Office logos, uniforms, or similar identifying items on personal web pages; and
 - E. When using social media, Office employees are prohibited from the following:
 - 1. Speech containing, language, images, acts, statements, or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, religion, culture, gender, ethnic group, or any protected class of individuals; and
 - 2. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an employee's testimony in criminal proceedings. Office employees thus sanctioned are subject to discipline, up to and including dismissal from employment.
19. **Reporting Violations:** Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this Office Policy shall immediately notify their supervisor.
20. **Records Retention:** Every Office assignment containing content on an Office social media site is responsible for keeping a record of their content in compliance with Arizona State Library Archives and Public Records Law and applicable Maricopa County and Office record retention policies.