

**GENERAL ORDER**  
FAIRFAX COUNTY POLICE DEPARTMENT



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SUBJECT: PUBLIC INFORMATION	NUMBER: 401
CANCELS ORDER DATED: 1-1-97	DATE: 7-1-12

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I. PURPOSE

The purpose of this Order is to establish the Department's public information policies and to describe procedures and responsibilities for the release of information to the media.

II. POLICY

- A. Since the prevention of crime and most effective performance of all other aspects of the Department's mission necessitates a cooperative effort by the police and the citizens, and since the Department was created for and exists to serve and protect the public and is responsible to the public, the public has the right to be informed about police activities and operations.
  
- B. The news media and social media serve as important conduits of information to the public. A relationship of trust, cooperation and mutual respect between the police and the media is essential to realization of their common objective of serving and informing the public. It is the policy of this Department to make information on crimes and other incidents generally available to the media, unless such information is legally privileged, would violate the constitutional rights of an accused, or is otherwise specifically prohibited in this or any other departmental directive. All members of this Department will extend courtesy and cooperation to the media at all times, within the guidelines and limitations defined in this Order, with the understanding that successful accomplishment of the police mission takes precedence. The Department will disclose information as promptly as circumstances permit. At no time will information be released prematurely or withheld for the exclusive benefit of any individual reporter or segment of the media, except that specific queries of an exclusive nature will be respected.
  
- C. The provisions of this Order shall be applicable to all official information of the Department, including, but not limited to, statistical data, records, complaints, cases and statements of departmental position.

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III. DEFINITIONS

**Information Releasing Authority:** Those authorized by the Chief of Police to release official departmental information to the media and the public without prior approval. They include the Chief, Deputy Chiefs of Police, and the Director of Public Information, or their designees.

**Media:** All radio, television, print, and internet organizations or operations engaged in the business of gathering news and information and disseminating it to the public. Official credentials, which include a photo and issued by a news and information gathering organization or operation, is required as proof of employment or authorization to represent said organization.

**Public Information Officer (PIO):** Sworn officers and civilian public safety information officers assigned full time to the Department's Public Information Office, who work under the auspices of the Director of Public Information.

**Social Media:** An instrument of communication using Web and mobile technologies to create interactive dialogue between individuals, groups, and organizations.

IV. PROCEDURES AND RESPONSIBILITIES

A. Authority to release official Department information of any type shall be limited to the Chief of Police, Deputy Chief of Police, and the director of the Public Information Office (hereinafter referred to as information releasing authorities) or individuals specifically designated by them, except as expressly provided elsewhere in this Order. Except as noted, no employee shall release any official information to a representative of the media without specific prior authorization from one of the information releasing authorities.

The public information officer shall serve as the primary point of contact for media representatives and may, the media's request and the officer's concurrence, request officers or other employees with firsthand knowledge of a particular police activity to provide that information to the media. While employees are encouraged to comply with such requests, no employee will be expected to provide information to media representatives against his or her will, unless fulfilling one of the specific information releasing responsibilities defined in this Order.

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- B. The following release of information without prior approval of an information releasing authority is specifically authorized:
  - 1. Bureau and division commanders may release information regarding activities exclusively within their geographical or operational purview. However, any written information, poster or other material prepared for public exposure must be forwarded by the originator to the Public Information Office for review and approval, in accordance with County policy. This will ensure compliance with County messaging and communications guidelines, departmental policies, and established writing standards prior to the release to media or the public..
  - 2. In the absence of a public information officer at the scene of police activity, the senior police official or designee present should, if possible, provide a brief synopsis of the situation to any media representatives on the scene. If time permits, the presence of the public information officer should be requested.
- C. When an incident involves another county, state or federal agency, the Public Information Office will coordinate the release of any information with the agency or the Fairfax County Director of Public Affairs, as appropriate. In instances where this Department does not have primary jurisdiction and is assisting another agency, responsibility for release of information shall rest with the agency having primary jurisdiction. When this Department has primary jurisdiction, it shall retain responsibility for release of all police related information, except as may be specifically directed by the Chief of Police.
- D. All commanders are responsible for ensuring that the Public Information Office is advised of all interesting or newsworthy events occurring within their purview.
- E. The Public Information Office has the responsibility of arranging and assisting at news conferences, facilitating access to Department personnel for interviews while providing guidance to personnel and media regarding interview guidelines which conform to Department policy, and developing informational and public education programs for dissemination to the media and the general public.

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- F. Members of the Department will first notify the next of kin and obtain an identification of a deceased victim of a criminal act or fatal crash prior to releasing the name and address to the news media. Notification of the next of kin of a living and seriously injured victim of a criminal act or fatal crash will be made before releasing the name and address to the news media. However, if the next of kin has not been located after a reasonable length of time, as determined by an information releasing authority, this information may be released.
- G. Any requests for exceptions to releasing information specifically permitted herein will be brought to the immediate attention of an information releasing authority along with all pertinent circumstances. A decision will then be made on whether to grant such exception or "no publicity" request.

VI. DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS (DPSC) RESPONSIBILITIES

- A. It is the responsibility of the DPSC supervisor or the police liaison commander (PLC) to notify the public information officer when certain events occur. The notification shall be made in accordance with policies and procedures established in the DPSC Notification Manual or DPSC standard operating procedures.
- B. A DPSC supervisor or PLC receiving inquiries from the media shall provide the following information unless otherwise directed by a public information officer: "There is a reported (incident) at (location). It (has)/(has not) been confirmed and there are no details available at this time." Should additional information be requested, media contact information shall be obtained and supplied to the public information officer for follow-up contact.
- C. DPSC supervisors or individuals designated by them shall be responsible for providing timely information regarding traffic conditions to the media, upon request.

VI. MEDIA ACCESS

- A. All members of this Department shall extend every courtesy to accredited media representatives who are actively covering an incident at the scene.

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These courtesies shall include permission of closer access to the scene than that which may be granted to the general public. Media vehicles and equipment necessary for coverage of an incident may be located at points nearer the scene than permitted by normal traffic control, but such locations shall not be permitted to interfere with police operations or the general flow of traffic. Media representatives and vehicles should not be allowed in a hot or warm zone.

- B. Members of the Department will take no action either to discourage or encourage the media in photographing or televising anything within their view at a crime scene or the scene of any police operation. This shall include, but not be limited to, the photographing or televising of a suspect being taken into custody or being transported, or of a victim or of evidence. However, media camera persons will not be permitted any closer access than any other media representatives. Evidence may be covered or removed, witnesses removed, and other precautions taken to preserve the scene or protect the integrity of the investigation prior to admitting news media to the scene.
- C. No officer shall knowingly obstruct media representatives in the performance of their duties; however, media representatives are neither implicitly nor expressly exempt from any state or federal statute or County ordinance.
- D. The Department is not a public arbiter of good taste. Restrictions on media representatives should be based only on the responsibilities and principles contained herein, and not on any individual member's view of what constitutes an acceptable standard of journalism or news photography.
- E. Responsibility for the conduct of public information activities normally is assumed on the same basis as responsibility for public safety response to the incident. Thus, the Police Department is responsible for the control of media access and release of information at incidents which involve crime and criminal investigation. The Fire and Rescue Department is generally responsible for control of media access at fires or incidents in which rescue is the immediate concern. In certain such instances where Fire and Rescue may have primary responsibility initially, that responsibility may pass to the Police Department if it is conducting an investigation following the cessation of fire suppression or rescue efforts. When necessary to preserve evidence, either for investigation of the cause of a crash or when a crime may have

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been committed, the Police Department may impose access restrictions more stringent than those normally required by the Fire and Rescue Department. Such additional restrictions shall be no more stringent than the need to protect evidence requires.

- F. The police have no standing to invite the media into private premises without the consent of the owner or person in charge of the premises.
- G. Media representatives shall not be permitted to interview a person in police custody. Following incarceration, any such arrangements are the responsibility of the Sheriff's Office.
- H. If a police officer at the scene of a police event has reason to question the status or actions of any person who claims to be a media representative, instructions should be sought from a supervisor or the Police public information officer, if available, or, if appropriate, the Fire and Rescue Department public information officer or County Director of Public Affairs.
- I. Any employee having a complaint regarding the conduct of any media representative should forward such complaint to the Deputy Chief for Administration, who will receive and record the complaint and make such investigation as may be deemed appropriate. If the complaint is found to be valid, the Chief of Police will forward a letter to the media representative specifying the complaint made and substantiated and requesting that representative to avoid such conduct in future contact with the Department. A second substantiated complaint against the same representative will be brought to the attention of appropriate management personnel of the media organization.
- J. Duly authorized representatives of any media may enter any area closed because of a menace to the public health or safety after producing valid media credentials and being advised of the dangers present, provided such entry does not in any way hinder police or other public safety operations.

*Code of Virginia §15.2-1714 states in part:*

*Personnel from information services such as press, radio, and television, when gathering news, shall be exempt from the provisions of this section except that it shall be unlawful for such persons to obstruct the law*

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*enforcement and fire and rescue personnel in the performance of their duties at such scene. Such personnel shall proceed at their own risk.*

It is not the responsibility of Department members to provide for the safety of those media representatives who voluntarily choose to subject themselves to danger.

- K. The Department shall issue police media credentials only under special circumstances. In the event that media access to an incident or event surpasses the ability to safely accommodate demand and must be limited or restricted, the Public Information Office may issue police media credentials to select, accredited media personnel. Media credentials for these events will be issued upon determination, to the satisfaction of the Department, that each individual to be issued a pass is employed by recognized media corporations, and that each has a bona fide need to gain access. Freelance reporters or photographers may make applications as individuals, and must demonstrate evidence that they furnish stories or photographs to at least one bona fide media organization that is not already credentialed for access. The Public Information Office will maintain a record of any credentials issued. Credentials may be revoked by the Department for just cause, which will include, but not be limited to, repeated violations of the provisions of this General Order.

VI. LEGAL REFERENCE

*Code of Virginia §15.2-1714*

VII. ACCREDITATION STANDARDS REFERENCE

VLEPSC  
ADM.  
22.01  
22.02

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This General Order becomes effective July 1, 2012 and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:

A handwritten signature in cursive script, appearing to read 'M.M.M.', written over a horizontal line.

Chief of Police

A handwritten signature in cursive script, appearing to read 'Edward L. Lyall', written over a horizontal line.

County Executive