

**SAN BERNARDINO COUNTY
PROBATION DEPARTMENT PROCEDURE**

EXTERNAL AFFAIRS

Authority:

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Purpose:

To establish guidelines for the department's media and public relations activity.

Definitions:

Communications Director (CD): The Division Director who heads the External Affairs Division and specifically oversees external communications with the media, public, outside organizations and other government entities.

Department Website: The Probation Department's website, maintained by the External Affairs Division Media Specialists for the purpose of informing the public about department services, programs and events.

External Affairs: The division within the Probation Department that oversees many department operations external to the supervisory, investigative, or correctional functions of the agency. This includes, but is not limited to, public relations and media affairs, the release or publication of public or statistical information, recruiting, volunteer programs, and inter-governmental relations with other agencies.

External Affairs Guidelines (Attachment A): A document which provides specific details regarding the processes External Affairs must follow in the course of their duties.

Media Specialist: A job classification of non-sworn employees in the External Affairs Division tasked with oversight of the collection, preparation and dissemination of written, photographic, and audio/visual medium, primarily to the public but also for internal purposes.

Official Media Personnel: Credentialed writers, journalists, photographers, or reporters of any official print, broadcast, or online media agency.

Public Information Officers (PIOs): External Affairs staff, including both probation officers and media specialists, specifically designated by the Communication Director as responsible for the dissemination of department information to the public, media, or other agencies.

Ride Along: A preapproved and prescheduled time for an individual to accompany an officer during the course of their duties.

Social Media: Host file services (facebook, twitter, instagram, etc) that allow members to collectively communicate, view and share information, photos, video, audio, text, data, multimedia files, etc, through interlinked network accounts.

Responsibilities:

I. External Affairs

A. The External Affairs division is responsible for the oversight of public relations, media affairs and the processing of mandatory releases of public information upon formal request.

1. External Affairs, specifically the CD/PIO must, at a minimum:

- a. Respond to public or official media inquiries in a timely manner, with consideration of the nature of the request, time it was made, extent of information requested, and the legal and procedural requirements related to such a request.
- b. Be cooperative and as transparent as possible in releasing, or denying the release of information to the public or media. In all instances, legal requirements for the release of information, the best practices of probation work, public safety, officer safety, and operational security shall be considered.
- c. Deny the release of information where it would violate applicable laws, jeopardize probation operations or officer safety, violate confidentiality of case information, or otherwise be contrary to the best practices of probation work. Responses in regard to juvenile cases or incidents shall not contain information that identifies, or could be used to identify, a juvenile.
- d. Advise any official media personnel known to have obtained identifying information or photographs of a juvenile, that the subject of their material is a juvenile.

2. The Probation Department, through the PIO, Media Specialists, or designee, may publish photographs as needed for use in department publications, reports, or brochures; or for the purpose of posting on the department website or social media sites, other than where precluded by GC §3307.5 et. seq.

B. Media Specialists

1. Media Specialists are responsible for the maintenance and content editing of the department's website and social media sites. Media Specialists shall check all department social media sites one time per shift to ensure public comments meet editorial guidelines, and/or responses are given to public inquiries made via social media.
2. Department social media sites, where possible, shall contain a public advisement that the site is subject to moderation by the probation department. Furthermore, posts that contain lewd, profane or discriminatory language; threats of violence, encourage any illicit conduct; are commercial or outside the subject matter of the site content will be removed.
3. Media Specialists or designees shall be clearly identified at Department events.
4. Prior to utilizing a photo which depicts staff and/or their names in social media, the use will be approved by the individual employee via the Probation Department Employee Media Release of Information Waiver (Attachment B).

II. Ride-Alongs

A. Staff who receive a request for a Ride-Along shall advise the requestor of the participant requirements and shall provide those who meet the requirements with the name of the CD/PIO and phone number of the External Affairs Division.

B. Participant Requirements:

1. Must be at least 18 years old and be identified as Government, Business or Media personnel.
2. Submit to a background screening conducted by the Professional Standards Unit, unless waived by the Chief Probation Officer.

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- a. The background screening will consist of fingerprinting and a review of all available criminal history systems DMV, CNI, CE and JIMS, at a minimum.
 3. Complete and sign the Ride-Along application (to include the reason for the ride along), agreement and waiver.
 4. All participants must be approved by the Office of the Chief Probation Officer.
- III. Department Representation at Funerals
- A. Department representation at funerals shall be requested and coordinated through the CD/PIO.
 1. Department representation will be present at the funerals of employees, unless otherwise requested by surviving family members. Line of duty deaths will be addressed pursuant to the Line-of-Duty Death/Catastrophic Injury procedure.
 2. Law Enforcement Officers
 - a. External Affairs will stay abreast of funeral service details for neighboring law enforcement officers and will coordinate official department representation.
 3. Employee's Immediate Family Members
 - a. When possible, a representative from the Department (in Class A uniform) will attend the funeral of an employee's immediate family, under the following conditions:
 - i. Immediate family is defined as the mother/father, spouse/domestic partner, or child of the employee.
 - ii. Services must be in the Inland Empire, including San Bernardino and Riverside counties.
 - iii. Request must be made by employee or their immediate supervisor via the chain of command.
 - B. Requests that do not meet the criteria listed above will be considered on a case by case basis by the Chief Probation Officer or Assistant Chief Probation Officer.
- IV. Media and Public Inquiries
- A. All Staff
 1. All staff will provide basic professional information (agency of employment, name and rank) when inquired by the public and/or media while on duty.
 - a. The only exception would be situations where the release of the staff's name could grossly endanger them or their families, such as an officer involved shooting, credible threats, etc.
 2. Requests by official media persons or the public for information beyond basic professional information shall be directed to the department's CD/PIO. The person making the request for further information shall be provided the name of the CD/PIO and phone number of the External Affairs Division.
 - B. Probation Division Directors, Deputy Chief Probation Officers, or the Assistant Chief Probation Officer may discuss information concerning programmatic details of units under their command with official media personnel. However, such disclosure shall be coordinated with the CD beforehand, when possible; or, the details of the disclosure shall be communicated to the CD afterwards. Information containing department program or operations statistics, numerical or budget information shall be coordinated through the CD in every circumstance.
- V. Release of Information
- A. All requests for release of information shall be forwarded to the Communications Director.
 - B. Guidelines for the release of information can be found in the External Affairs Guidelines (Attachment A).

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VI. Social Media Presence, Website Use and General Photography

- A. The Probation Department, through the CD, PIO, Media Specialists, or Designees, will maintain department social media sites, including but not limited to Facebook, Twitter, Nixle, and Instagram. The department social media presence is intended to:
 - 1. Serve as a platform, in addition to press releases, by which to inform the public of newsworthy events that occur in the probation department.
 - 2. Serve as a platform by which to educate the public or increase public awareness about probation department programs or events, or other correctional, criminal justice, or social service issues.
 - 3. Serve as a communication medium by which to keep department staff aware of current events/programs and increase esprit d' corps and department pride.
- B. The department will make every effort to photograph significant, special recognition and historical events. Media Specialists will not be responsible for excluding specific staff during photo assignments.
 - 1. When a photographs intended use is specifically for social media and the staff can be identified, Media Specialists will obtain a written authorization from staff prior to posting the photograph.
- C. Photographs shall not be posted that would identify youths under the jurisdiction of the Juvenile Court or under probation supervision, unless a waiver for release of information has been signed.

Inspections:

Refer to the Policy and Procedure Inspection Matrix

Foundation:

California Government Code §6250- 6276.48; The California Public Records Act
California Government Code §3305.5; The Peace Officer's Bill of Rights
California Government Code §3307.5
Penal Code Sections 830.10 and 1203.5

References:

Media Relations Policy

Replaces:

Ride-Alongs

Issued by:


Michelle Scray Brown, Chief Probation Officer

2-27-15
Date

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Attachments:

- A - External Affairs Guidelines
- B - Probation Department Employee Release of Information Waiver

EXTERNAL AFFAIRS GUIDELINES

DEFINITIONS

California Public Records Act (CPRA): Government Code Section 6250 et. seq. mandating the release of certain information to the public upon a formal request.

Communications Director (CD): The Division Director who heads the External Affairs Division and specifically oversees external communications with the media, public, outside organizations and other government entities.

Department Website: The Probation Department's website, maintained by the External Affairs Division Media Specialists for the purpose of informing the public about department services, programs and events.

External Affairs: The division within the Probation Department that oversees many department operations external to the supervisory, investigative, or correctional functions of the agency. This includes, but is not limited to, public relations and media affairs, the release or publication of public or statistical information, recruiting, volunteer programs, and inter-governmental relations with other agencies.

External Affairs Guidelines (Attachment A): A document which provides specific details regarding the processes External Affairs must follow in the course of their duties.

Freedom of Information Act (FOIA): 5 U.S.C. § 552 is the federal equivalent of the CPRA, which pertains to requests of information from the United States Government only. Requests for information made under the FOIA shall be presumed to have been made under the CPRA.

Media Specialist: A job classification of non-sworn employees in the External Affairs Division tasked with oversight of the collection, preparation and dissemination of written, photographic, and audio/visual medium, primarily to the public but also for internal purposes.

Official Media Personnel: Credentialed writers, journalists, photographers, or reporters of any official print, broadcast, or online media agency.

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Ride Along: A preapproved and prescheduled time for an individual to accompany an officer during the course of their duties.

REQUESTS FOR INFORMATION

Routine

- A. Other than the release of information mandated by CPRA requests, the probation department, through its CD/PIO, may routinely release:
1. The fact that an adult offender is/was being supervised by the department, the nature of the conviction, dates of the beginning and expiration of supervision, terms and conditions of supervision, COMPAS scores and/or the level of supervision and offense specific supervision, if applicable (Gang Unit, Domestic Violence). The home address of an adult offender shall not be released; however, the city or unincorporated area of residence may be released.
 2. In the event an adult offender has been arrested or has an active warrant for their arrest, additional information may be released. The reasons for the arrest or warrant issuance, compliance failures, contact frequency and type and/or the objectives of the probation department in making the arrest may be disclosed. Additionally, the history or a chronology of the offender's supervision and conduct may be released. Photographs of the offender may also be released.
 3. A pre-sentence investigation (PSI) report, when requested in accordance with the provisions of PC 1203.05, may be released from the day of the sentencing hearing and for sixty (60) calendar days thereafter; or upon the arrest of the offender during the period of supervision and for sixty (60) calendar days following sentencing for any conviction resulting from that arrest. In the event the probation department releases a pre-sentence investigation report, the following information shall be redacted: the social security number of the offender; identities and contact information of parents and relatives, home and employment address information, and any information that would lead to the identification of any victim.
 4. Supplemental Reports and other reports excluding PSI's shall not be released to the public. However, the CD/PIO may verbally disclose information contained in the report when that information is otherwise releasable within the parameters of this procedure.

Formal

- A. Formal requests for the release of information (e.g., statistical data, programmatic, budgetary, procedural, etc) shall be directed to the CD/PIO. The CD/PIO shall adhere to the following guidelines in determining what information may be released.
- B. Requests for department written records made under the CPRA (GC §6250-6276.48), shall be processed as follows:
1. The CD/PIO, shall determine if the requested information is releasable pursuant to the CPRA.
 2. If it is determined the information must be released, the CD/PIO shall coordinate the delivery of the information within 10 business days, or may provide written notice to the requestor that an additional 14 business days are necessary to comply with the request.
 3. The CD/PIO, shall redact any information that is exempt from release and may impose statutory copy fees for the direct costs of duplication.
 4. The CD/PIO shall communicate with the Chief Probation Officer and/or County Counsel in regard to issues or questions about the release or exemption from release of any information.
 5. The CD/PIO shall ensure CPRA requirements are met.

Prohibited Releases

- A. The probation department and its CD/PIO, shall NOT release the following information, unless mandated by CPRA or a waiver has been obtained:
1. Names of probation officers assigned to specific cases.
 2. Any information related to offenders who are in compliance.
 3. Casework information relating to adult offenders, irrespective of the occurrence of any violation or new arrest. Casework information includes social aspects of the case including family dynamics, identities of family members, medical information, psychosocial or mental health history, prognosis information and case note opinions of probation officers. A history of erratic behavior may be disclosed, but the CD/PIO shall not disclose any behavioral health diagnosis related to such behavior.
 4. Any identifying information pertaining to juveniles or wards of the court.
 5. Any information pertaining to juvenile cases where the juvenile has since attained the age of majority.
- B. In the event a juvenile offender is found not fit for the juvenile court or has a matter directly filed to the adult court, specifics of prior juvenile probation supervision shall not be released. Information otherwise releasable to the public may be disclosed.

Releases with Waivers

- A. Any information, including casework information, may be disclosed on adult offenders upon receipt of a signed release by the offender. The CD/PIO may ask an adult offender to sign a release and/or cooperate in an interview with the media only after it has been explained to the offender that signing such a release is voluntary; and failure to do so shall not result in any sanction or recriminations from the probation department. The CD/PIO shall maintain all signed waivers of release.
- B. Youth who have attained the age of majority and are still under the jurisdiction of the juvenile court and the supervision of the probation department, may cooperate in an interview with the media upon signing a waiver for release of information. The CD/PIO who solicits such an interview and obtains the waiver of release shall inform the youth that:
1. Signing the release is voluntary, and failure to do so shall not result in any sanction or recriminations from the probation department, nor will it bring any rewards.
 2. Cooperation in an interview with the media is also voluntary, and may be terminated at any time.
 3. Any photographs, personal information, or history of delinquency that is disclosed by the youth will become public information and could remain publicly accessible in the future.
 4. The CD/PIO, or other probation staff may participate in the interview only to the extent of being interviewed themselves, and shall not participate in interviewing the youth. The probation staff present shall not disclose any case information to the media.

RIDE-ALONGS

- A. Participant Requirements:
1. Must be at least 18 years old and be identified as Government, Business or Media personnel.
 2. Submit to a background screening conducted by the Professional Standards Unit, unless waived by the Chief Probation Officer.
 - a. The background screening will consist of fingerprinting and a review of all available criminal history systems DMV, CNI, CE and JIMS, at a minimum.
 3. Complete and sign the Ride-Along application, agreement and waiver.
 4. All participants must be approved by the Office of the Chief Probation Officer.

B. Internal Process:

1. Once approved by the Office of the Chief Probation Officer, the request for Ride-Along shall be forwarded to Professional Standards for completion of the background screening. Upon receipt of the results, any criminal history shall be brought to the Office of the Chief Probation Officer for review.
2. Notify the prospective participant of the approval/denial of their request.
3. Coordinate the specifics of the ride along (date, time period, officer with whom they will ride) to include ensuring all necessary documents are signed and submitted prior to the ride-along. Required documents include the Ride-Along Agreement (Attachment B), Ride-Along Waiver (Attachment C), and the San Bernardino County Release and Hold Harmless Agreement (Attachment D).

C. The Ride-Along

1. Ensure officers designated to conduct the Ride-Along are advised of the following control/safety issues:
 - a. The Probation Officer shall maintain control over the ride-along at all times and instruct the participant of the conditions that limit their participation. This includes reminding the participant of the requirements of the ride-along and the information contained in the waiver.
 - b. If a situation becomes unsafe, the officer is responsible for removing/directing the participant to leave the scene.
 - c. Officers shall not allow any participants to be present in situations which may cause undue stress or embarrassment to an offender, victim or other citizen.
 - d. The Probation Officer shall ensure the participant is provided with department issued body armor. The participant is required to wear the body armor while participating in the Ride-Along.
 - e. The participant is prohibited from utilizing safety equipment (i.e., expandable baton, OC spray, etc) unless instructed to do so by the officer in an emergency situation.
 - f. An individual's participation may be terminated at any time for inappropriate behavior on the part of the participant or for operational requirements.
 - g. Participants shall be held to all items listed in the Ride-Along Agreement.
- D. Any deviation from this process must be approved by the Chief Probation Officer.



TRACY REECE
Chief Probation Officer

JULIE FRANCIS
Assistant Chief Probation Officer

Employee Release of Information Waiver

I, _____, _____, authorize the San Bernardino County Probation

PRINT NAME

EMPLOYEE #

Department to utilize, reproduce, and/or publish photographs, videos, and/or audio that may pertain to me, including my image, likeness and/or voice without compensation. I understand this material may be used in various publications, public affairs releases, recruitment materials, broadcast public service advertising (PSAs), training and educational purposes, brochures, or for other related endeavors. This material may also appear on the San Bernardino County Probation Department's Facebook, Twitter or web page.

Employee Signature

Date