**FELN Policing Project Narrative Summaries**

Western Region

**Mesa, Az**

* Recording of Law Enforcement Activity
  + Mesa PD has orders to allow reporters to record, as long as they are not trespassing on private property or interfering with investigations. “Do not restrict photographers from taking pictures at the scene of an incident.” Mesa Police Department Policy Manual, 3.3.60, Section 7(a). However, Governor Doug Ducey signed H.B. 2319 into law which prohibits consciously filming police officers within a distance of 8 feet. “If the person making the video recording does not have the permission of a law enforcement officer.” Additionally, this bill specifies that it does “not establish a right or authorize any person to make a video recording of law enforcement.”
* Media Relations
  + Mesa PD expects officers to uphold positive relationships with the media. “Members shall conduct contacts with the news media in a courteous, professional manner.” Mesa Police Department Policy Manual, 3.3.60, Section 3(a). The policies also specify when an officer should contact a Media Relations Officer, and provides for the creation of a media staging area at crime scenes.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + There is no official policy regarding curfew exemptions for the media in the reviewed policies. But credentialed members of the media have been exempted from some state imposed curfews. On May 31st 2020, Governor Doug Ducey issued a curfew order under the Rioting-Imposition of Curfew that specifically exempted “credentialed members of the media.”
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies*
* Right to Carry Media Equipment
  + Officers do not have the right to tell journalists to turn off their media equipment. “Do not tell media personnel/photographers to turn their cameras off.” Mesa Police Department Policy Manual, 3.3.60, Section 7 (a)(3).

**Phoenix, Az**

* Recording of Law Enforcement Activity
  + Phoenix Police Department’s Operations Order 5.2 specifies that media should be allowed to record when on public property that is not closed, or private property with consent of the owner. However, Governor Doug Ducey signed H.B. 2319 into law which prohibits consciously filming police officers within a distance of 8 feet. “If the person making the video recording does not have the permission of a law enforcement officer.” Additionally, this bill specifies that it does “not establish a right or authorize any person to make a video recording of law enforcement.”
* Media Relations
  + Phoenix polices provide guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities. Phoenix Police Department’s Operations Order 5.2 provides guidelines for contact between employees and the media, and for the release information. This policy also creates a media relations unit. This policy also provides information and procedures for how officers should handle requests for information in specific cases, including cases involving photography and death investigations. The Department does not issue media credentials.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + A.R.S. 13-3804 does not explicitly exempt journalists from dispersal order violations. But the Phoenix Police department has revoked specific guidelines saying journalists would not be exempt from dispersal order violations. In May, 2020 Phoenix Police issued guidelines that said working journalists would be subject to arrest for failure to leave a scene after a dispersal order. The police chief later apologized for the statement, but state law A.R.S 13-3804 still does not provide journalists with an exemption by saying “any number of persons.” are subject to dispersal orders. (“Police chief apologizes, says working journalists at public gathering won’t be subject to arrest”, AZ Central, May 29, 2020.)
* Curfew Exemptions
  + There is no official policy regarding curfew exemptions for the media in Phoenix’s official Operations Orders. Credentialed members of the media have been exempted from some state imposed curfews. On May 31st 2020, Governor Doug Ducey issued a curfew order under the Rioting-Imposition of Curfew that specifically exempted “credentialed members of the media.”
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies*
* Right to Carry Media Equipment
  + Issue not addressed in reviewed policies; but Operations Order 5.2 states that the police department does not issue credentials (see media relations).

**Tuscon, Az**

* Recording of Law Enforcement Activity
  + Tuscon police policies identify a broad right to record police activity when complying with the law. Section 2218 of the Tucson Police Department’s General Orders states that anyone has the First Amendment right to record the police in the discharge of their duties as long as that person has the right to be present in that area “including an individual’s home or business, or other private property where the person has a right to be present.” Press credentials are not required. An individual must not disrupt the officer’s duties or hinder a lawful arrest to enjoy this right. An officer cannot request for an individual to stop recording even if they must move them. However, Governor Doug Ducey signed H.B. 2319 into law which prohibits consciously filming police officers within a distance of 8 feet. “If the person making the video recording does not have the permission of a law enforcement officer.” Additionally, this bill specifies that it does “not establish a right or authorize any person to make a video recording of law enforcement.”
* Media Relations
  + Section 3060 of the Tucson Police Department’s general orders addresses “Media and Public Information Policies,'' providing for the creation of an office of media relations and public information officers. This policy also addresses crime scene access. Additionally, the police department issues credentials for members of the media and has a framework for the release of information and exceptions to that policy.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + Tucson policy states that officers must provide a viewing area if a dispersal order is given. Tucson Police Department’s General Orders Section 2534.9 “Reporting by Community Members” provides that “[m]embers of the public have a constitutional right, provided they are not interfering with police operations, to report on newsworthy events. To the extent reasonably possible, the department will accommodate reporting on events by providing a “viewing area” (outside the area of the dispersal order).” Additionally, the policy states that law enforcement must find an exit route for all those dispersing, including those engaging in reporting activity.
* Curfew Exemptions
  + There is no official policy regarding curfew exemptions for the media in Phoenix’s official Operations Orders. Credentialed members of the media have been exempted from some state imposed curfews. On May 31st 2020, Governor Doug Ducey issued a curfew order under the Rioting-Imposition of Curfew that specifically exempted “credentialed members of the media.”
* Equipment Search/Seizure Protections
  + Tucson Police Department’s General Orders Section 2218 specifies that “[a]ny warrantless seizure of a recording device or media shall be temporary where needed to preserve evidence until a warrant can be obtained for any continued seizure or subsequent search.” This ensures that a warrant must be obtained for the prolonged seizure of media equipment.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Fresno, CA**

* There are no written policies for this jurisdiction that fall under any of the Policing Project’s seven categories.
* UCI contacted Fresno Police Department on September 25, 2020 via email and received no response. UCI then called Fresno PD's internal affairs office and no one answered. UCI then called the chief's office but no one answered. UCI never received an email or phone call from Fresno and their website does not contain a policy.

**Long Beach, CA**

* There are no written policies for this jurisdiction that fall under any of the Policing Project’s seven categories.
* UCI contacted LBPD on September 25, 2020 via email and agency responded by email to say: “Any member of the public or the media has the legal right to take photos or video of a police officer or any police employee who is performing their duties in a public place, so we would not have a department policy on that.”

**Los Angeles, CA**

* Recording of Law Enforcement Activity
  + The Los Angeles Police Department says the following is not an official policy, but just “guidance.” The LAPD’s tip states that “[e]veryone has the right to film and photograph police officers in public. Whether you are using your camera to record a police interaction or you are a police officer trying to do your job safely and effectively, you should be polite, respectful, and calm.”
* Media Relations
  + A memorandum from the LAPD to all department personnel states that “[m]edia representatives have a legitimate interest in providing the public with information on” protests and demonstrations occurring in Los Angeles. “[T]he Department WILL recognize individuals who self-identify as media representatives and will NOT require specific media credentials.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + The memorandum further states that “[w]hen an unlawful assembly has been declared and a dispersal order has been given the Incident Commander (IC) and PIO representative will establish a safe working area for members of the media. Officers are reminded that media representatives may be allowed behind skirmish lines but may not move back and forth through police lines or otherwise interfere with police actions.”
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Los Angeles County, CA**

* Recording of Law Enforcement Activity
  + According to the Los Angeles County Sheriff’s Department Manual of Policy and Procedures, “[m]embers of the public, including the press, have a First Amendment right to observe, take photographs, and record video or audio in any public place where they are lawfully present. Photography and recording of video or audio are common activities and are neither crimes nor indications of criminal activity in and of themselves. Neither photography nor the recording of video or audio, standing alone, can from the basis for a detention, arrest, or warrantless search.” (3-01/080.16 – Photography, Audio, and Videotaping by the Public and the Press.
* Media Relations
  + The Manual of Policy and Procedures states that [e]mployees shall facilitate the work of accredited members of the press by providing them with accurate information in accordance with Department regulations.” The policy further states that in press releases, the use of terms that unfairly reflects upon a particular race or culture are to be avoided. Additionally, prior to a press conference, a summary including the “pertinent logistics and general scope and synopsis of the press conference shall be forwarded to the Senior media Advisor without delay.” (3-01/080.15 – Press Relations.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The Manual of Policy and Procedures states that “[e]xcept under limited circumstances, Department personnel are prohibited from searching or seizing photographs, video or audio recordings, cameras, recording equipment, or telephones without a warrant.” In the event that “the film, tape, or storage source is believed to contain evidence relevant to a deputy-involved shooting, in-custody death, or use of force incident, deputies shall immediately notify a field supervisor who shall seek voluntary consent to view or obtain the film, tape, or storage source from the individual having possession.” If the field supervisor is not given voluntary consent, the Manual lists out specific exceptions that would allow seizure. For example, if the recording or photo is believed to contain evidence of a homicide and exigent circumstances exist that suggest the evidence will be lost if a seizure does not occur. (5-04/020.30 – Seizure of Photographic, Video, or Audio Evidence From a Private Citizen or Member of the Press.
* Right to Carry Media Equipment
  + Issue not specifically addressed, but rather implied. See narrative under “1. Recording of Law Enforcement Activity.”

**Oakland, CA**

* Recording of Law Enforcement Activity
  + Section XII.A of the Oakland Police Department Crowd Control and Crowd Management Policy states that “[t]he media have a right to cover demonstrations, including the right to record the event on video, film, or in photographs.”
* Media Relations
  + Oakland Police Department maintains a Media Relations Office with dedicated Media Relations Officers.  Section XII.B of the Oakland Police Department Crowd Control and Crowd Management Policy provides that the media “shall be permitted to observe and shall be permitted close enough access to the arrestees to record their names.”  Those media personnel “who are required to come in contact with OPD officers in the course of their work” can apply for an Oakland Police Department press identification card.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + Section XII.C of the Oakland Police Department Crowd Control and Crowd Management Policy provides that “[e]ven after a dispersal order has been given, clearly identified media shall be permitted to carry out their professional duties in any area where arrests are being made unless their presence would unduly interfere with the enforcement action.”  Additionally, Section XII.G specifies that the media “shall never be targeted for dispersal or enforcement action because of their status.”
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Sacramento, CA**

* Recording of Law Enforcement Activity
  + The Sacramento Police Department has recognized that the “media has a right to cover demonstrations, including the right to record an event on video, film or in photographs.” SPD General Order 360.01.(K)(1).
* Media Relations
  + Sacramento has enacted a media relations policy that instructs that “[t]he Sacramento Police Department shall work with the news media and its representatives to make timely information available as well as facilitate access when possible to matters of public concern. SPD General Order 360.01. This order designates media officers, identifies specific categories of information that can be released or withheld, and provides for media access to crime scenes.
* Arrest Avoidance Procedures
  + The SPD First Amendment Assembly Manual provides that officers must attempt to deescalate before using force at an assembly, and if force is used, it should be specifically targeted at individuals engaging in violent conduct.
* Dispersal Order Exemptions
  + While members of the media are subject to dispersal orders, the SPD provides that “[a]fter a dispersal order has been given, a reasonable effort should be made to provide an observation area for the media that is sufficiently near the incident to allow observation which will not interfere with emergency or criminal investigation operations. Media representatives in this assigned area would not be subject to arrest or detainment.” SPD General Order 360.01.(K)(3).
* Curfew Exemptions
  + California Penal Code § 409.5(d) permits law enforcement to cordon off areas of “calamity” and to punish those who violate the cordon, but exempts “duly authorized representative[s] of any news service, newspaper, or radio or television station or network.” Members of the media have also been explicitly exempted from specific curfews. RESOLUTION 20-65 (6).
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**San Diego, CA**

* There are no written policies for this jurisdiction that fall under any of the Policing Project’s seven categories.
* UCI contacted San Diego County Sheriff’s Department on September 26, 2020. UCI asked to be directed to the part of their policy manual that addresses SDSD’s policy on the public and media filming officers. The Department responded to our email with the following: “Reading what you wrote, as long as they aren’t creating a problem or encroaching on a crime scene.”

**San Francisco, CA**

* Recording of Law Enforcement Activity
  + San Francisco Police Department General Order number 5.07 provides that “[b]ystanders have the right to record police officer enforcement activities by camera, video recorder, or other means.” (DGO 5.07).
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + The General Order lays out alternative procedures for arresting a member of the public or media onlooker who has violated Penal Code section 148 or another related offense. Police officers “may order onlookers to ‘move on’; however, the person shall not be ordered to move any farther distance than is necessary to end a violation.” (DGO 5.07).
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The General Order states that “[a]n officer shall not seize, compel or otherwise coerce production of these bystander recordings by any means without first obtaining a warrant. Without a warrant, an officer may only request, in a non-coercive manner, that a bystander voluntarily provide the film or other recording. These requests should be made only if the officer has probable cause to believe that a recording has captured evidence of a crime and that the evidence will be important to prosecution of that crime. If a bystander refuses to voluntarily provide the recording, an officer may request the person's identity.” (DGO 5.07).
* Right to Carry Media Equipment
  + *Issue not directly addressed in reviewed policies but implied in other sections. (See “Recording of Law Enforcement activities”).*

**San Jose, CA**

* Recording of Law Enforcement Activity
  + The San Jose Police Department Duty Manual explains that “[o]nlookers shall be permitted to observe and overhear conversations in detention or arrest situations in public areas when it is reasonable to do so . . . . Onlookers have the right to record the incident.” SJPD Duty Manual Section L 2308.
* Media Relations
  + The Duty Manual addresses treatment of the news media. “Officers assigned to the scene of a demonstration will cooperate with the media, whether writer, photographer, radio or television personnel. News media representatives have a constitutional right to cover demonstrations: however, they must not violate the law.” SJPD Duty Manual 2306, Treatment of News Media.
* Arrest Avoidance Procedures
  + The Duty Manual briefly explains that arrests need to be “thoroughly justified and only necessary force must be used in making them.” SJPD Duty Manual L2313 Supplementary Information.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The Duty Manual states that individuals who have taken pictures of or recorded an incident cannot have their camera or recording device seized “except under the authority of a search warrant. If the immediate circumstances lead the officer to believe that the recording contains crucial evidence, the officer may ask the citizen to voluntarily surrender the recording material.” However, if the citizen says no, yet there is a possibility of criminal or civil liability for the City or its employee relating to the incident, “the officer should ask for the name, address and telephone number of the onlooker who records the incident.” SJPD Duty Manual L2308, Onlookers at the Scene of a Demonstration, Civil Disturbance or Other Incident.
* Right to Carry Media Equipment
  + *Issue not directly addressed in reviewed policies but implied in other sections. (See “Recording of Law Enforcement activities”).*

**Aurora, CO**

* There are no written policies for this jurisdiction that fall under any of the Policing Project’s seven categories.
* UCI contacted Aurora PD on October 6, 2020 via phone call and agency responded that there is no policy on filming police officers. It is completely legal as long as people are not interfering with or hindering officer duties and the filming is taking place from a safe distance.

**Denver, CO**

* Recording of Law Enforcement Activity
  + Denver Police Department’s operations manual provides that “[m]embers of the public, including but not limited to media representatives and bystanders, have a First Amendment right to observe and record officers in public places, as long as their actions do not interfere with the officer’s duties or the safety of officers or others. Officers should assume they are being recorded at all times when on-duty in a public space.” DPD Operations Manual 107.04 Search and Seizure of Electronic Recording Devices, (3) Rights of the Public to Observe and Record Police Activities.
* Media Relations
  + See “Recording of Law Enforcement Activity.”
* Arrest Avoidance Procedures
  + The operating manual states that “[w]hen reasonably possible, officers will notify a supervisor of any incident in which an individual recording police activity is going to be, or will most likely be, arrested. Supervisory response and approval is preferable prior to a physical arrest (when reasonably possible) and required before transport and processing.” DPD Operations Manual 107.04 Search and Seizure of Electronic Recording Devices, (4a) Arrests – Officer and Supervisor Responsibilities.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The operating manual states that “absent the arrest of the recording party, recording equipment and media may not be confiscated without a warrant or exigent circumstances. Additionally, officers may not order an individual (whether or not in custody) to show recordings of a potential crime, enforcement actions, or other police operations. When consent is not granted or available, a warrant must be obtained or there must be a clear exigency in order to examine and/or copy a recording. The chain of custody and exigency must be clearly documented on a GO report.” DPD Operations Manual 107.04 Search and Seizure of Electronic Recording Devices, (5a) Search and Seizure of Recording Devices and Media – Officer and Supervisor Responsibilities.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Honolulu, HI**

* Recording of Law Enforcement Activity
  + Media can record police officers in public areas/property. Hawaii's privacy law specifically permits the filming and audio recording of police officers in the performance of their duties “under circumstances in which the officer has no reasonable expectation of privacy.” Haw. Rev. Stat. § 711-1111(1)(d). The Supreme Court of Hawaii has affirmed this right. *State v. Russo*, 407 P.3d 137 (Haw. 2017).
* Media Relations
  + Honolulu Police Department’s policy number 5.06 details media relations procedures including the release of information, news conferences, media access to crime scenes, and states that many aspects of media relations must be reviewed by the Chief of Police. Members of the media will be asked to produce their credentials to cross police crime scene lines.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Boise, ID**

* Recording of Law Enforcement Activity
  + Though Boise policies do not specifically address recording of police activity, they do state that police will not prevent members of the media from doing their jobs. “The BPD actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest. The Department will impartially cooperate with authorized news media representatives in their efforts to gather factual public information pertaining to activities of the Department, as long as these activities do not unduly interfere with Departmental operations, infringe upon individual rights or violate the law.” Boise Police Department Policy Manual 34.001.
* Media Relations
  + Boise has enacted policies intended to foster productive relations between the press and the police. “Cooperation with the Media: An employee will extend every reasonable courtesy to news media representatives at crime scenes, providing there is no interference with police operations or the movement of traffic. Media representatives may be denied access to certain areas if such access would endanger their own lives or the lives of others.” Boise Police Department Policy Manual P-34.001.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Las Vegas, Nevada**

* Recording of Law Enforcement Activity
  + Section 5/107.24 of the Las Vegas Metropolitan Police Department (LVMPD) Manual provides that “[t]he news media may photograph and report anything they observe when legally present at an emergency scene.  Where publication of such coverage would interfere with an official investigation or place victims, suspects, or others in jeopardy, the withholding of publication is dependent upon a cooperative media, not on department censorship.”
* Media Relations
  + Sections 5/107.23 and 5/107.24 of the LVMPD Manual address media relations.  Section 5/107.24 states that “[t]his department is committed to informing the community and news media of events within the public domain handled by or involving this department.”  The Manual continues that, by sharing information with the media, perhaps “the department can foster a relationship of mutual trust and cooperation.”  The Manual then includes specific guidelines for information that the Office of Public Information will and will not release to the media. Section 5/107.24 provides that media personnel may be permitted access to disaster areas, crime scenes, and tactical operations, “as long as they do not interfere with enforcement or public safety functions.” Although the Las Vegas Police Department issues media credentials, they are not mandatory, but rather “will serve to readily identify individuals should a situation occur where admittance to a staging area for the media/press must be controlled or limited.” (LVMPD Manual Section 5/107.23).
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Portland, OR**

* Recording of Law Enforcement Activity
  + “All persons have rights under state and federal law to observe and record police officers performing official duties, so long as that person’s actions do not interfere with the member’s duties or the safety of members or others, are consistent with reasonable restrictions, do not amount to criminal trespass, or otherwise violate the law.” 0635.20 Community Member Observation of Police. The Portland Police Department also has policies specific to the media stating: “Members will not prevent members of the news media from broadcasting, taking pictures, or taking video if they have the lawful right to be at the location. Members may ask the news media not to broadcast live during an active tactical incident.” 0631.35 Press/Media Relations.
* Media Relations
  + “The Portland Police Bureau believes in fostering positive press/media relations. As such, public information will be provided to the press/media in an accurate, timely, and detailed manner consistent with the law and public safety considerations.” 0631.35 Press/Media Relations. “At the scene of a major incident, press/media access may be restricted on scene or in airspace above until the member in charge or their designee(s) gives permission.”
* Arrest Avoidance Procedures
  + The Portland Police Bureau policy states: “Media or legal observers will not be arrested solely for their role in observing, capturing, and/or reporting on demonstrations or events. Members will not interfere with media or legal observers performing their respective functions, so long as they are performed in a safe manner and in compliance with police orders. However, such persons must comply with all police orders and may be subject to arrest for failure to do so.” 0635.10 Crowd Management/ Crowd Control. Furthermore, per the Preliminary Injunction in Index Newspapers v. City of Portland, officers are “enjoined from arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer [...] unless the [officers] have probable cause to believe that such individual has committed a crime.” Case No. 3:20-cv-01035-SI, Dkt. No. 157 (Aug. 20, 2020). For this purpose, it is helpful if journalists identify themselves through some or all of the following: “visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press.” Id.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Officers “may not order or coerce a person to show them recordings that have been made of law enforcement activities. But members may ask persons for consent to seize and view recordings.” If consent is not given, the officer should obtain a warrant or conduct a warrantless search only if exigency requires. 0635.20 Community Member Observation of Police. Furthermore, per the Preliminary Injunction in *Index Newspapers v. City of Portland*, officers are generally “enjoined from seizing any photographic equipment, audio- or video-recording equipment, or press passes from any person whom they know or reasonably should know is a Journalist or Legal Observer [...], or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person consistent with this Order. [Officers] must return any seized equipment or press passes immediately upon release of a person from custody.” Case No.  3:20-cv-01035-SI, Dkt. No. 157 (Aug. 20, 2020).
* Right to Carry Media Equipment
  + The preliminary injunction in *Index Newspapers v. City of Portland* mentions that “carrying professional gear such as professional photographic equipment” is a way to identify oneself as a journalist in order to be protected by the orders’ arrest avoidance and equipment search and seizure protections (described above). Case No.  3:20-cv-01035-SI, Dkt. No. 157 (Aug. 20, 2020).

**Salt Lake City, Utah**

* Recording of Law Enforcement Activity
  + Salt Lake City allows media access to scenes as long as they have proof of ID and do not hinder officers doing their jobs. “Authorized media representatives shall be provided escorted access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities as required by law.” SLCPD Policy Manual 324.6.
* Media Relations
  + Salt Lake City has enacted policies to foster positive relations with the press while simultaneously protecting rights to privacy. “It is the policy of the Salt Lake City Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.” SLCPD Policy Manual 324.2.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Seattle, WA**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + Seattle has enacted policies to promote effective relations between police and media representatives, including by committing to help media cover news stories at crime scenes. “Department employees will cooperate with representatives of the media in a courteous and professional manner, providing only accurate, objective, and factual responses.” SPD Manual 1.110-POL-1 (10).
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

Central Region

**Chicago, IL**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + General Order G09-02 addresses media access to crime scenes, dissemination of specific categories of information to the media, and other issues concerning media relations.  Under the policy, credentialed news media have “access to a crime scenes (sic) outer perimeter secured with yellow barrier tape.”  Media without credentials are permitted “access to a crime scenes staging area” (sic).  The media credential process is governed by General Order G09-02-01.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Wichita, KS**

* Recording of Law Enforcement Activity
  + Wichita Police Department (WPD) Policy 706, Section F provides that “[p]ictures may be taken in, or from, any area to which media members have been granted access.”  It appears that this Policy also extends to video recordings, as the Policy later states that the Deputy Chief has discretion to grant “[r]equests to photograph or record . . . in non-public areas.”
* Media Relations
  + WPD Policy 706 addresses media relations, stating that “[i]t is the policy of the Wichita Police Department to communicate impartially with members of the news media.”  The Policy goes on to list categories of information that will and will not generally be provided to the media.  The Policy provides that for “routine incidents,” “media will be granted the same access as members of the general public.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Baton Rouge, LA**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + Baton Rouge has enacted a media relations policy that instructs that department “personnel shall extend every reasonable courtesy to news media representatives at crime scenes,” with certain limitations. BRPD General Order 139. The policy also designates media officers and identifies what information can be distributed to members of the media.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**New Orleans, LA**

* Recording of Law Enforcement Activity
  + The New Orleans Police Department expressly recognizes a right to record police in public. The policy states: “Members of the public, including media representatives, have an unambiguous First Amendment right to observe, record, and / or verbally comment on or complain about the performance of police duties occurring in public. The right is not limited to public streets and sidewalks; it includes areas where individuals have a legal right to be present, including an individual's home or business, or other private property where the person has a right to be or is legally present. … No individual is required to have or to display "press credentials" in order to exercise the right to observe, record, and / or verbally comment on or complain about the performance of police duties taking place in an area accessible to, or within view of, the general public.” Operations Manual, Chapter 1.2.10. Officers are also prohibited from discouraging recording, obstructing camera equipment, deleting recordings, or detaining/arresting someone for recording police activity peacefully. Id.
* Media Relations
  + The New Orleans Police Department publishes guidelines with respect to media releases and media access to scenes of disasters, crime investigations, emergencies, and other law enforcement activities. Media should have access to police scenes so long as they provide official media identification, they do not jeopardize police operations, they are authorized by a supervisor at the scene, and the Public Information Officer has been consulted. Operations Manual, Chapter 54.1.
* Arrest Avoidance Procedures
  + The New Orleans Police Department manual states: “Arrest of a person who is observing, recording, and / or verbally commenting on or complaining about the performance of police duties occurring in public shall be related to an objective, articulable violation of the law unrelated to the act of observing, recording, and / or verbally commenting on or complaining about the performance of police duties occurring in public. The action does not, in itself, provide grounds for detention or arrest…A supervisor shall be summoned to the scene of any incident in which an individual observing, recording, and / or verbally commenting on or complaining about the performance of police duties occurring in public is going to be, or will most likely be, arrested or when recording equipment is or may be seized without a warrant or lawful consent.” Operations Manual, Chapter 1.2.10. In the case of demonstrations, protests, and marches, the police department policy states “Media, legal observers, and medics shall not be considered participants in civil disturbances and shall be allowed to perform their duties safely.” Operations Manual, Chapter 46.02.01.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The New Orleans Police Department cautions that “[t]he seizure and/or destruction of recordings without a warrant or due process may also violate the individual's Fourth and Fourteenth Amendment rights.” Operations Manual, Chapter 1.2.10. The department recognizes that in some instances police have the right to seize recording equipment - namely when there is reason to believe that the individual has captured evidence of a serious crime. In that case, the officer should request consent to view the recording and if consent is not given, get a warrant to seize the recording device. A warrantless seizure should take place only in narrow circumstances and the department recognizes that it will be “strictly scrutinized by a court.” The police department manual also states that a supervisor should be summoned if an officer wants to perform a warrantless search. Id.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Minneapolis, MN**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + Section 6-200 of the Minneapolis Police Department Policy and Procedure Manual addresses media relations.  Section 6-201 states that the Department intends “to establish a cooperative relationship with the news media in supplying information on matters of public interest,” withholding only that information “that violates the constitutional rights of the victim or the accused, interferes with an on-going investigation, or is legally privileged.”  Sections 6-203 through 6-205 address release of information to the media.  Section 6-206 governs site access for news media, instructing Minneapolis Police Department employees not to “unnecessarily obstruct” news media at the scene if the media stays behind the police lines and does not “jeopardize police operations.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Kansas City, MO**

* Recording of Law Enforcement Activity
  + Kansas City Police Department Procedural Instruction No. 17-16 provides that the media can take photographs and video recordings “in areas where media personnel or the public have been given access.”  However, the media must obtain prior approval to videotape, photograph, or record law enforcement activity “in restricted areas.”  Section 70-73 of the Kansas City Code of General Ordinances makes it illegal to fail to comply with traffic direction given by law enforcement and others with traffic direction authority.  However, this ordinance specifies that “[t]he term ‘traffic direction’ shall not include any order or direction that prevents or impedes the witnessing or documenting (by video or otherwise) of the actions of such officer . . . unless such act of witnessing or documenting substantially physically impedes the officer . . . from official duties.”
* Media Relations
  + Kansas City Police Department Procedural Instruction No. 17-16 addresses media relations.  Section II.B. of the policy governs media access to police perimeters, indicating that “[a] designated staging area will be established along the perimeter of the secure crime scene.”  The media is also allowed “access to all general areas open to the public” and can “be escorted…by a department member to restricted areas that are not open to the general public.”  Section II.D provides guidelines for release of specific categories of information to the media.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**St. Louis, MO**

* Recording of Law Enforcement Activity
  + St. Louis Metropolitan Police Department (SLMPD) Special Order 1-06 states that “[m]embers of the public, including media representatives, have an unambiguous First Amendment right to record officers in public places, so long as their actions do not interfere with the officer’s duties or the safety of officers or others.”  The same policy provides that “SLMPD employees will not prevent or prohibit any person’s ability to observe, photograph, and/or make a video recording . . . of police activity that occurs in the public domain so long as the person’s location, actions and/or behavior do not create a legitimate, articulable threat to Officer safety, or an unlawful hindrance to successful resolution of the police activity.”
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + SLMPD Special Order 1-06, Section C provides that individuals who violate restrictions on recording law enforcement activity (for example, blocking traffic or obstructing police actions while recording) “should be informed that they are engaged in prohibited activity and given information on acceptable alternatives, where appropriate, prior to making an arrest.”  This Section also details SLMPD’s policies for instances where a person recording officers is arrested.  Section D of this policy specifies that “[a] supervisor should be summoned to any incident in which an individual recording police activity is going to be, or will most likely be, arrested.”
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + SLMPD Special Order 1-06, Section C specifies that “[a]rrest of an individual does not provide an exception to the warrant requirement justifying search of the individual’s recording equipment or media.  While equipment may be seized incident to an arrest, downloading, viewing, or otherwise accessing files requires a search warrant.  Files and media shall not be erased under any circumstances.”  Section D of the same policy states that “recording equipment may not be confiscated unless the recording party is arrested,” and that “officers may not order an individual to show recordings that have been made of enforcement actions or other police operations.”  This Section also specifies limited exceptions to these general guidelines and specifies that a supervisor should be summoned when recording equipment “may be seized without a warrant or lawful consent.”
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Omaha, NE**

* Recording of Law Enforcement Activity
  + The Omaha Police Department recognizes the right for anyone to record police. Omaha Police Department’s Public Policy Manual, “Right to Record Officer Activity by the Public.” This policy broadly introduces this right as well as specifically states that officers must not obstruct cameras and cannot seize equipment unless they have the proper legal authority to do so. There is also a list of exceptions to this right, including instructing a witness to not respond to an officer's questions, attempting to engage the officer in the midst of their duties, jeopardizing safety, or violating the law while recording. The provision clarifies that the right to record police activities should not be interpreted to “to permit an individual to trespass on private property, place themselves in physical danger, enter any area identified as an official perimeter or crime scene by law enforcement, enter another person’s private dwelling, storehouse, etc., or enter into or upon any area not accessible to the general public.”
* Media Relations
  + The Omaha Police Department’s manual does not have a specific section for media relations policy, but in the part V. of the “Force – Investigative Process for Use of Force Incidents Involving Serious Injury or Death” section, there is a provision for the release of information to the media. It provides that “[o]nly the Chief of Police or designee shall authorize information to be released to the media,” including in, “1. On-scene media interviews. 2. Press releases. 3. The names of anyone involved in the incident 4. Any other account of the incident.” Additionally, the Chief of Police has control over any subsequent media releases related to the incident.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + Addressed in state of emergency curfew order. Omaha Mayor Jean Stothert issued an emergency citywide curfew on May 31, 2020 in response to the Black Lives Matter protests. “This Order shall not apply to law enforcement personnel, fire and medical personnel, members of the media.” There is no official policy in the Omaha Police Department manual.
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Oklahoma City, OK**

* Recording of Law Enforcement Activity
  + Oklahoma City expressly recognizes the right to record police officers. Oklahoma City Police Department Operation Manual section 189.0 provides that a person has the right to record the police unless they are in violation of the law. The policy also states that an officer must not direct the person to stop filming even if it is necessary for them to move locations. Officers are also prohibited from deleting any recordings. Some exceptions to this policy include “securing a crime scene or incident; preventing injury; or preventing obstruction with official police duties.”
* Media Relations
  + OCPD Operation Manual section 404.0 provides that the police department will have an Office of Media Relations. In section 141.30 titled “Press Relations,” there is a detailed list of information that can and cannot be released to the news media and the list references confidential reports and personnel information.
* Arrest Avoidance Procedures
  + OCPD Operation Manual section 410.0 provides that if “conflict arises between a member of the department and a member of the press, a supervisor and the public information officer shall be notified as soon as practical and informed of the circumstances.”
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Equipment seizure is specifically addressed in the context of recording law enforcement. OCPD Operation Manual section 189.0 provides that officers may seize media equipment if: “ [1.]an officer has a valid warrant to seize or search the device; 2. the person in possession of the device is under arrest; or 3. an officer has probable cause to believe the device contains evidence of a crime.” Further an officer may seize equipment if “a. the person in possession of the device consents to the seizure; or b. the officer has probable cause to believe (i) failure to seize the device would lead to destruction of the evidence of a felony crime or (ii) delay would endanger the life of another.”
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Tulsa, OK**

* Recording of Law Enforcement Activity
  + Tulsa recognizes that “[n]ews media personnel have a right to perform news gathering functions at all newsworthy events and to report or photograph anything they observe when legally present at an incident area.” TPD Policy 105A.
* Media Relations
  + Tulsa has enacted a media relations policy that contemplates the department’s willingness “to partner with news media organizations to meet our mission by disseminating relevant and timely information regarding criminal activity, public safety issues, crime prevention, major incidents, and any matter involving the Police Department which is of public interest.” TPD Policy 105A. This policy allows media access to certain incidents and sets parameters for the release of information to members of the media.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Memphis, TN**

* Recording of Law Enforcement Activity
  + The 2020 Memphis Police Department Manual explicitly recognizes a right for the general public to video record, photograph, and audio record members of the department while they are acting in their official capacity. The manual also states that recording police activity should not be considered suspicious activity. Members of the media are treated the same as the general public. The manual explicitly references locations of public protest as a place where there is a right to record. It further cautions that police shall not order someone to stop recording, request to see that person’s identification, demand the person to state a reason for why they are recording, detain the person, intentionally block recording equipment (i.e. put a hand over their camera), or threaten or intimidate the person recording. 2020 Memphis Police Department Policy and Procedure Manual.
* Media Relations
  + Members of the media are treated the same as the general public and are “to be excluded from the crime scene along with all other persons.” However, news media do have “the right to take photographs of the crime scene from the outside of the crime scene perimeter if they so desire.” For some events, the manual states that media should be notified in advance. It specifically says: “[f]or example, a rally may require prior media notification to enhance participation and media contact after this event to publicize the outcome.” 2020 Memphis Police Department Policy and Procedure Manual.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + If the police have probable cause to think that recording equipment may contain evidence of criminal acts, they may request the equipment be given to them voluntarily or detain the person should they refuse to provide the recording device. 2020 Memphis Police Department Policy and Procedure Manual.
* Right to Carry Media Equipment
  + The 2020 policy and procedure manual states that recording police activity should not be considered suspicious activity. It further cautions that police shall not order someone to stop recording, request to see that person’s identification, demand the person to state a reason for why they are recording, detain the person, intentionally block recording equipment (i.e. put a hand over their camera), or threaten or intimidate the person recording.

**Nashville, TN**

* Recording of Law Enforcement Activity
  + The Nashville Police Department manual does not explicitly recognize a right to record. The manual does state that police may request to see media credentials at certain crime scenes, but does not issue media credentials themselves.
* Media Relations
  + The 2018 Nashville Police Department Manual notes “Media representatives shall, at a minimum, be granted the same unrestricted access to an area as that given to members of the general public.” It continues: “In situations with an extreme outer perimeter, media representatives may be allowed, with proper approval/escort, to pass beyond the outer perimeter into a controlled area.” The Public Information Office is in charge of providing the media with information.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Arlington, TX**

* Recording of Law Enforcement Activity
  + Arlington expressly recognizes a right to record police in public. “Persons who are lawfully in public spaces or locations where they have a legal right to be present . . . have a First Amendment right to record anything in plain sight of hearing, to include policy activity,” under the Arlington Police Department General Orders, Section 413.14(D)(1). “Police may not threaten, intimidate, or otherwise discourage or interfere with the recording of police, fire, or EMS public activities.” Section 413.14(D)(2). However, recording “may not obstruct police action[,]” cannot jeopardize the “safety of officers, victims, witnesses, and third parties[,]” and “must be conducted in a manner that does not unreasonably impede the movement of emergency equipment and personnel or the flow of vehicular or pedestrian traffic.” Id.
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + Arlington provides that mitigating measures must first be taken before an arrest is made, and there must be an objective, articulable violation of law, and no exception to the warrant requirement applies after arrest. Section 413.14)(D)(3) of the Arlington Police Department General Orders provides that when someone is filming but also violating a law, police should inform them that they are engaged in prohibited activity and give information on acceptable alternatives, where appropriate, prior to an arrest.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Equipment search and seizure is only appropriate in exigent circumstances. Absent arrest of the recording party, recording equipment may not be seized without a warrant or recognized warrant exception. APD General Orders section 413.14(D)(3). Additionally, where a device is seized, “[f]iles and media shall not be altered or erased under any circumstances,” Id., and the device shall be returned at the earliest possible time to its owner. Section 413.14(D)(4).
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Austin, TX**

* Recording of Law Enforcement Activity
  + The Austin Police Department recognizes that members of the general public have a First Amendment right to record police in public spaces. APD General Orders Section 302.2(c) provides that “as long as the photographing or recording takes place in a setting at which the individual has a legal right to be present and does not interfere with an officer’s safety or lawful duties, officers shall not inform or instruct people that photographing or recording of police officers, police activity or individuals who are the subject of police action (such as a Terry stop or an arrest) is not allowed; requires a permit; or requires the officer’s consent. Additionally, officers shall not: . . . 4. Detain that person . . . .”
* Media Relations
  + Austin Police guidelines provide media with access to police controlled scenes and describe policies to facilitate the free flow of information to the press. APD General Orders section 326.3 states that “[a]thorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions.” However valid credentials must be shown and reporters cannot interfere with emergency operations and criminal investigations. Id. Additionally, “reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations.” Id.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Austin Police can seize media equipment but only under “exigent circumstances” after consultation with a supervisor. Under APD General Orders section 302.2(f)(3), if an individual declines to voluntarily provide a recording device an officer must believe exigent circumstances exist to support the seizure and must consult a supervisor before seizing the device. Additionally, the officer shall only view media “directly related to the exigent purpose,” Section 302(g)(3), and shall “not, under any circumstances, erase, delete, instruct, or require any other person to erase or delate any recorded images or sounds from any camera or other recording.” Section 302(h).
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Dallas, TX**

* Recording of Law Enforcement Activity
  + Dallas expressly recognizes a right to record in public. Dallas Police Department General Order 331.03 provides that “any bystander has a right to photograph and/or video/audio record the enforcement actions of any police officer” so long as the person does not jeopardize the safety of themselves or others, break the law, impede an officer or intrude on a crime scene, private property or location not normally accessible to the public or under police control.
* Media Relations
  + Dallas provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities. DPD General Order 323.02, provides that “[t]he ranking officer at the scene of a police incident will provide timely situation briefings to members of the media. This responsibility may be delegated to a knowledgeable member of the ranking officer's staff. In extreme cases, personnel from the Media Relations Unit may be summoned to the scene to conduct the media briefings. If a member of the Media Relations Unit is summoned to the scene, he/she will assume the role of media coordinator and brief the media when requested by the officer in charge.” Section 323 governs press relations.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + While not formalized in its police manual, Dallas has exempted journalists from city curfews. In a May 31, 2020, emergency regulation, the City of Dallas implemented a curfew specifically exemption “members of the news media.”
* Equipment Search/Seizure Protections
  + Dallas provides protections against unlawful searches/seizures of media equipment. DPD General Order 323.01, states “[n]o member of the media shall have any property confiscated or threatened with confiscation without due process of law. This includes cameras, film, notes, etc.”
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**El Paso, TX**

* Recording of Law Enforcement Activity
  + El Paso expressly recognizes a right to record in public. El Paso Police Department Procedural Manual Section 521.4 provides that members of the media have “the right under the to photograph and report events which take place on public property.”
* Media Relations
  + El Paso provides guidelines for media releases and media access to scenes controlled by police officers that is at least commensurate to that granted to members of the public. EPPD Procedural Manual Section 343.3 provides that the department has a responsibility to notify the press of police investigations that might “stimulate general community interest.” Under Section 521.3, police must provide reporters with access to public areas and should not be denied access to crime scenes any longer than is necessary to allow for crime-scene processing or collection of evidence. Section 521.5 provides that when reporters are violating no law, “[o]fficers will not impede the media” and describes the media’s responsibility to collect information about events of public interest.” The Department also issues non-mandatory press passes to journalists so that they can be more readily identifiable at police-controlled scenes.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Fort Worth, TX**

* Recording of Law Enforcement Activity
  + Fort Worth does not expressly recognize a First Amendment right to record police in public. Fort Worth Police Department General Orders section 328.06(F) recognizes a right to protest and remind officers that citizens at civil disturbances and protests possess the technology “to video all actions by police” but does not express the constitutional right to record.
* Media Relations
  + Fort Worth provides guidelines for credentialed reporters to have special access near scenes of major incidents, including natural disasters, hostage negotiations, civil disorders and protests, fires, explosions, and plane crashes. “Media representatives displaying appropriate press credentials shall be allowed immediate access to an area adjacent to the command post in unusual events,” FWPD General Orders section 212.03(A). Additionally, under General Order 212.04, “[m]edia representatives shall be given guided access and, when feasible, preference to crime scenes as soon as it is determined to be practical by the ranking investigation supervisor.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + In the past, Fort Worth has not provided a media carveout for curfews.
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Houston, TX**

* Recording of Law Enforcement Activity
  + Houston expressly recognizes a right to record in public. Houston Police Department General Orders section 600-21 “recognizes that members of the general public have a First Amendment right to video records, photograph, and/or audio record officers of the Houston Police Department in any public setting.”
* Media Relations
  + Houston grants members of the media access at scenes controlled by police officers and provides lines of communications and processes for getting information to the press at crime scenes and other police events . HPD General Orders section 800-1(b) provides that police “shall provide the media with information regarding the scene or event in a timely manner.” Section 800-02 provides that police are further “allowing passage through police lines when it does not jeopardize public safety or compromise a criminal investigation.” Additionally, Section 800-02 provides that police will sometimes direct reporters to designated areas during “special-threat situations.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies*.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Houston provides protection against deletion of photographs or videos and against warrantless seizures of a recording devices. “[O]fficers shall not erase or delete, or instruct or require a person to erase or delete any media.” HPD General Orders 600-21(3). Additionally, a warrantless seizure without consent of a device is only permitted with consultation of a supervisor and when there is probable cause the device contains evidence and exigent circumstances are present. HPD General Orders 600-21(5).
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**San Antonio, TX**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + San Antonio provides guidelines for media releases and media access to police-controlled scenes. San Antonio Police Department General Manual Procedure 307.07 (C) provides that “Officers should not restrict the movement of media personnel unless their actions clearly and directly interfere with police operations or investigations. The mere presence of media personnel, the taking of pictures, or the asking of questions does not constitute unlawful interference.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + The San Antonio Police Department General Manual lays out procedures for dispersal at Procedure 804.06–.07 but does not contain any exemption for members of the news media.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + San Antonio provides protections against unlawful searches/seizures of media equipment. “No member of the media shall have any property seized or threatened with confiscation without due process of law (i.e., cameras, videotapes, film, notes, etc.).” SAPD General Manual, Procedure 307.07(E).
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Milwaukee, WI**

* Recording of Law Enforcement Activity
  + Milwaukee PD Standard Operating Procedure 755 provides that “[t]he public, including media representatives, have an unambiguous First Amendment right to record police officers in public places, as long as their actions do not interfere with an officer’s duties or the safety of officers or others.”  However, such recordings must take place a “reasonable distance” from police officers “engaged in enforcement” and cannot “obstruct police actions.”
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + MPD Standard Operating Procedure 755 states that “[p]ersons who violate the foregoing restrictions [concerning recording law enforcement activity] should be informed that they are engaged in prohibited activity and given information on acceptable alternatives where appropriate . . . prior to making an arrest.”  Moreover “[a] police supervisor should be summoned to any incident in which an individual recording police activity is going to be, or will most likely be, arrested or when recording equipment may be seized without a warrant or lawful consent.”
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + MPD Standard Operating Procedure 755 provides that “[a]rrest of an individual does not provide an exception to the warrant requirement justifying search of the individual’s recording equipment or media.  While equipment may be seized incident to an arrest, downloading, viewing, or otherwise accessing files requires a search warrant[, a]ny files and/or media coming to the attention of a police member shall not be deleted, erased or tampered with under any circumstances.”  The same policy states that “recording equipment shall not be seized” absent arrest of the recording party, and that police officers shall not order an individual to show any recordings to law enforcement absent exigent circumstances.  If “a recording device or media is seized without a warrant or obtained by voluntary consent, the seized item shall be held in department custody no longer than reasonably necessary for the police, acting with due diligence, to obtain a warrant.  The device must be returned at the earliest possible time.”
* Right to Carry Media Equipment
  + Issue not addressed in reviewed policies.  However, the equipment search and seizure protections specified in MPD Standard Operating Procedure 755 relate to this issue.

Eastern Region

**Washington, D.C**

* Recording of Law Enforcement Activity
  + DC Metropolitan Police General Order 304.19(I) states that “[t]he Metropolitan Police Department (MPD) recognizes that members of the general public have a First Amendment right to video record, photograph, and/or audio record MPD members while MPD members are conducting official business or while acting in an official capacity in any public space, unless such recordings interfere with police activity.” The policy clarifies that members of the public have the same right to record as news media, and that police cannot block, threaten, or intimidate recorders.
* Media Relations
  + DC Metropolitan Police General Order 204.1(II) states that “[t]he policy of the Metropolitan Police Department is that members shall make available to the news media timely information pertaining to matters within the scope of the Department, except in those rare instances where the law enforcement process or fair administration of justice might be hampered by premature disclosure of such information. In releasing information to the media, the Department shall also be sensitive to the victims of crimes and their families.” The policy continues to outline the type of information that shall be released to the media, who shall release it, and the timing and medium of the releases. General Order 204.1(V)(D) provides that perimeters at crime scenes shall “provide members of the news media with maximum access to the scene, without disrupting Department operations or endangering a member of the media or any other person.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + The Standard Operating Procedure on handling First Amendment Assemblies § 5-331.14 addresses police-media relations during First Amendment demonstrations, stating, “[t]he MPD shall allow media representatives reasonable access to all areas where a First Amendment assembly is occurring. At a minimum, the MPD shall allow media representatives no less access than that enjoyed by members of the general public and, consistent with public safety considerations, shall allow media representatives access to promote public knowledge of the assembly.” However, the policy does not address exemptions do dispersal orders.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + DC Metropolitan Police General Order 304.19(II)(E) provides that, absent consent or a search warrant, a supervisor must determine that there are exigent circumstances to justify a warrantless seizure of a media device where there is probable cause that evidence of a crime would be found. Subsection (F) requires a search warrant before viewing media on a seized device, absent exigent circumstances, and subsection (G) prevents police from deleting any information on seized or voluntarily turned over devices.
* Right to Carry Media Equipment
  + The Standard Operating Procedure on handling First Amendment Assemblies § 5-331.14(c)(3) states that “[t]he MPD shall make reasonable accommodations to allow media representatives effectively to use photographic, video, or other equipment relating to their reporting of a First Amendment assembly.”

**Jacksonville, FL**

* No relevant policies found on initial search.

**Miami, FL**

* Recording of Law Enforcement Activity
  + The Miami Police Department expressly recognizes a right to record police in public and specifically at protests. Miami Police Department Departmental Orders 15.1 provides that “[t]he right to record is not limited to traditionally public spaces, sidewalks, streets and locations of public protests, but also includes any private property to include the individual’s home or other private property where an individual has a right to be present.” Members of the media are treated the same as the general public, and thus no individual is required to display press credentials in order to observe, photograph, or record police activity in public. Officers are also prohibited from ordering individuals to stop recording, demanding to see identification, demanding a reason for the recording, detaining the person, intentionally obstructing the recording, or damaging the recording equipment. Id.
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + The Miami Police Department makes clear that the act of making a video recording of any police activity that occurs in a public space is not a criminal offense and does not constitute probable cause for arrest. MPD Departmental Orders 15.5.3.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The Miami Police Department states that the seizure of any video recording must be in conformance with the principles of the Fourth and Fourteenth Amendment. Video Recording of Police Activity. MPD Departmental Orders 15.1.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Miami-Dade, FL**

* Recording of Law Enforcement Activity
  + The Miami-Dade Police Department expressly recognizes a right to record police in public. The handbook states: “The First Amendment to the United  States Constitution provides the basis for  the public’s right to record law enforcement officers while performing their duties … Therefore, peaceful recording by citizens in a public space that does not interfere with the officer’s performance of their duties, is lawful and permitted.” Miami-Dade Law Enforcement Handbook (2014).
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Orlando, FL**

* Recording of Law Enforcement Activity
  + “The Orlando Police Department (OPD) recognizes that members of the general public have a First Amendment right to record and photograph OPD members while conducting official business while acting in an official capacity in any public space, unless such recordings interfere with police activity.” Orlando Police Department Written Directive 14-03. Their Training Bulletin also states that “a citizen may make an audio or video/audio recording of an encounter with a law enforcement officer, even over the officer’s objections, assuming that the act of recording does not itself involve behavior that constitutes obstruction or interference with the officer’s lawful duty.” The Police Department also has multiple policies that go into detail about the right to record.
* Media Relations
  + The Orlando Police Department has policies regarding the release of information to the media, media access to police-controlled scenes, and media credentials with a goal of providing a “free flow of information to the public.” OPD Policy & Procedure 2304.1. The policy states that “[r]epresentatives of the news media will be permitted to operate at the scene of a natural or man-made disaster or potential disaster, or any other potentially dangerous area, provided such operation does not interfere with the police function or endanger the safety of police officers or citizens.” Id.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + Media are exempt from curfew orders. Fl. Code of Ordinances Sec. 43A.04. - Emergency Measures.
* Equipment Search/Seizure Protections
  + The Orlando Police Department Training Bulletin states: “If a citizen records or photographs an officer while the officer is working in a public place, the officer cannot seize the recording device, erase or remove the photo or recording, or compel the person to stop.” The department also has a robust training bulletin explaining the circumstances when media devices can and cannot be searched or seized. TB 1310.0.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Tampa, FL**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + The Tampa police department has policies in place regarding release of information to the media. The guidelines state that media at the scene of an incident should be referred to a scene supervisor. TPD Standard Operating Orders 540.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Atlanta, GA**

* Recording of Law Enforcement Activity
  + The City of Atlanta expressly recognizes a right to record police in public. The policy states: “The City of Atlanta shall prohibit Atlanta police officers from interfering in any way with a citizen's right to make video, audio, or photographic recordings of police activity, as long as such recording does not physically interfere with the performance of an officer's duty.” ADP-2010 reforms Calhoun v. Pennington. Further, the Atlanta Police Department has policies prohibiting police from deleting any recordings of police officers. Atlanta SOP, General Conduct 4.4.2-3.
* Media Relations
  + The Atlanta Police Department has a Public Affairs Unit (PAU) that is in charge of media relations. They are responsible for “assisting news media personnel in covering stories at the scenes of incidents as they pertain to public safety; being available for on-call responses to the news media; coordinating and authorizing the release of information about victims, witnesses and suspects; and coordinating and authorizing the release of information concerning confidential investigations and operations as directed by the Chief of Police.” Atlanta SOP, Public Affairs 4.4.1.
* Arrest Avoidance Procedures
  + The Atlanta Police Department Policy Manual states: “In the event that a media representative acting in his or her professional capacity is arrested, the PAU [Public Affairs Unit] must be immediately notified.” Atlanta SOP, Public Affairs 4.2.2.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Dekalb County, GA**

* Recording of Law Enforcement Activity
  + The DeKalb County Police Department does not expressly recognize a right to record police in public. However, the department does issue media credentials. While the credentials “do not entitle the holder to special privileges … [m]embers of the Department will extend all reasonable assistance and cooperation to holders of press identification cards who are engaged in their news gathering duties.” Dekalb Employee Manual 4-1.17(H) (June 12, 2020).
* Media Relations
  + DeKalb County Police Department allows media with valid credentials to enter areas of serious incidents or crime scenes. The employee manual states that news media representatives should be able to enter these areas, gather information, and take photos. Dekalb Employee Manual 4-1.16 (June 12, 2020).
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + The DeKalb County Police Department manual states: “In the event of a major incident, crime or disaster, police lines will be established for crowd control and to preserve evidence. Dependent upon the tactical situation or the likelihood of jeopardizing Department operations related to investigating and collecting evidence, members of the news media may be allowed to enter these areas when possessing current news media credentials.” Dekalb Employee Manual 4-1.16(A) (June 12, 2020).
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Indianapolis, IN**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + Issue not directly addressed in reviewed policies, but state law provides for the issuance of a dispersal order without a press carveout. If there is an unlawful assembly, a civil officer or law enforcement officer may give a dispersal order. They do not have to issue a dispersal order if it would put the individual at risk of death or great bodily harm or the unlawful assembly is in the process of committing a felony or is causing violence to property or another person. No protections or exemptions provided for the media or members of the press. Indiana Code 10-16-7-11.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Louisville, KY**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + Louisville had enacted procedures that dictate media access to crime scenes, emergencies, natural disasters etc.  KACP 20.2-3(a-b). Before speaking to media at crime scenes, the commanding officer must first speak with the Media and Public Relations Office (MPRO). KACP 20.1 (3.3.2). Officers are prohibited from speaking out against department policy and from directly contacting media about official police matters id. All written articles, videotables, and audio files of officers must pass through the MPRO prior to being given to media id. There is also a procedure for officer shootings in which within 24 hours the MPRO will share the names of the members involved and provide an update within 72 hours covering; the investigative process, units involved, and timeline.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Boston, MA**

* Recording of Law Enforcement Activity
  + Issue not addressed in reviewed policies.  However, Section 7 of the Release of Official Information policy (Rule 300 of the Boston Police Department Rules and Procedures; “Policy”) states that “[n]ewspersons may photograph or report anything they observe at an emergency scene,” but it is unclear whether this applies to video or audio recording of law enforcement activity more generally.
* Media Relations
  + Section 2 of the Policy states that the Office of Media Relations “provide[s] information and updates to the media at major incident scenes, prepares and distributes news releases, coordinates and assists at news conferences, coordinates and authorizes the release of information about victims, witnesses and suspects, assists in crisis situations within the agency and coordinates the release of authorized information.”  Sections 7 and 8 of the Policy address media access to crime scenes, emergency scenes, and major events where police lines have been established.  The Policy also details the contours of information that the department may not release (Section 4), information which the department may release contemporaneous with an incident or with the approval of the OMR (Section 5), and the release of routine information (Section 10).  Section 11 of the Policy addresses media and public requests for interviews of law enforcement.
* Arrest Avoidance Procedures
  + Section 7 of the Release of Official Information Policy requires that “[i]n the event of a conflict with news organization members, officers shall immediately advise a supervisor to notify the OMR.  Officers shall not, however, interfere with or obstruct news media personnel as long as their activities remain within the confines of the law.  Any violations of this procedure should be immediately reported to the OMR.”
* Dispersal Order Exemptions
  + Issue not addressed in reviewed policies.  However, Section 8 of the Policy states that the department’s general policy, with certain exceptions, is to allow credentialed newspersons into areas normally closed to the public by police lines.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + Section 7 of the Policy states that, “[o]n public streets, news photographers and their equipment have the right to be free from assaults and unnecessary interference or obstruction while engaged in the lawful performance of their duties at the scene of a crime or other major event.”

**Prince George’s County, MD**

* Recording of Law Enforcement Activity
  + The Prince George’s County Police Department’s General Orders Manual, Volume I(32)(8) provides that “[c]itizens have the right to observe, video record (with or without a simultaneous audio recording), and/or photograph the actions (such as a Terry stop or an arrest) of any Departmental employee,” as long as the recorder doesn’t endanger the safety of others, interfere with the officer’s official duties, violate a law, or attempt to incite a violation of the law.
* Media Relations
  + The Prince George’s County Police Department’s General Orders Manual, Volume II(41) states that the Media Relations Unit shall handle communications with news media and formal communications from the Chief of Police. Volume II(7)(9) provides that, in a hostage-barricade situation, the on-scene commander may authorize a staging area for media with proper identification between the outer and inner perimeters. Volume II(20)(14) provides that members of the media may be granted access to crime scenes.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The Prince George’s County Police Department’s General Orders Manual, Volume I(32)(8) prohibits police from seizing media that could reasonably be considered evidence of a crime without consent from the holder or a search warrant. Additionally, “[i]f there is reason to believe that the evidence in question will be destroyed or altered, the item may be held until a warrant can be obtained, in accordance with applicable Constitutional provisions.”
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Baltimore, MD**

* Recording of Law Enforcement Activity
  + Baltimore Police Policy 1016(2) prohibits police from preventing citizens from observing, photographing, and recording police officers in areas where the person recording has a right to be, as long as their presence doesn’t interfere with an officer’s safety and doesn’t hinder, delay, or threaten police actions. Policy 1016(5) provides that members of the public have “the same access for photography and recording as is given to the news media, as long as the person has a legal right to be present where he or she is located.”
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Baltimore Police Policy 1016(4) prohibits police from seizing recording equipment that may portray BPD in a negative light. Policy 1016(6) prohibits police from seizing recorded media that contains video, images, or sounds associated with a crime without consent or probable cause that the recording may contain evidence. Policy 1016(7) provides that police cannot “erase or delete, or instruct or require any other person to erase or delete any recording images or sounds from any camera or other recording device that is in the possession of a non-member, or that has been voluntarily turned over or seized under the terms of this policy.”
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Baltimore County, MD**

* Recording of Law Enforcement Activity
  + Baltimore County Police Field Manual § 14-1.3 provides that recording, televising, and photographing is allowed in public places and private property with the consent of the owner as long as it does not interfere with police operations.
* Media Relations
  + Baltimore County Police Field Manual § 14-1.0 provides that the Baltimore County Police Public Affairs section “is responsible for discussing Department policy and for making official comment on sensitive matters.” The policy continues to outline what information can be shared with the media, and when. § 14-1.3 provides that media representatives will be provided closer access to crime/incident scenes than for the general public provided that it doesn’t interfere with the police mission or create danger. Direct access is allowed after “all known evidence has been processed and the on-site investigation is completed.”
* Arrest Avoidance Procedures
  + Baltimore County Police Field Manual § 4-4.0 provides procedures for arrests of special persons but does not include any provisions for media members.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Baltimore County Police Field Manual § 7-13.0 prohibits citizen “[c]ameras, cell phones, media cards, and other recording devices” from being confiscated, erased, or destroyed except when seized with a warrant or valid consent. The policy prohibits seized property from being destroyed or altered.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Detroit, MI**

* No relevant policies found on initial search.

**Charlotte-Mecklenburg, NC**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + CMPD states that department employees are “expected to respond accurately and in a timely manner to media requests for information”. The Public Affairs Director is tasked with preparing and distributing news releases, coordinating, and authorizing the release of information, and showing up to high profile scenes to serve as a mediator between the press and personnel on the scene. The Public Information Officer is the primary media contact for CMPD; they are required to be on call to facilitate the release of information and work with the media 24/7. Media representatives, photographers, and videographers are permitted to be at crime/accident scenes as long as they are outside of police lines, they do not interfere, and their reporting of the active scene does not put anyone in danger. Charlotte-Mecklenburg Police Department Interactive Directives Guide, 2019.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + N.C.G.S.A. Sec. 14-228.5 states that any law enforcement officer or peace keeper can issue a dispersal order if they “reasonably believes that a riot or disorderly conduct by an assemblage of three or more persons, is occurring”. Any person who does not comply with the dispersal order is guilty of a Class 2 misdemeanor. No exemptions or protections given to the media or members of the press.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Raleigh, NC**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + Raleigh Police Department states that they will respond “in a professional and timely manner to requests for information” and they denote that the main point of contact for the media is the public affairs office who will “provide information to the media or authorize the release of such information”. The media and members of the press are granted the same access to crime scenes and other incident and event locations as members of the general public and may enter and photograph these areas. It is clearly stated that the media are to follow all “applicable laws, ordinances, and regulations” at these locations. Media specific areas will be designated if deemed necessary while during parades, rallies, and certain demonstrations members of the media may move past the barricades with their press credentials. RPD also states that at least once a year the Public Affairs Officer will reach out to the media to ask for their opinions on what changes should be made to these procedures. Raleigh Police Department 1106-02, News Media Relations.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + Pursuant to N.C.G.S.A. Sec. 14-288.5 any law enforcement officer or peacekeeper can issue a dispersal order if they “reasonably believes that a riot or disorderly conduct by an assemblage of three or more persons, is occurring”. Any person who does not comply with the dispersal order is guilty of a Class 2 misdemeanor. No exemptions or protections given to the media or members of the press.
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Newark, NJ**

* Recording of Law Enforcement Activity
  + The Newark Police Department has enacted a policy recognizing the right to record. “The Newark Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.” NPD Policy 464.2.
* Media Relations
  + Newark has enacted a media relations policy that allows members of the press access to the scene of law enforcement activity with certain limitations. NPD Policy 346.3.
* Arrest Avoidance Procedures
  + The Department has cautioned its officers to “exercise restraint and [should] not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.” NPD Policy 464.2.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The Department has instructed officers to refrain from seizing film equipment “If practicable.” NPD Policy 464.4. It states that “officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.” *Id*. It further instructs that equipment should only be seized as evidence if certain factors are met. NPD Policy 464.6.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Buffalo, NY**

* Recording of Law Enforcement Activity
  + Buffalo Police Department’s Manual of Procedures, Chapter 14, Section 9.6 states that “members of the media and the public may take photographs and videos of events occurring in public places subject to [restrictions specified earlier in the Section, such as where presence of the media will jeopardize the integrity of evidence].”
* Media Relations
  + Buffalo Police Department’s Manual of Procedures, Chapter 14, Section 9 addresses cooperation with the media.  Section 9.1 of this Chapter provides that if releasing information to the media “does not unnecessarily infringe on the legitimate safety or privacy interests of any person, nor impede the Department in fulfilling its mission, it is the policy of the Buffalo Police Department to fully and accurately inform the public, through the news media, of all matters of interest involving the Department.”  Sections 9.3, 9.4, and 9.5 detail information that the Police Department will and will not release to the public and the media.  Section 9.6 addresses media access to incident scenes.  Sections 9.7 and 9.8 address the responsibilities of the Department’s Public Communications Coordinator and On-Scene Senior Command Officer with respect to media relations.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Nassau County, NY**

* Recording of Law Enforcement Activity
  + Nassau County expressly recognizes “a right to record law enforcement activity.”  Legal Bulletin, section 79-p.
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Nassau recognizes a right “to maintain custody and control of [law enforcement] recording and of any property or instruments used [] to record law enforcement activities.” Legal Bulletin, section 79-p.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**New York City, NY**

* Recording of Law Enforcement Activity
  + New York City expressly recognizes the right of individuals not under arrest or in police custody to record law enforcement activity. New York State Senate 3253-A. The right extends to public places such as streets, sidewalks, and parks as well as private property where the individual has a right to be present such as lobbies, workplaces, and the individual’s property. New York also provides a private right of action for damages “when an individual demonstrates that he or she recorded or attempted to record police activities [...] and an officer interfered with such person’s recording of police activities.” § 14-189 Right to record police activities.
* Media Relations
  + *Issue not addressed in reviewed policies.*
* Arrest Avoidance Procedures
  + The New York City Police Department specifies that a person cannot be arrested for taking photos or video recordings. Administrative Guide, Procedure No. 304-21.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + New York City law states: “A person may record police activities and maintain custody and control of any such recording and of any property or instruments used in such recording.” § 14-189 Right to record police activities. An officer may search/seize a recording device if there is probable cause to believe it contains evidence of a crime. Administrative Guide, Procedure No. 304-21. The officer should first request consent. If consent is not given, the officer should obtain a warrant or conduct a warrantless search only if exigency requires. The officer must contact a supervisor before conducting a warrantless search. Id.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Suffolk County, NY**

* Recording of Law Enforcement Activity
  + The Suffolk police department recognizes the right of bystanders (including media and members of the general public) to record police incidents. Department Directive 11-43.
* Media Relations
  + The Suffolk police department policies states “[m]embers of the media shall not be precluded from observing incidents, producing recorded media and commenting regarding an incident.” Members of the media who display valid credentials from Suffolk Country or New York City may be granted access beyond the outer perimeter at a crime or incident scene. Department Directive 11-43.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + The Suffolk County police department states that officers “shall not demand to view photographs taken by a bystander absent consent or exigent circumstances.” There are separate policies for bystanders who are members of the media. Police officers should not seize recording devices from the media unless they are under arrest, were directly involved in a criminal act, or there is a reason to believe viewing the recording will prevent death or bodily harm to another. The police officer's supervisor must be notified in the case of the search or seizure of a media device. Department Directive 13-48.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Cincinnati, OH**

* Recording of Law Enforcement Activity
  + Cincinnati Police Department Procedure 14.215 establishes that the public has a right to record law enforcement activity “in any public setting or on private property, in any common areas of a public or private facility where a person is permitted to be.” The Procedure notes that this right may be limited when “such recordings unlawfully interfere with police activity.” The Procedure specifies that individuals do not need to display media credentials in order to record law enforcement activity.
* Media Relations
  + Cincinnati Police Department Procedure 18.122 addresses the Department’s procedures for “provid[ing] responsive, consistent and transparent communications between the Police Department and the media.”  The Procedure lists categories of information that will and will not be released to the media during an investigation and details the Department’s media access guidelines.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Cincinnati Police Department Procedure 14.215 provides that “[t]he warrantless seizure of material protected by the First Amendment (photos, videos, etc.) will be strictly scrutinized by a court. In ordinary circumstances, the seizure of cameras or recording devices without a warrant will not be considered reasonable.”  The Procedure continues that “[c]itizens have a high expectation of privacy to the contents of cellular phones and other recording devices.  An officer must have the consent of the owner, or must obtain a search warrant before conducting any type of search upon the contents of such devices.”  If Department personnel conduct a search a camera or recording device, they cannot erase or delete any images or recordings or instruct another person to do so (Procedure 14.215(A)(2)).
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Cleveland, OH**

* Recording of Law Enforcement Activity
  + Cleveland Division of Police General Police Order 3.3.03, Section VI.C provides that the media “shall be permitted to record any events in the public space to the extent that it is safe for them to do so” and recording does not “unreasonably impede the justifiable actions of law enforcement” or “infringe on the privacy rights of arrested persons during prisoner processing.”
* Media Relations
  + Section VI of Order 3.3.03 addresses interactions with the media.  This Section provides that “[m]embers of the news media have a Constitutional right to report on public events taking place, and it is the policy of the Cleveland Division of Police to support the news media in covering these events.”  However, “care shall be taken to guard against the release of sensitive security-related activity, strategies, or information to the news media or the public” (Section VI.D).  Section VI.B of Order 3.3.03 states that “[m]embers of the media shall be granted access to public areas where members of the public are allowed.”  The media need not have press credentials to access these public areas—“non-traditional journalists should be afforded the same rights to report as those considered traditional media (Section VI.E).
* Arrest Avoidance Procedures
  + Section VI.G of Order 3.3.03 provides that “[t]he arrest of a member of the news media or legal observer shall be immediately reported to the Incident Commander.”  Section VI.F states that officers “shall take every precaution to identify and distinguish members of the news media . . . from the active members of a crowd engaged in civil disturbance,” though it is unclear whether this guideline is meant as an arrest avoidance policy.
* Dispersal Order Exemptions
  + Issue not addressed in reviewed policies. However, Section VI.F of Order 3.3.03 states generally that officers “shall take every precaution to identify and distinguish members of the news media . . . from the active members of a crowd engaged in civil disturbance,” and Section VII.H.1.b. states that “[m]embers of the news media . . . shall not, under normal circumstances, be barred from entering the area [marked off by a police line] unless their safety would be jeopardized or their entry would interfere with police operations.”
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Section VI.H of Order 3.3.03 that “[o]fficers shall never attempt to confiscate or destroy any photographs or recordings taken by [the news media or other persons].”
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Columbus, OH**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + The Columbus Police Department issues directives on media relations that provide guidelines for media releases through their Public Information Unit (PIU). The PIU is in charge of establishing procedures for media access to crime scenes, natural disasters, and other emergencies. Columbus also has a specific code regarding misconduct at emergencies that states: “Nothing in this section shall be construed to limit access or deny information to any news media representative in the lawful exercise of the news media representative's duties.” Ohio Revised Code - 2917.13. Misconduct at emergency.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + Issue was not directly addressed in reviewed policies, but Columbus as exempted the press from curfew orders in the past. For the purposes of the protests in Columbus that erupted following the murder of George Floyd in Minneapolis, the mayor of Columbus declared a state of emergency by executive order that instituted a curfew. Members of the news media were specifically exempt from the curfew. Columbus Ohio Executive Order 2020-04 - Protest Curfew Order.
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Philadelphia, PA**

* Recording of Law Enforcement Activity
  + Philadelphia Police Department Directive 8.12(5) prohibits police from impeding, threatening, or intimidating individuals from recording police who are conducting official business. The policy notes that under “extraordinary circumstances,” police can impede or block an individual from recording, such as when the “recording individual engages in actions that jeopardize the safety of the officers, any suspects or other individuals in the immediate vicinity, violate the law, incite others to violate the law, or actually obstructs or interferes with an officer’s official duties or functions.”
* Media Relations
  + Philadelphia Police Department Directive 4.16(3)(A) allows for media access to restricted areas at demonstrations or press events, provided that they display appropriate press credentials. The policy provides that media “will be given access to an area as close to the activity as possible with a clear, unobstructed line of sight and within hearing range of the demonstration or press event whenever possible.”   Directive 4.16 further provides that “[i]t is the policy of this department to provide relevant and timely information to the media and the public. Release of information shall not violate privacy rights or jeopardize ongoing investigations or prosecutions. Access to information, scenes, and events will be balanced with the safety of victims, citizens, and department members. Release of information shall be governed by the Pennsylvania Right-To-Know Law.”
* Arrest Avoidance Procedures
  + Philadelphia Police Department Directive 4.16 provides that, “[p]rior to an arrest of a member of the media for criminal trespass, a verbal order must first be given to them to exit the property in question, or visible postings should indicate ‘no trespassing’ in advance.”
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Philadelphia Police Department Directive 8.12(5)(C) prohibits police from intentionally damaging or destroying any media recordings of police activity. The policy notes that just because an individual has been arrested does not automatically establish probable cause to seize and search an individual’s recording devices. Philadelphia Police Department Directive 8.12(5)(G) prohibits police from seizing media equipment or recordings without a warrant or probable cause that it has recorded evidence of crime and police reasonably believe that evidence would be permanently lost without immediate action. Absent an exigency, police cannot view any media until a search warrant or court order has been obtained.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Pittsburgh, PA**

* Recording of Law Enforcement Activity
  + Pittsburgh expressly recognizes a right to record police in public. “The Pittsburgh Police Department’s policy on recording police activity provides that “[m]embers of the public, including media representatives, have an unambiguous First Amendment right to record officers in public places, as long as their actions do not interfere with the officer’s duties or the safety of the officers or others.” Pittsburgh Police Department, “Pictures, Videos, and Audio Recordings of Police Officers While Performing Official Functions in Public Places,” Order 69-5, 2.1. The policy further provides that members of the Department “shall not deliberately interfere with or obstruct any member or members of the general public from photographing, videotaping, or audibly recording police personnel while conducting official business.” Id. at 4.1.
* Media Relations
  + Pittsburgh provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities. The Pittsburgh Police Department’s “Media Policy” provides: “A member shall not interfere with the news media members who are observing or taking pictures in public portions of buildings, on the street, in public places, or anywhere outside of the established perimeter.” Pittsburgh Police Department “Media Policy,” Order 65-1, 2.4. The policy creates an exception when members of the media are “in a position or location which endangers their own safety” or that of others in the area. Id. The policy further requires police officers to seek approval from the Public Information Officer when submitting formal comments to the media. Id. at 2.9. If a member of the Department “feels that media attention to a certain event would jeopardize an investigation or public safety, he/she should contact the PIO immediately. The PIO will contact the news director of the respective news agency and request that, in the interest of public safety or investigative integrity, the story not be run.” Id. at 3.2.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Pittsburgh provides protections against warrantless searches and seizures of all kinds of recording equipment, including against tampering with or deleting files. Pittsburgh Police Department policy bars officers from intentionally “damag[ing] or destroy[ing]” devices “being used to record police personnel.” Pittsburgh Police Department, “Pictures, Videos, and Audio Recordings of Police Officers While Performing Official Functions in Public Places,” Order 69-5, 4.1. The policy also warns officers “that the seizure or destruction or destruction of such recording devices or media without a search warrant or due process is a constitutional violation and officers may be sued and subjected to both compensatory and punitive damages.” Id. at 4.3.1. It also specifies that “[t]he mere fact that an individual has been detained or even arrested for [violating the law or inciting others to] does not automatically establish probable cause to seize and search any recording devices the individual possesses.” Id. at 4.5.4.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Alexandria, VA**

* Recording of Law Enforcement Activity
  + The Alexandria PD will not prevent journalists from doing their jobs or recording any activity. “Employees of this Department will take no action to either discourage or encourage the media in photographing or televising anything within their view at any police scene. This includes but is not limited to the photographing or televising of evidence or of a suspect being taken into custody or being transported. Media camera crews will not be permitted any closer access than any other media representatives. If a crime scene encompasses private property, permission from the owner(s) or their representatives must be obtained when photographs, films, videotapes or other recordings are to be taken on or inside the area of private ownership.” Alexandria Police Department Directive 10.21.05.
* Media Relations
  + Alexandria requires police officers to be courteous to journalists, though in some cases journalists may need special permission to access areas on scene. “All employees of the Department will extend every courtesy to news media representatives who are actively covering an incident at a scene; i.e., major fire, natural disaster, or other catastrophic event. This may include closer access to the scene or special parking accommodations for news media vehicles. These courtesies should not be permitted if they interfere with police operations or control. Crime scene perimeters must be securely maintained. No member of the media shall be allowed access inside a crime scene, major fire, natural disaster, or other catastrophic event scene without the permission of the on-scene commander, and then only when accompanied by the PIO, Scene Commander, or his/her designee.” APD Directive 10.21.05. “Members of the public, including media representatives, have an unambiguous First Amendment right to record officers in public places, as long as their actions do not interfere with the officer’s duties or the safety of officers or others. Officers should assume that they are being recorded at all times when on duty in a public space.” APD Directive 2.7.01.
* Arrest Avoidance Procedures
  + Alexandria provides that citizens cannot be arrested for recording, and should be told alternatives before being arrested for another reason. However, the department does not state specific procedures for members of the press. “1. Persons who violate the foregoing restrictions should be informed that they are engaged in prohibited activity and given information on acceptable alternatives, where appropriate, prior to taking enforcement action. 2. An arrest of a person who is recording officers in public must be related to an objective, articulable violation of the law unrelated to the act of recording. The act of recording does not, in itself, provide grounds for detention or an arrest.” APD Directive 2.7.01.
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Unless an arrest has been made, recording equipment will not be confiscated. This applies to all citizens, not just members of the press. “The recording equipment of an individual may not be confiscated unless the person has been arrested. Officers may not order a person to show recordings that have been made of enforcement actions or other police operations.” APD Directive 2.7.05.
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Arlington County, VA**

* Recording of Law Enforcement Activity
  + Arlington County Police Department Directive Manual 574.02 (2)(f) provides that “citizens have a First Amendment right to record and photograph officers in the public discharge of their duties.”
* Media Relations
  + ACPD Directive Manual 523.01(2)(i) provides that journalists are permitted access through police barricades at the scene of major fires, natural disasters and other similar incidents. Likewise they are permitted access to the perimeter of the scene of the crime and, after evidence is collected, may be permitted within the scene of the crime with the consent of the owner. Section 532.01 (2) (d) defines officers of the rank Sergeant and above as “public information officers” and requires that they be open and cooperative with the media. Similarly, officers with firsthand knowledge of facts and circumstances are encouraged to release information unless it is excluded under 532.01(2)(B). If an exclusion occurs the officer is expected to explain to the media the reason for the no publicity request. Facts excluded under 532.01(2)(B) include: addresses and telephone numbers of Department employees, Motor vehicle accident reports (except date, time, location of accident, owners of vehicles, injured persons, and 1 investigating officer), Names of deceased prior to notification of family/kin, contents of suicide notes/statements and medical treatment details of victims. There is a group of secondary limitations in regards to suicides/homicides. Section 503.01(2)(m).  Police will not release specific information which would likely be known only to the perpetrator, such as methods of operation, rituals, use of unusual weapons or infliction of unusual wounds, etc., nor details regarding possible evidence or motive.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + ACPD Directive Manual 574.02 (2)(f) provides that “[w]hen encountering a citizen using a recording device, officers shall not... Search or seize a recording device without obtaining consent or a warrant … Delete or destroy recordings or photographs”
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Charlottesville, VA**

* Recording of Law Enforcement Activity
  + Charlottesville provides that recording of police activity is legal unless it hinders police activity. “Photographing outside-established police lines will not be restricted. Police lines are used to stop evidence destruction and to control access. Telescopic- photography does not destroy evidence or disturb police operations.” Charlottesville Police Department General Order 59-99. “Officers are further reminded that it is their duty to uphold the absolute right of any individual to observe, record, photograph, or otherwise document any police activity, and to not hamper those rights, but advise them how to do so in a manner that protects their rights and assists those involved in the duties being performed, for example asking the person to move to a less intrusive location or to remain quiet.” Charlottesville Police Department General Order 75-99.
* Media Relations
  + Charlottesville have enacted guidelines to foster strong media relations. “Police lines are established to limit access to the area of a serious incident or crime scene. Depending upon the tactical situation, the likelihood of interference with police operations, or the danger to life and limb, members of the news media shall be permitted to enter such areas, in accordance with provisions of Virginia Code 15.2-1714. A supervisor of the command investigating the incident shall authorize entry by media representatives when it is safe and prudent to do so, and shall assist them in covering the news story.” CPD General Order 59-99.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + See “Media Relations.”

**Fairfax County, VA**

* Recording of Law Enforcement Activity
  + Fairfax County Police Department General Order 603.1(II) prohibits officers from obstructing, discouraging, or deleting the recording of police activity when an individual has a legal right to be there, the officers are engaged in the public discharge of their duties, and the recording “does not interfere with police activity, jeopardize safety, violate the law, or incite others to violate the law.” Fairfax County does not require press credentials to record police.
* Media Relations
  + Fairfax County Police Department General Order 401(II) provides that “[i]t is the policy of the Fairfax County Police Department to embrace openness and transparency by keeping the community informed about crimes, traffic, public safety, and public interest events. The MRB will be responsible for ensuring the timely release of information, records and documents (in accordance with General Order 402, Release of Information, Records and Documents) while embracing a culture of maximum disclosure with minimum delay. The MRB is committed to keeping the community informed.” General Order 401(VI) provides that “[m]embers of the press and the general public have the same rights in any area in the public domain. No individual is required to have or display ‘press credentials’ in order to exercise their right to observe, photograph or record police activity in an area accessible to, or within view of, the general public.”
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + Fairfax County Police Department General Order 603.1(V) prohibits officers from coercing an individual to provide consent to provide recordings. Recordings may only be seized without consent with probable cause or a search warrant. Search warrants must be obtained before viewing files absent exigent circumstances.
* Right to Carry Media Equipment
  + *Issues not addressed in reviewed policies.*

**Richmond, VA**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + The Richmond Police Department’s Media Relations Policy provides: “[a]uthorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities” if they produce valid press credentials. Richmond Police Department Policy Manual, 327.3. The policy creates an exception to prevent media representatives from “interfering with emergency operations and criminal investigations.” Id. In addition, the policy requires the Department to “maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives.” Id. at 327.4.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*

**Virginia Beach, VA**

* Recording of Law Enforcement Activity
  + *Issue not addressed in reviewed policies.*
* Media Relations
  + Virginia Beach provides guidelines for media releases and police interaction with members of the press. The policy provides that members of the Police Department “do not need permission to speak with members of the media” but they are strongly suggested to seek it. Virginia Beach Police Department General Order 18.01 (effective Aug. 28, 2018). In addition, the policy requires immediate notification to the Public Affairs Office of the substance of communication with media. Id. The policy requires that, when denying requests for information from the media, the police give “a courteous, logical, and adequate explanation which can be justified upon further inquiry.” Id. Media access to crime scenes or other special or catastrophic events will be limited to a designated “media briefing area.” Id. Police will establish a crime scene perimeter no “larger than necessary” and members of the media that cross that perimeter may be charged with obstruction of justice. Id.
* Arrest Avoidance Procedures
  + *Issue not addressed in reviewed policies.*
* Dispersal Order Exemptions
  + *Issue not addressed in reviewed policies.*
* Curfew Exemptions
  + *Issue not addressed in reviewed policies.*
* Equipment Search/Seizure Protections
  + *Issue not addressed in reviewed policies.*
* Right to Carry Media Equipment
  + *Issue not addressed in reviewed policies.*