



# TRANSIT POLICE

## MEDIA RELATIONS

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## POLICY

### Summary

The Transit Police will: be open and cooperative with the media and public; inform the public of Transit Police services to enhance community well-being; inform the public of criminal and newsworthy events; and encourage public involvement in police/community programs. The Transit Police's sharing of information and its media relations program will be subject to the *Freedom of Information and Protection of Privacy Act* ("FOIPPA") and the law, including ensuring the protection of personal information and privacy. It will be necessary for some police operations and tactics to remain confidential in order to maintain their effectiveness.

### Definitions

Chief Officer – The Transit Police Chief Officer or delegate.

Concurrent Investigation – An investigation that is separate and distinct from, but concerns the same incident as, an Independent Investigations Office ("IIO") investigation, and that is occurring at the same time as the IIO Investigation. A Concurrent Investigation could be any of the following:

- (1) An investigation into a person who is suspected of committing an offence in the course of, or otherwise related to, the incident that the IIO is investigating, including a person who was seriously harmed or died in the incident, resulting in the IIO Investigation;
- (2) A Disciplinary Investigation into an Involved Officer for allegations of misconduct arising in the course of the incident; or
- (3) An internal investigation, audit, or review for the purpose of assessing police tactics, practices, equipment, training, supervision, or other administrative or operational issue of a general nature arising from the incident.

Criminal Code – *Criminal Code of Canada* [RSC 1985, c. C-46], as amended from time to time.

FOIPPA – The BC *Freedom of Information and Protection of Privacy Act*, [RSBC 1996] c. 165, as amended from time to time.

Liaison Officer – For this purpose of this policy, the Transit Police Inspector Patrol Section (or in their absence the Duty Officer or other Member as delegated by the Inspector Patrol Section, the Deputy Chief Officer Operations or Chief Officer) acting as the liaison between Transit Police and the IIO for incidents that require notification to the IIO, incidents that the IIO has been notified of, and for IIO Investigations.

Member – A Designated Constable (all ranks), the Chief Officer or a Deputy Chief Officer of the Transit Police.

Metro Vancouver Transit Police (“Transit Police”) – The operating name of the South Coast British Columbia Transportation Authority Police Service.

Media – Official news media personnel directly employed by agencies of the electronic or print media (e.g. radio, television, news magazines, and newspapers), and who have credentials identifying themselves as such. Freelance workers in this field may be regarded as other members of the public, unless otherwise designated by the Chief Officer.

Media Relations Advisor (“MRA”) – A person appointed by the Chief Officer as a media relations advisor for the Transit Police.

Media Relations Officer (“MRO”) – A person appointed by the Chief Officer as a media relations officer for the Transit Police.

Police Act – The BC *Police Act*, [RSBC 1996] c. 367, and the regulations thereto, including the *Transit Police Complaints and Operations Regulation*, all as amended from time to time.

Police Board – The South Coast British Columbia Transportation Authority Police Board.

Transit Police Personnel – The sworn officers and civilians who work for the Transit Police and who are employed by TransLink Security Management Limited.

TransLink – The operating name for the South Coast British Columbia Transportation Authority.

## **Authority**

1. The media relations program of the Transit Police will be delivered in compliance with the protocols between the Transit Police and Jurisdictional Police (“JPD”), *Police Act*, *FOIPPA*, *Criminal Code* and the law.

## **General**

2. The Transit Police’s public information and media relations program will be delivered under the oversight of the Chief Officer, in consultation with the Manager Strategic Services.
3. The Transit Police MRO and MRA positions and functions will be as authorized by the Chief Officer. MROs and any MRAs will be as appointed by the Chief Officer.

4. Public information will be released by the Transit Police to the media as promptly as circumstances allow.
5. In instances where more than one agency is involved in an incident or mutual effort, the agency having primary jurisdiction will be responsible for information/media releases and/or coordinating, unless otherwise specifically arranged.

[See also Transit Police policy: [OO070 – Social Media](#) and [SOP46 – Social Media](#)]

## PROCEDURES

### Media Relations Officer and Media Relations Advisor

6. The Transit Police appointed MRO and MRA will be trained in the field of media relations. The MRO and MRA must have good working knowledge of Transit Police policies and procedures and the organization's Strategic Plan.
7. The MRO role is as outlined below (but not limited to). In the MRO's absence or when responsibility has been delegated, the MRA will manage any/all of these duties:
  - (1) Being the point of contact for media enquiries and preparing/providing response;
  - (2) Developing and maintaining a media contact database and communication archives;
  - (3) Preparing of news releases/communications and coordinating with the Transit Police Communications Unit on social media messaging;
  - (4) Planning and conducting of media related events;
  - (5) Attending critical incidents where MRO support is needed;
  - (6) Liaising with JPDs, TransLink Corporate Communications, and other partner agencies on media/communications matters;
  - (7) Promoting community programs and community policing philosophy, and to provide safety information for the public;
  - (8) Providing support for 'authorized persons' when they are communicating with the media, including developing of training material and providing guidance in the manner in which Members conduct themselves with the media;
  - (9) Conducting periodic reviews of the Transit Police media relations policy and make recommendations for amendment, as appropriate, to the Manager Strategic Services;
  - (10) Assisting with the delivery of the Strategic Communications Plan in coordination with the Manager Strategic Services;

- (11) Ensuring the confidentiality and security of information, in compliance with *FOIPPA* and the law.
8. In the event that neither the MRO nor the MRA can be reached regarding an emergent media issue, delegation of the media relations function will reside with the Chief Officer.

### **Authority to Release Information**

9. The following Transit Police Personnel (by rank or job function) are designated as 'authorized persons' to release information to the media and public on behalf of the Transit Police:
- (1) Chief Officer and Deputy Chief Officers (or their designates);
  - (2) Manager of Strategic Services;
  - (3) MRO and MRA;
  - (4) Other person as so designated by the Chief Officer;
  - (5) Inspectors and Watch Commanders, in exigent circumstances (e.g., when timeliness or availability of an authorized person is of issue);
    - a. This authority will only be in such capacity as to confirm awareness of an incident or initiation of a Transit Police response and/or investigation, with more information to follow from an authorized person.
  - (6) Information Access Analyst where the request is through the Access to Information/FOI process.

*NOTE: Under supervision, some limited authority is provided to Communications Advisors, Neighbourhood Police Officers and other approved Transit Police Personnel to engage in social media for the benefit of the Transit Police. Transit Police Personnel are to refer to the social media policy and SOP for parameters.*

10. The Chief Officer may restrict release of information in certain instances, notwithstanding authorization outlined in s. 9 of this policy.
11. When unusual or emergent situations arise which create extreme public interest or concern, the Watch Commander will ensure that the MRO (or in the MRO's absence the MRA) and the Manager Strategic Services are notified as soon as practicable. The Executive and other senior managers will also be notified consistent with [SOP55 – Notification of Sensitive Matters](#) and as appropriate to the event.
12. If a member of the media requests information from Transit Police Personnel that are not authorized to release information, the media representative will be directed to the MRO and/or MRA (or another authorized person in their absence).
13. Where several police jurisdictions or agencies are involved, the lead agency is the jurisdiction responsible for the investigation.

14. Requests for information concerning criminal cases before the courts will be referred to Crown Counsel.

### **Release of Information – Formal Requests**

15. The Transit Police Legal Services Section is responsible for processing information access requests received under *FOIPPA*.
16. The *FOIPPA* restricts media access to investigation reports and Transit Police Personnel may not give or show anyone in the media an investigative report. Any exception to this provision requires consultation with the Transit Police Privacy Officer and authorization of the Chief Officer.

### **Media Release Guidelines**

#### Authorization for Content

17. Prior to issuance of a written media release from the Transit Police:
  - (1) Where time permits, the Strategic Services Manager (Privacy Officer/Legal Counsel and lead investigator, where applicable) will be consulted; and
  - (2) Approval of the content will be obtained from the Chief Officer or delegate.
18. Where practicable, releases will be shared with Transit Police Personnel prior to the media/public release.
19. The authorized personnel responsible for the release will also consider whether any Transit Police partners or governance bodies should be provided the release prior to the public release (e.g., TransLink, Ministry of Public Safety and Solicitor General, Police Board, JPD).

#### Withholding of Information

20. Information will be withheld from the media when it is protected from disclosure by *FOIPPA* or the release of the information could:
  - (1) Jeopardize or hinder an investigation or operation (e.g., the release of details of a crime which could be known only to the offender, or the release of confidential investigative techniques or operational tactics which could reduce their effectiveness);
  - (2) Endanger human life (e.g., kidnapping or use of an informant);
  - (3) Prejudice court proceedings or violate the rights of an accused (e.g., disclosing any confession or statement made by an accused, or commenting upon on cases before the courts); or
  - (4) Violate the law (e.g., releasing the name of a young offender or the names of family members which may tend to identify the youth).

21. If information cannot be released to the media, the media is to be provided with an explanation.

Initial Release and After Criminal Charges

22. The following information may be contained in an initial release:
- (1) Nature, date and time of incident (including general description of what appears to have taken place);
  - (2) Location of incident; however, if a location is a residence, only the hundred block where it occurred may be released;
  - (3) Description of suspect(s) involved;
  - (4) Victim's age and gender, and general terms regarding injuries; and
  - (5) Identity of other special investigative agencies.
23. Information that may be released following Crown proceeding with charges:
- (1) Name of the accused and age (except young offenders);
  - (2) Specific charges;
  - (3) Date, time and location of offence; and
  - (4) Date of court appearance.
24. In respect of requirements to protect a person's privacy, the following type of information about persons will not normally be released by the Transit Police to the media and public (unless the person involved provides consent or it is authorized after consultation with the Transit Police Privacy Officer):
- (1) Names of deceased persons unless next-of-kin have consented to release of the name;  
**[Refer to Transit Police policy: [OB080 – Sudden Death](#)]**
  - (2) Names of suspects, unless confirmed criminal charges have been laid;
  - (3) Names of victims and witnesses;
  - (4) Address of a victim, witness, suspect or accused;
  - (5) Street address of crimes where the location is a residence;
  - (6) Race, colour, ethnicity or sexual orientation of a suspect or accused (except as provided for in s. 25 of this policy).

25. Caution must be exercised when releasing descriptions of suspects or accused to the media and public, so not to malign persons/groups with characteristics protected under the *Human Rights Code*.
- (1) If a suspect is still at large and it is considered necessary to assist in identifying and apprehending the suspect in order to protect the public, authorized persons may release information related to the suspect, including aliases, race, colour, ethnicity or sexual orientation. Extreme caution must be exercised when releasing this information so as to not unduly focus on such characteristics; this information should only be released when it is relevant and essential to the investigation.
  - (2) Nothing in this policy is intended to prevent the use of specific facts that may assist in an investigation where the suspect has been positively identified as a member of a specific group, and the information is intended to appeal to a specific community for assistance. However, as a general rule, where a description is obtained from a witness indicating a specific visible racial or ethnic background, based on the opinion of the witness, that description should be made in broad generic terms.
26. Members are to be careful to not prejudice court proceedings by:
- (1) Discussing the evidence;
  - (2) Discussing admissions, confessions, statements or possible pleas;
  - (3) Referring to the accused's character or reputation;
  - (4) Discussing any previous criminal history of the accused other than being on parole or bail;
  - (5) Releasing the names of young offenders;
  - (6) Speculating or expressing opinions;
  - (7) Releasing information detrimental to the police investigative position; or
  - (8) Making statements such as: "we know who the culprit is but do not have enough evidence for an arrest or charge".

#### Child Sexual Offences

27. Pursuant to a 2013 agreement of the BC Association of Chiefs of Police regarding 'Truth in Language' and the fight against child sexual exploitation, except when referring specifically to Section 163.1 of the *Criminal Code*, Transit Police communications will use the terms 'images of child sexual abuse' or 'images of sexual assault', and not the term of 'child pornography'.

#### Release of Photographs

28. Police photographs of suspects, accused or convicted persons may be released to the media for the purpose of locating the same when wanted by the police. The authorized person releasing the photograph will need to ensure that the release of the photograph will not affect any ongoing investigations. This includes whether consultation is also required with the JPD prior to the release. If a JPD photo is being used, then their permission must be obtained prior to release. All media requests for photographs will be referred to the MRO for consideration and any requisite approvals obtained.
- (1) When a photograph includes the images of persons that are not the suspect, the faces of those persons and any identifying tattoos, unique clothing, accessories will be redacted in order to protect their privacy.

#### Media Relations regarding IIO Investigations

29. In order to provide timely information to the public about an incident involving a Member, for which the IIO has been notified:
- (1) Transit Police may advise the media of the following limited information about the incident, while taking care not to represent as fact any information that has not been verified through investigation, or to release any information that may prejudice an investigation, including an IIO investigation:
- That an incident has occurred;
  - The general nature and context of that call;
  - That the IIO has been notified of the incident and the reason for the IIO referral; and
  - With respect to the welfare of Involved Officers.
- (2) Prior to a media release or statement under subsection (1) above, the MRO will consult with the appointed Transit Police "Liaison Officer" to the IIO matter.
30. With the exception of the limited initial information that may be released by Transit Police as set out in subsection 29(1) above, thereafter, only the IIO may issue media statements or comment publicly regarding the IIO investigation related to the incident.
31. In the event that the Transit Police is conducting a Concurrent Investigation, prior to making any media statements concerning the Concurrent Investigation:
- (1) The Transit Police "Liaison Officer" will give the IIO reasonable advance notice to review any proposed media statement in order to ensure that the Transit Police media statement will not inadvertently jeopardize the IIO investigation.
  - (2) Any IIO concerns regarding the proposed media statement will be considered and respected by Transit Police, prior to releasing the media statement.



32. The Transit Police “Liaison Officer” will advise the IIO of any key fact (holdback) evidence relating to a Concurrent Investigation and document the name and contact information of the notified IIO Investigator.

[Refer to Transit Police policy: [OH070 – Independent Investigations Office](#)]

#### Protection of Information

33. It is the responsibility of investigating Members to protect their sources of information. As a general practice, the term “as a result of information received” will be used.

[Refer to Transit Police policy: [OD050 – Human Sources](#)]

34. It will be the responsibility of investigating Members to advise the MRO if there are details of a case that should not be released.

#### Record of Release

35. Upon issuance of a media release related to a criminal matter, the MRO will ensure that a copy of the release is scanned to the related PRIME file and that the ‘Release Tracking’ in PRIME is completed.

### **Feature Stories of Members and Public Appearances**

36. Media wishing to do feature stories or in-depth interviews with a particular Member will be directed to forward their request to the MRO, MRA or Manager Strategic Services.

- (1) Prior to approving such a request, liaison with the Member’s section Manager is required, and the Member to be interviewed is to be consulted to ascertain their willingness and capacity to participate.
- (2) After approval of a request, the Member being interviewed will liaise with the MRO or MRA to ensure that the parameters for information to be shared/released is understood and is consistent with the Transit Police policies and *FOIPPA*.

37. All media requests for public appearances by specialty units will be forwarded to the MRO for consideration and coordination with the relevant unit.

### **Media Filming in a Public Place and Access to Crime/Incident Scene**

38. Media access to a crime/incident scene and release of information will be determined by the police agency responsible for the investigation. When the Transit Police is not the lead agency, all media enquiries are to be directed to the police of jurisdiction.

- (1) The Transit Police has a responsibility to secure the scene until it has been released by the incident commander or lead investigator, or Coroner.

39. Media may be restricted from entering a crime/incident scene, as with any other citizen; however, the media and citizens have a right to film or photograph anyone or any event in a public place. Members are to be mindful that representatives of media agencies and the public may photograph Members when performing police duties.
- (1) Members are to speak with the media or member of the public in the event that the taking of such photographs or their actions may be hampering police operations/investigation (including impacting preservation of evidence) or compromising the security of the police and/or other persons at the incident, or their actions threaten to worsen a dangerous or volatile situation or are in non-compliance with *FOIPPA*.
40. Where a concern exists about withholding a suspect's identity, the suspect's face should be obscured before being brought into a public place. In the case of a young offender arrest, Members, if practicable, will advise the media regarding restrictions prior to the young offender being brought into a public place.
41. When Transit Police is the agency responsible for the investigation/incident command:
- (1) Media requests for information at a crime/incident scene are to be directed to the MRO or the MRA. When the MRO or MRA is not available, the Watch Commander or Incident Commander may authorize release of crime information.
  - (2) Members will establish perimeters of operations for the media and public (which may differ in allowable access) that ensures the safety of all persons, the preservation of evidence, and the integrity of the investigation.
  - (3) Where media has been denied access to a crime scene, they are to be informed of the reason and permitted access as soon as is practicable.
  - (4) Where a scene is secured but it is otherwise safe to allow media limited access for photographs or interviews for a period of time, they will be accompanied by the MRO, MRA or a designated Member.
  - (5) Other than authorized persons, Members at the scene will not provide the media with information concerning the incident unless given expressed permission.
  - (6) Members are not to instruct witnesses to refrain from talking to media.

#### Ride-Along

42. Members must have the permission of the Chief Officer to take media personnel on a ride-along, and the media personnel will be required to sign a waiver prior to going on the ride-along (refer to Transit Police [Form AZ220B](#)).
43. Where Members have media personnel on a ride-along, the media are not permitted to accompany Members into commercial or residential premises without the consent

of the occupants. Members will advise the occupants that they may refuse entry to members of the media.

### Photography on Transit System

[Refer to Transit police policies: [OD310 – Photography on Transit System](#) and [OD300 – Seizing of Cameras/Images at Crime Scenes](#)]

44. The public may take photos/film from public access areas on the transit system but are not permitted into restricted areas. The photographer must be in compliance with the *Transit Conduct and Safety Regulation* and is required to obey posted signs and rules, as amended from time to time. Safety for those on the system is key, consequently, attention is needed as locating of any film equipment.
- (1) By TransLink protocol, media are to follow the practice of contacting TransLink corporate communications and advise that they will be on property/using transit system to take images. A TransLink communications officer notifies the respective transit 'operations control centre' so they are informed of the photography/filming being done (to distinguish from suspicious photography), and the communications officer usually attends with the photographer.
  - (2) Where Transit Police will be accompanying the media (e.g., ride-along or news conference) and photographs are being taken on the transit system, the authorized person will coordinate with TransLink corporate communication, prior to the event.

### Media Conferences

45. The MRO will have primary responsibility for planning media conferences, including: selection of both location and speakers, logistics of flags, media backdrops, audio/visual requirements, notification of the media, and necessary printed materials. The MRA and the Transit Police Communications Unit will support the MRO in the implementation of such events, as needed.
46. The Transit Police will, where possible, ensure that media conferences are inclusive of diverse and vulnerable population audiences (e.g., sign-language interpreter, bold/clear signage for the visually impaired).

### Process – Appeals for Public Assistance

47. When the Transit Police has issued a media release with public appeal for assistance regarding an incident under investigation, this protocol will be followed:
- (1) The MRO will provide to the Transit Police Communications Unit the name of the lead investigator and the information/request being released;
  - (2) The MRO to coordinate with the JPD, as appropriate;
  - (3) The Transit Police Communications Unit will promptly forward any electronic tips received (i.e., from Transit Police social media or "Contact Us" page on the website) to the lead investigator. Similarly, any calls received directly by

the Public Service Counter will also be forwarded to the lead investigator, unless otherwise arranged;

- (4) The Transit Police Communications Unit will maintain consistent/standardized responses to FAQs;
- (5) Once the suspect has been identified (or other information being sought is obtained), the lead investigator is to notify the MRO and Transit Police Communications Unit. The MRO will notify the media accordingly and the Transit Police Communications Unit will then follow the standardized process for deleting the content from the Transit Police website and social media. (The process will include retaining on OWL an archived version of the post and associated interactions by the Transit Police Communications Unit.)

### **Pre-Planned Events**

48. Any Member of the Transit Police responsible for a pre-planned major event where the media is to be in attendance, is required to consult with the MRO and request the MRO to attend the event. The Member responsible and the MRO will liaise to ensure that accurate and timely information is released to the media.

### **Public Interest – Health and Safety Warnings**

49. Pursuant to s. 25 of *FOIPPA*, information about a risk of significant harm to the safety of the public, environment or a group of people, or information which is for any other reasons clearly in the 'public interest', must be disclosed without delay to the public or the affected group. If the information to be released pertains to an individual, the individual must be notified prior to the public disclosure (where impracticable, the notification will be made to the individual's last known address).
50. Prior release of a public warning, the MRO will consult with the Transit Police Privacy Officer and the Deputy Chief Officer Operations. Authorization will be required from the Chief Officer or delegate before proceeding with issuance.

### **Release of Information about Members**

51. The names of Members who are injured on duty will not normally be released; any release will require the next-of-kin or the Member to have given consent.
52. Pursuant to *FOIPPA*, the name of a Member who has been suspended will not be released to the media; only the confirmation of the suspension will be provided to the media.
53. If criminal charges against a Member are approved, the name of the Member may be released to the media. Further information may be disclosed, pursuant to provisions of the *Police Act* and to the extent necessary to prosecute a violation of law.

**Publication of Police Activities**

54. Transit Police Personnel will not publish any account or photographs of the activities of the Transit Police without first obtaining the permission of the Chief Officer, or have designated authority to do so.
55. Transit Police Personnel will follow the requirements within Transit Police policy OO070 – Social Media regarding the publishing of photographs of Transit Police Personnel.
56. Subject to the right exercisable by an employee under the *Labour Relations Code* or any other legislation that provides the right to publicly report contraventions (whistleblower protection), it is not permissible for Transit Police Personnel to make any public statement or comment concerning the administration, operations, or policies of the Transit Police and TransLink Security Management Limited, except with the permission of the Chief Officer.

**Corrections**

57. Due diligence will be applied to ensure the accuracy of statements (written or verbal) issued by the Transit Police under this policy. If a substantive error is made, for any reason, every effort will be made by the issuing person to correct the error and inform the media and any member of the public (or the Transit Police who may be affected) of the correction.