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Executive Summary

Background

For many years, the Berkeley Police Department (BPD) has enjoyed a mutually respectful working relationship with the media. This relationship contributed to the department’s reputation as a community-focused police force that respects those it serves and encourages and values honesty and transparency. Like many police departments, BPD has had its share of controversies over the years. But it addressed them promptly and in a straightforward manner, allowing the agency to avoid becoming entangled in significant, ongoing negative coverage.

Two high-profile incidents earlier this year involving Chief of Police Michael Meehan – and the subsequent handling of their aftermath – put the department in the spotlight. The first involved Meehan sending a sergeant to an Oakland Tribune reporter’s home after midnight to ask for changes to a story about the department’s response to the killing of Berkeley Hills resident Peter Cukor; the second involved Meehan’s son’s stolen iPhone.

While the coverage is understandable from a news perspective, the department’s response to it threatened to:

- tarnish the department’s reputation
- overshadow its successful track record of providing police services
- divert focus and resources from policing projects and initiatives

In response, an outside audit of BPD’s media practices and policies was solicited. Cornerstone Communications was hired to conduct the audit, make recommendations and conduct media training. Textbooks have been written about the challenges law enforcement face in dealing with the media. Many of the opinions expressed by journalists and police employees in this report are not unique to Berkeley.

“Assume good intentions.”

-Principles for Effective Staff Communications,
Berkeley Police Department

Through the audit, the department sought answers to several questions and recommendations for action, including:

- What can the department learn to prevent future issues from arising?
- How well does the department do in working with the media and communicating with the public in general?
- How can the department improve its external communications?
- Is BPD’s Public Information Officer model adequate to serve the department’s and the media’s needs?
• What steps can/should the department take to prevent these kinds of controversies — and the resulting coverage — from occurring in the future?

• Should BPD engage in social media?

Cornerstone Principal Bill Rams, a former Orange County Register police reporter, and Joe Vargas, a retired Anaheim Police Department captain who has trained law enforcement managers in media relations for the past decade, conducted a series of in-depth interviews with key stakeholders. Interviewees included Chief Meehan, the department’s captains, lieutenants, two highest-ranking civilian employees, its former and new public information officer, the union president, the city’s public-information officer, journalists and others. Cornerstone also conducted a survey that asked police employees and journalists a number of the same questions to gauge their perceptions. In early December, Vargas and Rams provided training to the command staff of the department. The training including a media panel featuring four veteran Bay Area reporters. The department has already taken steps to improve its relationships and provide support for the public-information officer on evenings and weekends. Frances Dinkelspiel, co-founder of Berkeleyside, commended the department’s watch commanders for being more available. And Kristin Bender, an Oakland Tribune reporter, said she appreciated Meehan and Capt. Andrew Greenwood’s efforts to establish a better working relationship.

Key findings of the audit include the following:

• A majority of police employees and journalists shared generally positive comments about the department’s reputation and working relationship with the media when compared to other police agencies. The comments were echoed by the four journalists at the December media training.

• While admired for his ability to connect with people both one-on-one and in groups, Chief Meehan came to the job with a lack of media experience, savvy and relationships. Many members of the management team also expressed a lack of confidence in working with the media. This is another area where department leaders are already making an effort to improve.

• Some police managers and journalists described the department’s handling of high-profile cases as defensive, indecisive - and, as a result - untimely.

• The Police Department’s Public Information Office is, to put it bluntly, overwhelmed by the volume of inquiries it is tasked to answer. A single, eight-hour employee cannot be expected to deal with a 24-hour, 7-day news cycle in a city with as much media as Berkeley.

• Prior to the audit, the PIO was virtually the only police representative creating and maintaining relationships with the media. The result has created a sense of mistrust of the media among some on the police department management team.

• The city and police department make an effort to fulfill public records act requests in a timely manner. The department alone received 1,298 requests from July 1-December
31, 2011. The city received 2,335. Only 13 requests (less than 1%) were completed outside the required timeframe, according to city officials.

- The police department’s website offers as much or more information than many police agencies of similar size.

- The city of Berkeley has not embraced social media despite a near consensus from police employees and the media that it should.

- Detectives and the PIO/Chief’s office aren’t always aligned regarding when and how much information should be released. Those relationships are improving.

- The department’s media policy is flexible enough to allow for opportunities for improvement.

- Police management and employees are open to strengthening their media performance and relationships.

**Summary of Key Recommendations:**

- Chief Meehan should continue to take steps to improve his relationships with the media and his understanding of their needs and goals. His meetings with reporters and the media panel are good first steps. Next steps should include regular meetings with reporters, editors and assignment editors. Occasional media roundtables are recommended, too.

- The responsibilities of the Public Information Office should be spread across the organization to lift the burden of responding to the media from the shoulders of one person/office. Berkeley is a large and competitive media market, and the department, the media and community would be better served if the department transitioned to a model where senior staff were empowered and trained to deal with media that related to their areas of responsibility. In this capacity, the PIO would serve as more of a media coordinator than as sole spokesperson for all inquiries, but would continue to assume the spokesperson role in major events. The department is already moving in this direction, recently sending three watch commanders to PIO training.

- The department should make understanding the media and the importance of media relations part of the organizational DNA. The department can accomplish this through training, expanding the number of personnel who handle media and developing more and deeper working relationships with journalists.

- The police department needs to participate in social media. Doing so will aid its efforts to fight crime, protect citizens and engage the public. Doing so effectively can also improve media relations and enhance the department’s reputation.

- The department must ensure the working relationships between detectives, the PIO and the chief’s office continue to develop.
The Survey

During the summer, Cornerstone Communications distributed a web-based survey to 295 police employees and 130 journalists; 144 people responded for a response rate of 33.8%. Of the respondents, 77.6% were police employees, 22.4% were media. The multi-section survey contained dozens of questions that solicited respondents' opinions on a range of issues about BPD, media relations and what the department is doing right and areas where improvement is needed. The survey included both scaled questions (i.e., “Compared to... how would you rate...”) and open-ended queries that solicited written responses. Participants were asked if their comments could be attributed to them; the overwhelming majority – 81.8 percent – declined.

Specifically, police employees and journalists were asked:

- whether the department devotes enough resources to deal with the media
- to rate the department’s overall competency in media relations compared to other Bay Area agencies
- to weigh in on the department’s media strengths and weaknesses
- to rate the department for accessibility, responsiveness, reputation, transparency, media relationships and media savvy
- if Berkeley PD should participate in social media

Key Findings of the Survey

Better than average, but room for improvement: Compared to other Bay Area police agencies most of the police employees and journalists in the survey said Berkeley is above average or average in terms of transparency, media relationships and media savvy. The chart on next page reflects how members of the police department responded to the questions. The one on the page after that are the media responses.
Perceptions on How Well Berkeley Police Department Compares to Other Police Departments: Berkeley Police Department
Perceptions on How Well Berkeley Police Department Compares to Other Police Departments: Berkeley Media
Time for Social Engagement

A large majority of survey respondents said BPD should utilize social media to engage and share information directly with the community.

![Bar chart showing percent who think Berkeley PD should use social media]

Police and media said that Facebook and Twitter were the top two forms of social media they would use to follow Berkeley PD.
Bay Area Media are Busy

Berkeley is busy: Out of the 92 people who answered the question, only four percent disagreed with the statement, "The Bay Area is more competitive than other media markets in California."

More resources needed: Police officials and journalists agree: Berkeley PD needs to devote more resources to working with the media.

Below are responses from police officials. On the next page are media responses.

Perceptions of the Bay Area Media: Berkeley Police Department

- Berkeley PD devotes enough resources to serve the Bay Area media
- Berkeley PD's PIO office is one of the busiest in The Bay Area
- Compared to other police agencies in the Bay Area, Berkeley PD does a good job of
  - Handling media relations
- The Bay Area is more competitive than other media markets in California

- Strongly Agree  ■ Somewhat Agree  ◀ Neither Agree or Disagree  ▼ Strongly disagree  ▼ No opinion
Perceptions of the Bay Area Media: Berkeley Media

- Berkeley PD devotes enough resources to serve the Bay Area media
- Berkeley PD's PIO office is one of the busiest in the Bay Area
- Compared to other police agencies in the Bay Area, Berkeley PD does a good job of overall media relations
- The Bay Area is more competitive than other media markets in California

- Strongly Agree
- Somewhat Agree
- Neither Agree or Disagree
- Strongly disagree
- No opinion
Verbatim Responses

The survey asked respondents to provide answers to the following open-ended questions:

1. What are Berkeley PD’s strengths when it comes to media relations?

2. What are Berkeley PD’s weaknesses when it comes to media relations?

3. How can the Berkeley Police Department improve its media relations?

4. Any other comments?

Survey participants provided thoughtful, honest, no-holds-barred responses; the comments below are a sampling of the opinions that were expressed.

On responsiveness

“In my opinion, BPD’s greatest weakness in terms of media is the fact that there is no designated PIO Friday through Sunday, making weekend media inquiries very difficult and nearly impossible.”
- TV assignment editor

“In recent months, BPD has made arrests in serious crimes but waited weeks before releasing info, and only released it when a reporter asked. BPD could also do a better job of explaining why a homicide happened -- e.g. if gang beef, drugs, etc. BPD generally gives no explanation except to say it was not a random murder or shooting.”
- co-founder of on-line news site

“Overall, I often feel fortunate that BPD is as accommodating as it is with media inquiries. I think they set a great example for other surrounding police PIOs. Still, there are always things that can be improved.”
- editor/assignment editor

PIO support

“The PIO is generally happy to help, and we’ve been able to build a good relationship with her... Very few officers in the command structure seem comfortable when it comes to the media... Give authority to a range of officers to speak to the media.”
- on-line news site co-founder
"For some time, the PIO position within the department has been a job that no one wants. It’s not necessarily because of the job demands, it’s because of the job demands plus the department’s failure to adequately support the position... I do not believe that the department will be able to improve its media relations until the department becomes less dysfunctional and brings media relations in-line with today’s best practices."
– police employee

**Leadership**

"Basically, the leadership in the police department needs to stop worrying about its image, stop being so defensive and just tell the press the truth in a timely manner. That’s all we want. Telling the truth is always good policy, even for the police."
– newspaper reporter

"On several occasions, I have heard the Chief express very appropriate views — that are missed by the community, because he’s not the one speaking into the microphone."
– editor/assignment editor

**Media sophistication**

"We don’t tell our good stories. When cops do good stuff, we don’t promote it."
– police manager

"A familiar contact is more likely to go to bat for you in your absence than one who only hears from you when the need arises."
– police employee

**Social media**

"Prohibited from using social media of any kind, so information doesn’t go out as wide/well as it could... We don’t report our successes aggressively enough. Seems like almost every day or two there’s some good police work/interesting story that we could be putting out. Why aren’t we doing that? Let these people we work for know about the good work."
– police manager

**Etc.**

"I want very much to present full and balanced coverage of police issues."
– newspaper reporter

"The survey is a good first step. Apparently the department cares."
– editor
Berkeley’s Sophisticated Media Market

Berkeley is home to more media outlets and organizations than most cities its size. The city also enjoys a very engaged community. Not surprisingly, the journalists covering BPD are experienced, competitive and well sourced. Bay Area media outlets include The Oakland Tribune, San Francisco Chronicle, Berkeleyside, Patch, The Berkeley Times, The Berkeley Daily Planet and the Daily Cal, California’s top student newspaper. More than a dozen TV stations and a wide range of radio stations - many employing award-winning journalists - also cover the police department.

“It works if each side respects the other’s need to do its job with the maximum cooperation and minimum interference.”

– Excerpt from Best Practices in Law Enforcement Media Relations

Berkeley’s residents expect the highest level of conduct and professionalism from police officers. During interviews, officers expressed a high degree of awareness regarding the public’s expectations. Said one officer: “If you can be a police officer here, you can be a police officer anywhere.”

Law enforcement executives should work toward establishing positive working relationships with the journalists who cover their agency. The mindset should be one of respect and understanding of the media. Granted, you’re not always going to like what journalists are reporting, but you shouldn’t ignore or try to control professional journalists. As one reporter noted, she’s not going to write positive stories about the department simply because a source “has a latte with me.” Instead, creating open lines of communications, understanding the pressures and expectations of journalists and establishing trust are paramount to a good working relationship with the media. Relationships with the media are a professional necessity in law enforcement.

Oakland Tribune reporter Kristin J. Bender said she has enjoyed positive relationships with Berkeley’s current and prior PIOs. “I developed relationships with them and, for the most part, I felt they were honest,” Bender wrote in an email. “They told me what they could and told me why when they couldn’t.”

“Transparency and responsiveness are important values in this organization.”

– Berkeley police manager in an interview
For example, multiple police employees asked us the best way to pursue a correction when a newspaper reporter makes an error. Our response: It would be best to ask reporters those types of questions before a situation arises. Here's how Bender responded: "Email me directly ASAP. We will fix online right away and run a correction in the newspaper (if warranted) the following day. Don't ever come to my front door in the middle of the night."

Displayed in the chief's conference room is the police department's "Principles for Effective Staff Communications." A few could apply to the media.

"Assume good intentions."

"Have honest and meaningful discussions."

"Relationships are more important than any one idea."

Most journalists covering Berkeley are established and respected — and are doing a professional job. Several managers and police employees questioned the timing and motives behind stories about the chief's son's stolen iPhone. Many said they felt the story was a cheap shot. Whenever there's a live track on a stolen electronic device, they stressed, detectives want to find it and make an arrest — regardless of whom the owner may be. "We would have been derelict in our duty not to pursue it," one lieutenant said. Contract negotiations were under way. And there was a significant time delay between the theft and the story becoming public, raising suspicions about the motives of the story's source.

Nonetheless, there's no denying the sensational nature of the story. A police management team on its game may have recognized the news value of the incident at the time and used it as an opportunity to educate the community about an important public safety issue - rising property crime. The day after the theft, the police department could have held a press conference, noting how even the Chief of Police's family isn't immune to crime. The department also could have used a press conference or interviews to educate the public about the tracking software available on iPhones, and to share steps they can take to prevent thefts. One captain raised a legitimate question to this proposed approach. "Hold a press conference saying 10 detectives couldn't find a stolen iPhone even though it had tracking software enabled? That would've been putting our best foot forward?" The point has merit and demonstrates the difficult decisions that must be weighed and made. Our recommendation, nonetheless, is to use every available opportunity to engage the public in the fight against crime. Doing so helps the department meet its goal for transparency — and demonstrates leadership in equipping the public with safety information. Not doing so provides an opening for those who would accuse the department of brushing bad news under the rug.
Recommendations

• The management team should immediately work to improve its media skills, savvy and relationships. This effort is already underway. Meehan and Capt. Greenwood have met with several reporters. They should continue to develop those relationships and expand the relationships to key Bay Area editors, assignment editors and media management. We encourage them to visit newsrooms and meet with editorial boards, as well. The more and deeper relationships they have, the better they will understand how to meet the media's needs.

• The department should continue to invite reporters to the police department to interact when appropriate with command staff. Occasional media round-tables are an idea worth pursuing.

• The time has come to transition to a department culture where staff is competent and confident in dealing with the media. It is understood that this transition will occur gradually, and will include appropriate training.

"Reporters recognize there are limitations to what can be divulged but would appreciate as many details as possible."

-Henry Lee
San Francisco Chronicle
Public Information Office: Time to Share The Load

The police department is a 24/7 operation. It does business 168 hours every week. It operates as a single-source agency with the public information officer responsible for handling virtually every media inquiry. In Berkeley, that’s an especially daunting task due to the volume of inquiries, which come at all hours from many sources. Also complicating matters for the PIO: the financial struggles of the media business. Most reporters are being asked to do more with fewer resources, and due to the rise of social media, deadline pressure is greater today than ever before.

In Berkeley, the PIO is tasked with managing the department’s website and handling special projects for the Chief of Police. As is the case with many police departments, watch commanders serve as backup on swing, graveyard and weekend shifts. Past and present PIOs receive high marks from journalists; reporters weren’t as enthusiastic about the assistance provided by many of the department’s watch commanders. The police department has already identified this as a shortcoming, and recently sent several watch commanders to media relations training. The effort is paying off. At the media training, Berkeleyside co-founder Frances Dinkelspiel noted improved responses from watch commanders, and encouraged police commanders to continue to understand the changing deadlines media face.

Several managers expressed a lack of confidence in dealing with media, specifically with conducting on-camera interviews. What’s the best way to gain confidence? Start doing on-camera interviews - after a little training and preparation. Some managers said dealing with media was low on the list of a watch commander’s priorities. “I am pretty skilled at avoiding it,” one lieutenant said, only half joking.

Said another, who recently had his first on-camera interview: “It was no big deal. I was just afraid.”

Another manager said: “When you get your (lieutenant’s) bars, you should be able to speak in front of a group and make difficult decisions. That includes dealing with media.”

Each of the former PIOs said they mostly enjoyed working with the media once they understood what reporters’ expectations were and developed relationships. The combination of a new PIO, a chief with limited media experience and a strained relationship between detectives and the chiefPIO’s offices provides an opportunity to improve internal and external relationships. It also provides an opportunity for the chief to reassert his goals and expectations about how to achieve them.

“Research findings suggest that the quality of a department’s media image has little to do with the municipality crime rate and more to do with how departments manage crime news and information. Specifically, departments that do not streamline public information through one official spokesperson only but encourage communication with reporters at all ranks report a more favorable media image.”

- Dr. Jarret Lovell
U.S. Department of Justice
Media Power & Information Control:
A Study of Police Organizations & Media Relations
Recommendations

Thoughtfully transition some responsibility for media relations to members of the management team. The goal should be to move toward having division commanders comfortable with handling their own media in routine cases as opportunities arise, with the PIO serving as a coordinator or the point of contact, except in major events. Steps should be taken to continue to train management and make working with the media part of the organizational culture.

This approach will deliver numerous benefits:

- The public will see and hear different police management voices, which will demonstrate the diversity of talent.
- It will help the department establish more, better and deeper relationships with journalists.
- It will expose more employees to journalists, in turn giving them insight into how the media work and an appreciation of Berkeley's sophisticated media market.
- Acquiring media savvy will help prepare managers for promotions and leadership roles. These skills and sophistication become invaluable when a media crisis occurs.
- The management team will become more adept at anticipating and responding to media inquiries.
- The enhanced relationships combined with freeing up some of the PIO's time will offer more opportunities to market positive news.

The time has come to transition to a department culture where staff is competent and confident in dealing with the media. It is understood that this transition will occur gradually, and will include appropriate training.

Additionally: We believe it would be beneficial for Berkeley PD to lead the formation of a regional PIO support/training group that includes both tenured and novice PIOs from throughout the Bay Area. The group could work together to coordinate messaging on public safety and media relations issues, and provide training and support.
Engaging The Public Via Social Media

Berkeley is not far from the headquarters of Facebook and many of the world's most dynamic technology and social media companies. It is also home to UC Berkeley, the UC system's flagship campus, and the city has a justifiable reputation as a champion of freedom of speech. And yet, the city has not embraced social media as a tool to share information or engage in conversations with the community, citing the manpower required to service it.

According to Facebook, there are more than 90,000 subscribers in Berkeley and 150,000 subscribers within a 10-mile reach.

The media world is in transition, and social media provide police agencies an opportunity to speak to the public without a filter. It can use the tools to expand the audience of the excellent public safety and branding messages on its website, such as the "Who are these suspects?" feature and "Commendation, Praise and Recognition from Community Members." More than half of people learned about breaking news from social media over official news sources and 46 percent receive news on-line three times a week, according to a Mashable.com report, citing data from the Washington Post, PEW Research Center, Reuters and others. PEW Research Center's Project for Excellence in Journalism says Facebook’s audience is vastly larger than any single news organization. Its role has evolved from a network for friends to share personal information to a way for people to share, recommend and link together all kinds of information, including news. If searching for news was the most important development of the last decade, sharing news may be among the most important of the next."

More than 2,000 police agencies use Facebook to communicate directly – and consistently – with community members. Increasingly, they're using social media to fight crime. Meanwhile, growing numbers of police agencies are using Twitter and other tools to provide public safety information ranging from traffic closures to wanted suspects. In South Australia, police speak to a weekly audience of 100,000 people using social media. Nixle and other social media platforms are being used daily to share important safety information and engage the public in the effort to protect communities.

Also, many reporters – including some who cover BPD – are active participants in social media. The police department could use social media to tip reporters to interesting story ideas. As an example, the department produced an internal newsletter with a story about how BPD was the first in the nation to employ a motorcycle unit -- in 1911. That's a great story to share with the public; it demonstrates the department's history and culture of innovation. Twitter could be used to update reporters during breaking news. The utility is considerable. The International Association of Chiefs of Police has already done much advance work on the subject. The organization actively encourages police agencies to embrace and use social media, offering social media policies, guidelines and other tips on its website, including providing guidelines on how to deal with negative and inappropriate comments. The public has embraced social media. It's time for the police department to do the same.
“Social media has many uses for government agencies including law enforcement agencies. The characteristics of community collaboration and interactive communication that are at the core of social media, lend directly to the core of democratic culture, and allow for positive community interaction and effective delivery of services. Community policing, investigations, and other strategic initiatives can all be enhanced with the effective use of social media.”

— Mark A. Marshall
International Association of Chiefs of Police
“Social Media Solutions Specific to You”

**Recommendations**

- BPD should work with city management to establish a social media presence.

- It should model its policies after those created by IACP (see attachment). It should also secure Facebook and Twitter handles to ensure no outside entity or person represents itself as BPD.

- It should start by creating a Facebook and Twitter account, and interacting with the public as soon as the pages are developed. Facebook should be used to share good news, photos, links to articles, crime and crime prevention information, commendations, and other pieces of related information and news. See Houston PD’s Facebook page for an outstanding model. Twitter should be used for breaking news and real-time safety alerts (e.g. street closures and alternative routes with a reminder to drive safely).

- BPD should develop a purpose statement and publish it on social media sites where applicable. The goals should be to enhance communication, community collaboration, and encourage the sharing of information. The tools should be used for problem solving, crime prevention, community relations and other related goals.

- BPD should link the department’s social media to its website and identify who will operate the accounts. We recommend the PIO’s office share administrative responsibility with watch commanders and back-up PIOs. In its policy, the department should clearly outline appropriate and inappropriate use by employees... for example, users should not comment about the guilt or innocence of a suspect or engage in political activity. While implementation may have workload implications, the benefits outweigh the impacts.

- BPD should also define appropriate personal use of social media by employees.

- On its Facebook page, BPD should inform followers of its comments policy (see Houston PD’s). It should also define who will respond to comments. The Air Force has developed an interesting response policy that’s worth studying (see attached graphic). Before implementing, the police department should ensure its policies are consistent with state and federal laws.

- Concerns regarding the amount of time it takes to engage in social media are greater than the reality.
Investigations, Media Pressure and High-Profile Cases

A manager shared the details about the arrest of serial robbers. In his view, the department - in a rush to share positive news - prematurely issued a press release that included mug shots of the suspects before detectives had a chance to conduct a line-up. Similarly, in an apparent rush to provide as much information as possible as quickly as possible, the department released details in a homicide that later proved inaccurate.

Well-intentioned though these incidents may have been, there existed a genuine concern among detectives that the department’s desire to share information in its effort to be transparent could jeopardize cases. “Speed is a big challenge,” said one official. “Transparency and responsiveness are important values in this organization.”

And, indeed, the speed with which media desire information has only accelerated in the digital age. But this reality has caused a rift. It is imperative to restore an atmosphere of trust and a solid, mutually respectful working relationship. While some police managers believe information is being released too quickly, others believe that in high profile, high-pressure situations, the department is sometimes too slow in getting information out. In some cases, as one lieutenant said, the department tries too hard to craft the perfect message, “The result is we sometimes lack authenticity.”

One manager described the approach in tense situations as fear-based decision making. “The media is not our enemy. Just be honest and upfront, and not paralyzed by fear about what’s going to come out.”

After the Cukor homicide, which occurred on a holiday weekend, some reporters and police employees were frustrated by the lack of information immediately available. The union president said he received a call at home from a reporter. Another used the word hesitation to describe the department’s response, which calls to mind the police cliché: “He who hesitates ends up meditating in a horizontal position.”

It’s an interesting issue that requires a delicate balancing act. First and foremost, the department must protect the integrity of the criminal investigation and guard itself against releasing inaccurate information. The good news: most journalists understand and respect the job detectives are trying to accomplish. The frustration generally comes when police officials don’t communicate anything at all.

It’s okay to say you’re not releasing details you aren’t 100-percent sure of (such as a homicide victim’s name) during a breaking-news situation - so long as you’re explaining why. You must also release public information you do know, such as the address of the incident, the time of the call, the nature of the complaint, etc. Saying: “The coroner has yet to make contact with the victim’s family” will, in most cases, satisfy reporters. But you must also follow up in a timely manner once the information can be released.

Caution is always advised. And so is transparency. If you can’t say something, explain why you can’t. And always return reporter’s phone calls, even if the message is: it’s going to be another hour before I have any information for you.

In the past six months, the department has already taken steps to improve here, as well. The new PIO has established an open line of communication with detectives. The lines of communication remained open during a homicide during the first week of December. Although
not much information was available immediately, the media were generally satisfied with the facts they did receive. And detectives were also satisfied with what went out - and when it was released.

Recommendations

- The new PIO should continue to develop strong relationships with detectives.

- It's not just the PIO-detective relationship that's crucial. The chief, PIO and detectives need to be on the same page -- with established ground rules, protocol and expectations for the timely release of public information.

- The PIO and detectives should continue to be careful to ensure whatever information they release is accurate. They should explain why when they can't release information. And they should release whatever information is public as quickly as possible.

"In a low trust relationship, despite precise communication, people will still misinterpret us."
- Stephen Covey
  The Speed of Trust
BPD’s Media Policy

Cornerstone Communications reviewed BPD’s current media policy and found it to be comprehensive and well organized. It is clear that considerable time and energy went into its formulation. The policy reflects the Department’s genuine and historical commitment to fostering and maintaining an engaged, productive, mutually respectful working relationship with the media.

We do not recommend any wholesale changes to the policy; however, we do have suggestions for several of the areas that we believe will strengthen and/or clarify salient points of those sections and the policy overall.

In addition, there are several areas not covered by the current policy that the Department might want to consider adding, including:

- The importance of impartiality when dealing with the news media (not favoring one news organization over another).
- The taking of photographs at scenes will be done solely at the discretion of the media. The department does not dictate taste.
- The current policy does not reflect how employees are to handle or deal with “citizen journalists” — most notably, the recording of police actions in public places and the correct way to obtain evidence obtained by citizen journalists. This has been a very high-profile issue in some communities.
- Social media. As it moves into this new arena, the department should set up a similarly detailed policy.

Suggested revisions follow.

POLICY (2)

We recommend that the policy statement be expanded slightly so that it reads as more of an understanding of the value BPD places on the public/media/police relationships. A good example that might serve as a guide, is the Charlotte-Mecklenburg PD media statement, which reads:

“The CMPD recognizes that a spirit of cooperation and openness is an essential component in fostering the trust and support of the community it serves. Realizing that the mass media performs a necessary role in gathering and disseminating information, it is the responsibility of all department employees to respond accurately and in a timely manner to media requests for information. However, such information flow must not infringe upon the constitutional rights of any individual or jeopardize the operation of the Department or prosecution of any criminal case.”
POLICY (3)

We recommend this definition be tightened up, to give officers on the scene clearer guidelines regarding media access. As bloggers and other online media have increased exponentially, some departments have begun restricting access to scenes to only those media in possession of bona fide press credentials. Expecting an officer at a scene to determine who is and who is not legitimate media places an unnecessary burden on him/her, and could later result in litigation or conflict.

PUBLIC INFORMATION OFFICER (18)

The PIO shall be a department employee appointed by the Chief of Police to serve as the primary liaison with representatives of the media.

We suggest adding the following verbiage to the preceding: Any department employee (other than those authorized to speak to the media), contacted by a media representative for an interview will first be directed to the PIO to coordinate the interview. This will help ensure the accuracy of the information communicated.

PUBLIC INFORMATION OFFICER (21)

In the interest of tightening up the policy where feasible, No. 21 in this section could be removed; No. 20 states basically the same information, but more concisely.

PUBLIC INFORMATION OFFICER (22)

22 When known or advised, the PIO should regularly report contacts with representatives of the media to his/her chain of command.

23 Cornerstone comment: The notification of every contact with the media does seem to contribute to the PIO workload. The preparation and distribution of the contacts, which can be numerous, creates busy work and the creation of documents that few people actually read. It might be more productive to make notifications when information provided is anticipated for broadcast or publication. The Command Staff should whenever possible be informed of information to be published or broadcast.

MEDIA ACCESS TO DISASTER OR ACCIDENT SCENES (30 (a) (2) )

Reporters or photographers who are not affiliated with or employed by established media entities (i.e., "Freelance") will not be considered authorized media representatives for the purpose of this policy.

Consider adding the following: Freelancers who provide footage or photos to mainstream media should be encouraged to apply for press credentials with the County Sheriff.
MEDIA ACCESS TO DISASTER OR ACCIDENT SCENES (e)

Employees shall not refuse to rescue media personnel who are in danger, providing such assistance can be provided with reasonable effort and without unnecessary hazard to rescuers. **Cornerstone comment:** The Department should consider adding a section that instructs supervisors to notify employees of areas open to the media per 409.5. There have been a number of incidents in which officers have restricted access to areas that were clearly within the definition of 409.5. Associated video has ended up being broadcast and could easily have been avoided.

MEDIA ACCESS TO DISASTER OR ACCIDENT SCENES (32 (a) )

(a) Media representatives shall be kept sufficiently distant from a crime scene to ensure officer safety and preservation of evidence.

**Cornerstone comment:** The Department should make every effort to establish a media staging area during significant events. This allows for the timely conveyance of information and updates. It also makes it much easier to manage the logistics of media coverage. The Department also should consider the importance of notifying the media of the crime scene boundaries. It is rare for members of the media to violate a crime scene once the boundaries have been clearly established.

MEDIA ACCESS TO DISASTER OR ACCIDENT SCENES (33)

Employees shall, upon request of a private property owner or agent thereof, prohibit media access to private property wherein a crime scene is located.

**Recommended additional verbage:** Any enforcement action would require the private property owner to make a citizens arrest.
Training


Choose any adjective or phrase, positive or negative, and you can be assured that police officials across America have used it as some point to describe their experiences working with the media.

The Media are Here to Stay

But when all is said and done, how they view their personal experiences is a moot point, because the media are here to stay. And now more than ever – as the news industry continues its evolution from one dominated by traditional print newspapers and TV and radio broadcasts, to one increasingly driven by online media – it is imperative for police departments, Berkeley’s among them, to adapt to these changes.

Following is an overview of the media presentation developed for BPD by Cornerstone Communications. The presentation outlined both the challenges and opportunities of the altered media landscape. And it emphasized the need for ongoing media training and interaction for those in the Department who interact with the media, beginning with the Chief and including captains, watch commanders, officers on-scene and, of course, PIOs.

A Dramatically Altered Media Landscape

The decline of traditional media outlets has thinned the ranks of experienced reporters and editors considerably. In many cases, this has diminished the opportunity to secure positive coverage, while bad stories continue to get significant air time. Filling the void left by the decline of traditional media are online news sites and social media outlets such as Facebook and Twitter. The pace of their proliferation has been nothing short of staggering and has resulted in a frenetic, insatiable 24/7 news cycle. For better or worse, millions of Americans now rely on this new media landscape for much, if not all, of their daily news consumption.

A Leadership-Down Approach is Key

BPD prides itself (and rightfully so) on being a community-focused police force that respects those it serves and encourages and values honesty and transparency. Beginning with the Chief, communicating this vision must remain a top priority at all levels of the Department. And the respect that officials show the community they serve must also extend to the media. Even though working with journalists can at times test the patience of even the most unflappable Department official, it is important for BPD to engage them and respect their roles and the challenges they face in their jobs. Many in policing have an institutional prejudice against the media. The challenge is to turn the prejudice into institutional regard.

BPD’s Media Touch Points

While BPD’s PIO serves as the Department’s official media point-person, the reality is many other officials also interact with reporters from time to time. These include, but aren’t limited to,
the Chief, dispatchers, watch commanders, bureau commanders and on-scene officers. In many instances, queries from journalists are routinely referred to the PIO to handle. However, it is important for all Department officials who interact with journalists to develop media-relations skills through ongoing training. And, of course, skill comes with actual experience.

Internal Respect and Trust

Good working relationships with the media begin internally. It is critical that BPD establish and remain committed to a Department-wide culture of respect and trust (and appreciation) for colleagues who are tasked with helping to manage communications with the media. Internal trust creates stronger collaboration and a unified approach to media relations. Mistrust – especially between the PIO’s office and BPD’s investigators – can result in disjointed, uncoordinated messages to the media, strained relations with reporters, and ultimately, a larger proportion of negative coverage that reflects poorly on the Department and its service to the community.

Traditional Media Relationships

While online news sites and organizations have spread like a prairie fire, the Bay Area fortunately is still served by a fairly robust traditional media industry. Throughout its history, BPD has established solid relationships with both traditional print and broadcast organizations. It may seem like an obvious fact, but the stronger the relationships, the higher the quality of news coverage. When establishing a relationship, it’s wise to give the reporter the benefit of the doubt; to assume he or she has good intentions (that is, wants to be fair and accurate in their reporting), and is not a “gotcha” journalist. Time (and their stories) could prove otherwise, of course, but it’s best to start a relationship on a foundation of trust and an assumption of fairness. If it turns out he or she is indeed talented and fair, make an effort to help them produce the most thorough and balanced stories possible by providing information and access to other sources.

Look for opportunities to nurture relationships with reporters; here are just a few suggestions:

- Engage them when they are off deadline
- During breaking news, be as helpful as possible under the circumstances, and provide them with timely updates; if you tell them you’ll get back to them with information, be sure you do at your earliest opportunity
- Offer to meet them for lunch or a cup of coffee
- Participate in media roundtable discussions and visit local editorial boards

When News Breaks:

... don’t panic.

With the growth of online news and social media sites, breaking news is posted, shared and commented on faster than ever before. But that doesn’t mean BPD has to feel pressured to
respond; PIOs and others who work with the media should provide information only when they are ready.

Here are a few simple guidelines for dealing with breaking news and media inquiries:

- Don't panic. Already stated, but worth repeating.
- Take the time you need to gather the most relevant information before responding to any inquiries.
- Develop, and stick with, three key succinct messages.
- When doing an on-camera interview, stay focused; look into the camera (or at the person asking you the questions). It may sound silly, but don't "look to the heavens" when considering a question; it gives the impression you are simply making things up.
- If you mess up on camera/radio and if it wasn't a live broadcast, ask for a retake.
- If you make a mistake, acknowledge it and apologize.
- Never say "no comment." It ALWAYS comes across as if you have something to hide. It's fine to state that you can't comment on that right now, because... all of the facts aren't in... part of a still-unfolding investigation... etc.
- It's perfectly acceptable to say, "I don't know the answer to that at this point." It's also fine to say you'll try to get the answer.
- Be authentic; call a tragedy what it is – a tragedy.
- Be responsive. If even you can't do an interview for another 15 minutes, keep reporters in the loop.

Social Media

Increasingly, social media is the go-to source for information for Americans – and most police departments today use it in some form to communicate with and engage the communities they serve. From podcasts, Facebook and Twitter, to YouTube, Nixie and Wordress, the various forms of social media enable departments to quickly highlight positive updates about the department and its service and commitment to the community.

Some of the benefits of using social media include the following:

- Reinforces commitment to transparency
- Messages/content are controlled
- Encourages/enhances engagement with the community
• Cost-effective and easy-to-use way to quickly distribute news and other information (crime alerts, community events, police profiles, Good Samaritan stories, etc.)

Regardless of the extent to which BPD uses social media, the Department should adopt a clearly stated policy for its use, for both the Department and the community. For example, while public feedback and interaction are encouraged, it should be made clear that the Department has a zero-tolerance policy for hateful comments and that any and all inappropriate comments will be deleted. A successful social media effort will require responsiveness and ongoing engagement on the part of BPD. In other words, it will take a commitment of time, money and staff resources – but the result can be a highly effective way to engage those the Department serves, while underscoring its legacy of transparency, respect and service.

Media panel

The training also included a media panel featuring the Tribune's Bender, Berkeleyside's Dinkelspiel, KTVU reporter/anchor John Sasaki and KCBS radio reporter Doug Sovem. They shared the changing landscape of media in the Bay Area, offered tips on how best to get stories told and encouraged members of the department to develop ongoing relationships with them.

It was an excellent first step to demystifying the media and helping both sides appreciate the challenges they face in doing their jobs. We strongly encourage the department to follow-up with each of the reporters, and do invite other Bay Area journalists to speak on a regular basis.
Conclusion

The Berkeley Police Department wants badly -- perhaps sometimes too much so -- to do a good job working with media and communicating with the public. This endeavor is the latest example.

Berkeley PD's history of understanding and working with the media dates all the way back to its beginning. Its first police chief was sensitive to the importance of working with the press to help achieve the mission for BPD -- and to generally influence police reform throughout the country, according to August Vollmer: Pioneer in Police Professionalism, Volume II, an oral history conducted between 1972 and 1976.

There was a period early in his career when he was the subject of bitter attacks in the local paper over a disagreement about police policies, according to the oral history. Vollmer never criticized the paper. Rather, "Vollmer later used this incident in cautioning his junior officers against warring with the press, and he had a keen appreciation of the process we now refer to as "image-building,"" the history says.

With a slight culture shift, spreading the responsibility for communicating across the command staff and a continued focus on relationship-building, BPD should continue to be a leader and innovator in the law enforcement profession.
Berkeley PD's Response

After reviewing the report, the police department responded to the findings and recommendations. Below are its responses:

"The key aspects of the media report are to continue what we are doing correctly and improve our media relations by:

- The Chief should continue to meet regularly with reporters, editors and assignment editors
- Expand the number of people in the PIO pool to provide around the clock coverage;
- Embrace Social Media
- Ensure alignment between detectives, PIO and Chief’s Office for timing and how information about a crime is to be released

The key responses to the recommendations:

- Institute a working group of former PIOs and people who want to be spokespersons to provide assistance during critical incidents and coverage over the weekend and PIO absences
- Develop strategy, policy and procedure for use of social media and work with City of Berkeley PIO on implementation
- Continue to strengthen communication between PIO and Detectives for timely and appropriate release of information to media representatives"