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Developing Trust and Managing Differences in Perception:

Building Relationships Between the Missoula
Police Department and Local News Media

Melissa Jensen

4/23/2010

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Overview

“We all have a job to do. They’re just trying to do their job and I’m trying to do mine, while trying to protect the rights and confidentiality of the people involved in the cases that we investigate.”

-18 year veteran of the Missoula P.D.

Finding the right balance in the relationships that develop between law enforcement officers and members of the media can be difficult for both sides. Police officers who work with the media are trying to navigate through the process of informing the public of crime activity, while protecting those involved in the cases being reported on by the media. Reporters on the other hand are trying to navigate their way through the sometimes unclear process of gathering criminal justice information to report crime stories to the public, while learning the proper procedures for working with law enforcement.

The purpose of this paper is to investigate the relationship between these two entities which both have one similar goal in mind: to serve the public. The police are serving the public by investigating crimes and bringing perpetrators to justice. The media is doing its part by keeping the public informed as to what is happening with crime activity in a community. Even though both groups have a similar broad goal, the finite details of how they go about doing their jobs can come to a head at times, creating situations that cause friction between the two.

Police officers who are approached by the media on a daily basis can become frustrated with the commonly asked question: “Anything interesting happening today?” They dislike reporters pushing too far to get information they know the police can’t release. And they are annoyed when reporters don’t take the time to learn the inner-workings of the police department. Reporters on the other hand want to be given more information to help them assess incident

information and avoid asking whether anything interesting is happening today. They push too far for information at times because even though they know the police can't answer, they can at least go back and tell their boss they tried. And when it comes to knowing more about how the department operates, they often would like to learn, but their methods for doing that can be met with suspicion on the part of the police.

In order to learn more about perceptions on both sides of these issues and potential solutions to any conflicts that exist, the researcher conducted a series of in-depth interviews. It was anticipated that one-on-one private interviews would solicit honest responses to questions that might not have been asked before. In an effort to find specific patterns the researcher focused on one law enforcement organization, the Missoula Police Department, and how its officers work with members of the mainstream media, including television, newspaper and radio, in and around Missoula, Montana. In interviewing members of the media, the researcher focused on those with solid experience working with police.

Participants from the police department were chosen in part on the suggestion of the chief. Having no experience working with the officers of this department, the researcher relied on the chief to point out which officers had the most experience dealing with the media. It would do little good to interview multiple officers with no experience working with reporters so it was necessary to formulate a list of officers with solid media expertise. However, it was also important to speak with others who are appointed to talk with reporters based on their rank, but who don't necessarily have consistent, daily contact. From the list provided by the chief, the researcher made independent contact with each officer through e-mail and phone calls. Many of them agreed to participate, but some did not. Throughout the interview process the list of candidates was lengthened through referrals, allowing the researcher to find others who were

willing to take part. All of the officers, with the exception of the chief, were given anonymity. They signed an informed consent form (see appendix), approved by the University's Institutional Review Board (see appendix), which detailed the research process, what it would entail and that their names and other distinguishing factors would be withheld. As part of the informed consent, they also agreed to be tape-recorded. The tape recordings allowed me to pay close attention to each interview, without having to worry about taking detailed notes. It was also important to have that record to ensure complete accuracy in quoting the interview subjects. As part of the Institutional Review Board approval process, it was stated that the interviews would be accessible only to me and that they would all be destroyed upon completion of this research.

The reporters were found through the researcher's own knowledge and on several occasions through referrals. It was important to get a variety of reporters from various types of media outlets. In the Missoula market, the newspaper reporter had a great deal more experience working with the police, since the television market has a higher turnover rate. However, the television reporters interviewed had more than two solid years of daily interaction with the police. The participants from the media side were not given anonymity, although you will notice no names were used, for the sake of consistency. Given that the researcher's graduate work is split between sociology and journalism, sociological methods were used in the interviews with police and journalistic methods were used in the interviews with reporters. However, all of the reporter interviews were recorded as well to ensure accuracy.

The interviews were conducted over a period of several months. Police officers and reporters were interviewed alternately, but the chief was saved until the end. This way, the researcher was able to assess the findings and speak with the chief on the key subjects of concern to both the officers and the journalists. It is this researcher's goal to present a concise look at the

main themes that emerged through the interviews, both positive and negative, and that the information can be useful to both law enforcement and media agencies, here in Missoula and across Montana, to better communication and relationships between these two vital elements of society.

This paper consists of several specific sections. We'll begin with a brief look at some of the relevant literature. The researcher was not able to locate literature that takes a similar look at the police and media relationship. However, there are several studies that look at police and the media, but from a more specific point of view, that of the public information officer, or PIO. Missoula does not have a singular designated PIO, nevertheless many of the issues discussed in the research are relevant to this study. Next, we'll take a look at the findings of the interviews, starting with the Missoula police officers, then moving on to local reporters. The researcher will then discuss the final interview with the chief of police and conclude with a brief overview of the interview findings and potential areas of improvement by both parties to better their working relationship.

Literature Review

“The process of news gathering allows reporters to penetrate into areas of the organization that other members of the public are forbidden to explore. Although media personnel must protect the image of this storied tradition, these efforts must coincide with work-related productivity. Reporters must be careful not to “burn” police in such a manner to lose access to this critical source of information.”

- Chermak & Weiss, 2005, p. 503

Much of the literature regarding police and media relations focuses on two specific areas: how media coverage impacts a community’s response to crime and its police department and the role of public information officers, or PIOs. For the purposes of this study, the researcher is not interested in looking at media coverage and any potential effects, so these studies are not useful. Although the Missoula Police Department devotes two detectives to the weekday morning briefing and shift commanders to answer any media inquiries in the off-hours, there is no designated PIO. While the studies outlined in this review do not speak directly to what this study is looking to uncover, their findings can still offer important insight into police-journalist interactions.

The creation of the public information officer within police departments is a relatively recent development. Coverage by the media of anti-war protests and riots of the 1960s appear to be the impetus that brought about a need for portraying law enforcement to the public in a more positive light (Selke and Bartoszek, p. 25). For the first time, Americans were seeing on television how law enforcement handled these volatile situations. The use of PIOs became more widespread throughout the 1980s, even growing into a professional movement by the end of that decade (Surette, p. 108). Before the inception of the PIO, it was routine for reporters to seek out officers who could provide them with the information they needed. As Surette explains, there

was no central point of contact to work from and that posed challenges to reporters and potential pitfalls for law enforcement:

This practice made the dissemination of crime and justice information uneven, unpredictable, and sometimes unverifiable. Within the criminal justice agencies, interaction with the media was often ad hoc, case-specific, idiosyncratic process and crime news information flow was more likely to be based on haphazard personal relationships than on formal organizational linkages. (p. 108)

Information on exactly when the position of PIO came to be is vaguely mentioned in various articles based on when the terminology was first used in the field. More attention is paid in the literature to the duties of the job itself and how that varies between sworn and civilian PIOs. Surette and Richard (1995) detail a survey given to two PIO organizations in Florida, looking at the members' backgrounds, training, work tasks and functions (p. 327). The survey looked to examine any differences and similarities that could be found between civilian PIOs versus sworn officers who hold the position. The survey allowed Surette and Richard to gather a snapshot look at the characteristics of Florida PIOs, such as gender, age, years of experience and professional background. In relation to their jobs, the PIOs reported that their daily tasks related to public information included "to field daily media inquiries, to arrange media interviews with other agency personnel, to personally conduct press conferences and interviews, and to distribute press releases" (Surette & Richard, p. 328).

Interestingly, both the sworn and civilian PIOs responding to this survey reported a good deal of their time was spent doing non-PIO related tasks, with sworn PIOs reporting a slightly higher percentage. The authors believe this tells us something important about the PIO's work: They spend most of their time reacting to media requests, rather than initiating proactive reasons

to interact with the media (p. 329). Finally, the survey concluded with a look at the job satisfaction for the PIOs. It found that although both sides expressed a great deal of satisfaction in their positions, the civilians were overall more satisfied with their jobs. Surette and Richard state that their analysis shows “PIO job satisfaction to be greatest among civilian, more educated PIOs who perceive themselves, not surprisingly to have better relationships with the media and to have more impact on their agencies” (p. 332).

Chermak and Weiss (2005) researched the relationship between law enforcement and the media in large-sized cities “to identify the variables influencing their ratings about their relationship” (p. 502). The study takes into consideration the police and media perspectives independently. Within those groups, the findings are broken down by who has replied to the survey. From the police side it looks at whether the PIO or another individual is responding to the survey and that person’s rank and years of experience. They were asked about how often they meet with media managers, how often they send out press releases and the number of reporters they have contact with daily. The media responses are broken down by television or newspaper and whether the respondent is a manager or a reporter. Members of the media were asked about their access to the PIO and police chief. Both sides were asked to rank their overall view of the relationship.

On the police side the researchers found very little difference in the satisfaction of the media with police dependent on the type of public information officer utilized by the department, specifically whether the PIO was sworn or civilian (p. 508). Several other factors did appear to more strongly influence how the officers viewed the relationship, including the role of the media in shaping public opinion and their ability to use the media to promote positive programs within the department (p. 508).

It was demonstrated that police perceptions of this relationship were strongly influenced by their ability to tap into the power of media to generate support for the organization. The critical conclusion was that police acknowledged the fact that the media provided a good opportunity for managing the opportunities and threats of their external environment (p. 510).

On the flip side, however, the media were strongly aware of the impact any negatively perceived reporting would have on their relationship with police. The authors noted that both sides were able to pinpoint situations that might turn the relationship in a negative direction.

A positive exchange occurs because of the satisfaction of independent needs, but unpredictable events, scandals, or misrepresentations will alter this relationship.

Combining the police and media data showed that there were pockets of contention, and both sides of this transaction acknowledged the possibility that the relationship might sour (p. 510).

From the media perspective, two aspects of the police-media relationship viewed as significant by journalists come as no surprise. Accessibility to the PIO or police chief and the efficiency of getting information from law enforcement in a timely manner were both rated high in importance. Interestingly, Chermak and Weiss found a considerable disparity in how newspaper and television reporters view their relationship with law enforcement versus newspaper managers' perspectives. The managers viewed it much less positively. The authors stated, "Managers' assessment are probably more symbolic as they are more likely to be removed from police sources and thus they base their assessments on the complaints they might hear or that they think the relationship should be hostile" (p. 509)

Police Perspectives

“That’s the only way I can get information to the public and if it helps my case, my victim, or the public, I can be a better person than to have a personal problem with somebody and not share that, because that’s what we have to do.”

-20 year veteran of the Missoula P.D.

In conducting the research as it relates to the Missoula Police Department, it was necessary to get a series of interviews with officers of varying ranks and significant experience. New officers are discouraged from having much interaction with reporters since they do not have the authority to speak for the department. They are told to refer reporters to either the detectives assigned to public information or to the supervising officer, who is often the on-duty sergeant. For this reason, the researcher avoided speaking to newer officers with minimal media experience, although opinions on the value of sheltering these newer officers from the media will come up later in this paper. The officers interviewed range in experience from 14 to 20 years. They serve in a number of different areas within the department, allowing the researcher to find out how officers in various positions feel about their interactions with reporters.

One of the first things the researcher learned about the Missoula P.D. and local reporters is the daily interaction that occurs. Two detectives are assigned the duty of holding a daily media briefing. This briefing occurs on a one-on-one basis with individual reporters based on if and when they show up during a certain period of time the detectives have designated every morning. Reporters are e-mailed the daily log of calls for the past 24 hours (see appendix) and are encouraged to come to the briefing with some idea of which calls they are interested in learning more about. One officer explained, “That arrangement works pretty well because we

know what to expect from them every day and we also have a pretty good idea what (they'll ask about) because the information that they are getting, we already have access to."

It is this daily interaction that the officers cite as a main component of what appears to be the most crucial aspect of their dealing with the media: building relationships with reporters. That daily interaction, according to the officers, helps affirm to reporters the boundaries of the information exchange. It helps reporters learn who can speak on behalf of the department, what types of information can and cannot be released, and how the police department operates; all of which gives them a clearer picture of police work. As one officer stated:

"I just think it's real important for them to know us and build a rapport with us and it's just as important for us to return that favor and to understand that relationship and that need to build a rapport and understanding of what works for each other can only benefit and create an understanding and a trust for, it's a relationship, that's what it takes."

One officer felt it was his insistence on face-to-face contact that made him successful at interacting with reporters. He explained that when reporters come to him and say they are having trouble reaching another officer, he always recommends the reporter make the extra effort to meet the officer face-to-face to help forge a relationship. He said, "When you do it over the phone you miss that personality thing between you and it makes it easier not to call them back or to find yourself too busy to."

On the side of the police officer, regular interaction with media makes them savvier to which incidents a reporter might ask about. One officer explained how gaining experience in which crimes might be of interest to reporters helps in building the relationship because he can be prepared ahead of time. In turn, he can teach the reporter about the confines police officers work within when releasing criminal justice information.

“I’ve been doing this long enough that I pretty much have a handle on what they’re going to ask and information they are going to be looking for. And they know me well enough to know what I can and can’t release and what I won’t release and that’s part of that relationship building. And understanding. Because we all have a job to do and I’m trying to do mine while trying to protect the rights and the confidentiality of the people involved in the cases we investigate and they understand that.”

Another officer explained that when it comes to working with reporters at breaking news scenes he finds it imperative to approach reporters as soon as they show up. He said this is often difficult for the supervising officer to deal with, given that he or she is already responsible for the crime scene, victims, witnesses and evidence. However, this officer explained that making contact with members of the media also ranks high in importance. He said, “When you see the media show up, take 30 seconds, go introduce yourself, tell them you’re going to be 20 minutes, maybe an hour, give me a phone number and I’ll call you when I’m available seems to help build that relationship.” The officer said doing this helps ensure the reporters know they aren’t being ignored and it can allow officers the chance to make sure certain sensitive aspects of a crime scene are not inadvertently disrupted by the media. Another officer echoed this sentiment in saying that the phrase ‘no comment’ isn’t in his vocabulary. In his opinion, it’s better to give the information you can, otherwise reporters might seek it elsewhere, such as from a witness, and may end up with inaccurate information.

While each of the officers interviewed felt strongly about the value of forming individual relationships with reporters, they also had strong opinions about things that do not work well for them; most notably, when things are taken out of context by the media. The officers who made

mention of this problem explained that it often happens when they deal with print reporters, rather than broadcast. As one officer explained:

“It would be foolhardy for me to sit here and tell you there haven’t been problems between the police and the media in Missoula, because there has been. We’ve got issues that we’ve had to sit down and talk with individual reporters about. Not so much with the t.v. media, although that has happened. It’s more with the print media, all you’re reading is the words on the paper and it’s hard to get the context correctly, unless you go out of your way to articulate it very well. And sometimes things are printed and we’ll look at them and go, I didn’t say that, or that’s not what I meant when I said that.”

One officer explained a recent situation involving a detective who spoke to the University’s school newspaper about an alleged rape where context played a major role in how the story was reported in the paper.

“(The detective) made a comment about alcohol being involved and because alcohol was involved it was tough to sort out, meaning that if people weren’t so drunk they could remember things that would help us. The way it’s put in the (student newspaper), there’s this big uproar, some counselor said it wasn’t right to say girls get raped because they drink, there shouldn’t be a correlation and should be accountability on the part of the guy, but that’s not what (the detective) was saying. (The detective) was just saying when people get drunk they can’t remember things. I don’t think the reporter thought they were wrong, it’s just a difference of perception.”

Each of the officers who mentioned situations where a comment or quote was taken out of context said they approached the reporter afterward to express their concerns. Even though the officers were frustrated with the situation, each moved past it and continued to work with the

reporter. As one officer puts it, "I need the media to get information to the public and that's the best way to do that. So it's not a matter of slamming the door and not using the person, because in the end I need to get the information to the public."

But that's not always the case. Several of the officers acknowledged that some of their peers, who are tasked with speaking with the media because of their rank, are hesitant about being interviewed and in some cases flat-out refuse. The officers speculate this could be a result of fear or inexperience, or just plain dislike of the media. But the officers say corrective measures are taken in those situations as interacting with the media is an expectation for officers once they reach the rank of lieutenant.

Another commonly noted area of concern for officers was the issue of conflict with the media. Several officers shared the story of how an unnamed manager of one local news organization told them he wanted his reporters to have an "adversarial relationship" with the police. They were confounded by what possible motivation could be behind the philosophy. One said, "(The news director) didn't want the reporters to be in the back pocket of the police. Well, if you want an adversarial relationship, then you're going to get back what you put out there." Each of the officers who relayed this story to me said that even though the person in charge of the newsroom was sharing this philosophy with reporters, the reporters weren't buying into it. "They say: we like what we do, we like what the interaction is, we like the relationship, we understand what you can and can't do and that you tell us what you can. So really the relationship is with the reporters."

Here again the concept of developing relationships between police and reporters comes to the forefront. And in a city like Missoula, where there is regular turnover in reporters, especially television reporters, relationships can be difficult to build. The officers say they understand there

will be new people regularly, and often the seasoned reporter will take the lead in making sure the new reporter is up to speed before taking over on a permanent basis. Officers say there are both positive and negative aspects to working with new reporters. One says the issue of context of a story can come be problematic in these situations.

“One thing with young reporters, a lot of times they’re talking about something they know nothing about. A good example would be when you have interns that work for the city attorney; they give them simple cases to try, like speeding for example. If you’ve never seen a radar, you don’t know what it sounds like, you don’t know what it looks like, but you know that a radar measures speed, you’re going to court and you’re going to talk about radar when you’ve never held it, never seen it and you think you know about it. That seems to be the case sometimes with reporters because you’re telling them things and sometimes their perception is different and you know, they’re reporting on things they really don’t know.”

Another officer, however, sees the benefit of inexperience. Although he is puzzled that new reporters are often tasked with covering crime stories, which lead newscasts and make the front page, he finds it helpful. According to this officer, “It’s easier for me to dictate where I want that story to go. So it’s not really doing the media outlet any justice by putting somebody new in there because somebody with some experience of dealing with (the media) can move the story the way they want.”

Overall, trust appears to be a main theme of the interviews with police. Each of the officers felt that their one-on-one relationships with reporters made it easier for them to handle that particular aspect of their job. They want to form relationships with the reporters, by working with them on a daily basis, so they know the reporters are trustworthy and they can share

information and have it reported accurately. And in the cases where the information is not portrayed to the public accurately, they want to be able to have an open discussion with the reporter to resolve the matter immediately. The issue of the so-called 'adversarial relationship' was brought up in each interview with Missoula police officers. Although they understand the sentiment comes from one or two people within one particular news operation, it certainly appears to put them on guard. The officers want to know there is a spirit of cooperation through which the two sides can work together to reach a common goal: the police to solve crime and the reporters to report the necessary information about them to the community.

Reporter Perspectives

“I never as a reporter have seen my role as being an adversarial one. It doesn't mean you don't hold people accountable and you're not tough, but it's my experience that you are not going to get the story if you are in that position. And that's my job is to get the story.”

-Radio news director with more than 20 years experience

The reporters interviewed for this research come from a variety of years of experience and forms of media. The researcher's concerns about whether a range would be possible to find, especially given the turnover of reporters in television newsrooms in Missoula, did not end up being an issue. Although several of them do not have significant years of experience reporting crime, they did have enough personal knowledge of working with the Missoula P.D. to offer insight into the process and their relationships with officers and the department.

The daily routine of getting the logs by e-mail and visiting the police department in person to ask questions about specific incidents appears to work well from the reporter perspective. The reporters have no major complaints about the set-up. The logs in particular are appreciated because the reporters can get an idea of whether there are any interesting stories to pursue before going to see the detectives face-to-face. One reporter, covering crime about 2 years, did mention that the logs don't give a lot of information, and sometimes what it does offer can be difficult to decipher for the inexperienced crime reporter. That means she often has to go down to the station regardless of what she finds on the log because she cannot discern an incident's news value based on the vagueness of the report. Another television reporter, also with about 2 years experience in the market, said the logs offered her an important tool for building relationships with the police officers. She would find something on the log each day to

take to the detectives. This allowed her a chance to have contact with them in person and also show she was doing her part to take an active role in the reporting process.

“I made it a point to physically go down there every day and then I also made it a point, just so they knew I was trying, I’d at least print off one thing to ask them about.

Especially the first year I was there, because I knew it bothered them when reporters would come down and say, ‘Oh, I didn’t have time to look’ or they would routinely go down there and not have anything to ask about. I think it just built a good relationship, they knew I cared enough to look at what they were sending me.”

Another journalist, who has been working with Missoula police for more than 5 years as a print reporter, said the procedure has changed a bit during his tenure, becoming more structured. In some cases, he said, that means he’s not getting some of the bits of information he might have in the past.

“When I first started covering the beat you could just loiter a bit more. You could just go there; you didn’t have to be met at the door. You could just kind of hang out. You did have more contact with detectives. And it was that kind of encounter that worked best for me because somebody might cough up a bit of information that had nothing to do with what you were asking about and it would turn into something so much more. And plus you just had more of a presence. Now they’re a bit more guarded.”

Even with the changes, the reporters felt there has been plenty of opportunity for them to form relationships with the officers they work with; whether that is the daily interaction with detectives or the occasional meeting with sergeants and other shift supervisors on nights and weekends. Each of these chances to work together are seen from the reporters’ perspective, just as with the police, to be an integral part of their job and a central aspect of building those

relationships. “I feel like I can trust them. If something happens, I don’t have to worry about whether they’re going to tell me. Or if I miss something in the logs, they’ll tell me,” explained one television reporter. All of the reporters agreed that aside from being able to form relationships and build trust the regular contact allows them to learn important aspects of police work, which helps them do their jobs better. One television reporter explained how that often played a key role in how she dealt with others in her own newsroom, who did not have the same knowledge, but might get their hands on a story for a re-write.

“I got to understand how the police department and the sheriff’s department work. I know trooper is highway patrol, deputy is sheriff’s department, and police officer is police department. And a lot of reporters, producers, and other people would write ‘cops bust.’ Well maybe it was the sheriff’s department that did it. So say it’s my story and it gets changed for the morning show. I would go in and have the sheriff’s department be like, ‘No it was us who made that big bust, why are you giving credit to the police department when it was us who did it?’”

The television reporters felt the main area of concern regarding their reporting on crime issues would often occur as a result of other reporters or producers re-writing stories for later broadcasts, after the initial reporter had left for the day. Those reporters felt the police department was good about coming forward to ensure the error was fixed, and that the officers understood that a person with less experience working with police was often responsible for the mistake. Although the reporters find the officers to be fairly understanding during these times, there is one issue that is much more sensitive: reporting on internal matters in the department. One reporter in particular felt that this was a key point of contention between the two sides. He said it is difficult to “break through the blue wall of silence” to report what is happening inside

the police department. "But as a journalist," he said, "you just have to recognize that those stories are just as important as anything else, if not more important." The reporters understood that their relationship with the police department as a whole, or singular officers, would not always be a happy one. The newspaper reporter referred to it as a "boom and bust cycle."

"You get an 'atta boy' once in awhile from the cops when they think you reported a story fairly and accurately and did a public service. And then you're in with them. There's kind of a boom and bust cycle then where you might be in their good graces one month and then the next month report something that they think was unfair to them or you didn't get the story straight and you might not have as many friends in the department for awhile. If they're annoyed with you it doesn't last forever."

This reporter explained that it wasn't just the times he reported on an internal police department matter that he felt the bust, but also once when he used a quote from an officer who didn't realize the conversation was on the record. Although the reporter didn't feel he made a mistake, he did say it's important to be clear the source knows the conversation is on the record.

One of the television reporters learned the hard way an important lesson about keeping some conversations off of the record. In this case, the reporter routinely asked the detectives if any of the university football players had been arrested. She knew the detectives wouldn't bring it up on their own, but also that if she asked the question they would likely give her an answer. One day the detective did give her a tip that something might be coming up in the near future, but not at that moment.

"A tip like that was huge. He went out of his way to tell me, completely off the record. It showed he had trust in me. And I went back and I told my friend who was a producer, look we can't report anything yet, but I got this tip and we just have to keep our eyes

open. I went out on another story and came back to livid voicemails from the detective and the police chief saying why did you tell the producers, we told you not to tell anyone, they're calling us and berating us with all these questions about griz athletes in trouble, I told you that in confidence, what the hell? And I had to go into this big damage control.

I think it did take a while for me to build the trust back up after that.”

For this reporter, the idea of being stung by one of her own co-workers was difficult, because she felt the trust in that relationship had been eroded. From that point on any tips she got from the police she kept to herself.

When it came down to whether or not the reporters had any issues talking with some of the police officers they dealt with on scene, especially breaking news scenes, there were positives and negatives. The newspaper reporter felt those interactions had a tendency to be better, because there is no set structure and they get to work with officers they do not routinely have a chance to work with. This helped the reporter develop relationships with more officers and it also allowed him to have conversations that might be more casual and yield something more interesting. Although each reporter experienced times when it was difficult to get information, especially when an incident happened close to deadline, they understood the officers' limitations and tried to put the person at ease. As one television reporter said, some reporters have the ability to do that and some don't. In her experience, “I would always approach it as, hey, I know you're really busy, this is going to be quick and painless, I just need a few facts. I was always able to make it not awkward and let them do their jobs and give me some quick facts and be on their way.”

Overall, the reporters interviewed viewed their relationships with Missoula police officers as positive. The times they believed those relationships became strained the reporter

was able to pinpoint an incident or story that caused the friction. The reporters agreed the time they were able to invest in building a relationship with law enforcement paid off in their ability to uncover stories and report them more effectively. At the same time, that process appears to be one that is ongoing. The relationships evolve over time and the reporters are consistently trying to make sure they develop additional points of contact within the department.

Police Chief Mark Muir

“I would characterize the relationship as challenging. And I say that because we have a desire to have a good working relationship, but feel from time to time that the demands of the relationship seem to be out of character with a symbiotic relationship. We believe, I believe, that we can work with the media and that the relationship can be meaningful in both directions.”

-Missoula Police Chief Mark Muir

The interview with Missoula Police Chief Mark Muir took place on a Monday morning, President’s Day. It should have been a day off for him, as city offices were closed for the holiday. But he was in his office trying to catch up on work before leaving on vacation, and preparing for what was sure to be a difficult week ahead. He had spent the weekend speaking with local news media about the death of a former Missoula officer who was shot in the line of duty in 1998. The officer passed away just days before this interview in February 2010 from medical complications related to the injuries he sustained in that shooting. Also fresh on the chief’s mind, the extensive media coverage of the case of a tortured kitten and the suicide of the man alleged to be the abuser. Both of these events took on much media scrutiny and came up several times in my discussion with him over the status of the relationship between his department and local journalists. For Chief Muir, his encounter with one particular reporter covering the officer’s death, a fairly new television reporter, pointed to where many of the problems in that relationship start: at the beginning.

“I just looked at her and thought to myself, I have never even seen her on screen, anything, I don’t know her from Adam. She had all the right equipment, she had her camera and so on and so forth, she introduced herself. And it’s not all that uncommon that the chief of police wouldn’t have met her, but I found out in talking with her that she

had to get directions on how to get here, from the shift commander. And her station is two blocks away.”

Chief Muir has been with the Missoula Police Department since 1991. Previous to becoming a police officer, Muir spent more than 15 years working his way up the ranks of the grocery business. He was ready to get out of the retail business and into another job that still involved working with the public when he looked into police work. Over the next 17 years, Muir was promoted through the police department and was named chief in May of 2008. During his time with the Missoula P.D., Chief Muir has had a great deal of experience working with the media. While attending an FBI academy for law enforcement officials from across the country he wrote the media policy (see appendix) that is now used by the department. It’s that policy that the chief believes sets up the relationship between the police department and local media.

“We have a policy that tries to set out a good working relationship, balancing the need to know, or the need to share... because in some cases need to know is when the media is coming to us for information, need to share is when it’s us wanting to get that information out to the public. But all of that, of course, has to be balanced so carefully with the right to know and what information can be put out.”

Chief Muir admits it can be a challenge for law enforcement agencies to craft a useable media policy. The state of Montana’s constitution guides the process. It weighs the release of criminal justice information based on the public’s right to know versus the individual’s right to privacy. Montana’s Criminal Justice Information Act of 1979 (see appendix) provides a more detailed list of the criteria for weighing what information can be released, however it is still vague enough to require law enforcement agencies to interpret the law. According to Chief

Muir, "It can be problematic. I think we've developed it to a point where certainly we try to use it in what we believe is the public's best interest."

Having a policy in place is one thing. It's something else to have officers who work with the media utilize it properly. Chief Muir said the department is working to make sure that those officers who are charged with the task of talking to the media are prepared to do so. For their latest round of promotions for lieutenant, the officers were to be put in a practice situation with a training simulator that the department uses for various types of training. The video program involves a reporter asking questions on a specific case. The simulator will lead the reporter's questions in certain directions based on how the officer responds. The chief said, "They will be led off into the weeds or they will successfully navigate the course... If they say no they can't release that information, the next question is "Well, why can't you tell us?" The chief said that can be the more important of the two questions, since the officer needs to be able to explain what makes that information confidential criminal justice information and what negative impact its release could have on a case.

Chief Muir said the simulator training is one way the department is working to better its relationship with journalists. But he would also like to see some proactive measures taken on the part of the reporters, too. He said the example of the new reporter, working in Missoula six weeks at a station just blocks from the police department, asking for directions to get there, illustrates part of his frustration. As he explained it, "The media market here has such a high degree of turnover we find ourselves working with new people in the market, and never quite know what we are getting." He said he would like to see news agencies take initiative in helping new reporters learn the ropes, by having someone bring them down sooner, rather than later. When asked whether he thought the journalists or news agencies wouldn't know that would be a

welcome move he said, "I think to me it's a bit of a frustration considering the level of cooperation they are expecting from us, it's a professional courtesy for them to make sure and give their people that degree of familiarization and opportunity. We're a much more fixed object."

Part of that familiarization of the inner workings of the police department comes in comprehending the daily logs which reporters use to look for potential stories. The researcher explained to the chief that the reporters interviewed for this study are grateful the logs are e-mailed to them on a daily basis, allowing them to get a look at what they might be asking about when they come to the station to be briefed by the detective. However, at least one reporter spoke of concern that the logs are vague and difficult to decipher. The chief said he would look into the possibility of getting more information on the logs, but at the same time he explained that the reporters have access to several documents, including the jail roster, that help them discern an incident's importance. He said helping that process along could be a joint effort, whereas the news agencies introduce their reporters to the police department and the department helps teach the reporters some of the necessary lingo and terminology.

"Teaching a journalist to know what an Adam code is, for example, so they can recognize whether an individual has been arrested or if it was just a citation issued. Or the ones where an individual was actually taken into custody, an Adam arrest 1, um, that sends you the message, now I need to cross check this with where the person showed up in jail and so with the number you can actually verify this person was arrested for this crime."

The chief said there are other ways for reporters to identify incidents of potential news value, such as the number of officers on scene and key words. He says any call that has a lot of

officers attached to it is likely significant. And words like felony and aggravated can help the reporters key in on serious crimes. He said there are times, however, where some incidents won't be classified as a serious offense until it has been evaluated by the city or county attorney's office. That, he said, is what makes cross-checking with the jail roster and the court docket so important. The reporter won't necessarily find out everything they need to know from the police officer. Sometimes the police officer doesn't have all of the information.

Chief Muir said it is difficult for them to respond when a reporter comes in and asks: "Anything exciting happen last night?" Those times he feels the reporters are not doing their part to look for themselves. He said it's unlikely a reporter will get a laundry list of potential stories when that question is posed, simply because everyone views things differently.

"My definition of a good story and a journalist's definition of a good story could be two completely different things. Two different tv stations in town frequently have a different idea of what makes a good story and what doesn't. Two newspaper outlets in town very definitely have two different opinions of what makes a good story and what doesn't. And so the same holds true for us. Two sergeants could very easily have different ideas of what makes a good story."

Chief Muir said there is one problem above any other that can cause damage to the relationships he builds with reporters: being misquoted. He said many Missoula police officers would rather talk to television reporters over newspaper reporters simply because there's a record. The television reporter is recording the interview on camera, whereas the newspaper reporter is relying on jotted down notes and memory. Even if something is taken out of context, at least the officer feels there is a physical record of what they said. The chief told the story of one particular incident with a reporter that resulted in the need for a sit down chat between them.

The reporter put in the story that the chief did not return any phone calls requesting a comment. It just happened to be the chief was out of town. “OK, you don’t get a call back, you call and check is there a reason I haven’t gotten a call from the chief? Yeah, he happens to be in Mexico. Talk to somebody else. That’s just laziness in my opinion.” The chief made sure to have the reporter in his office to discuss the matter. Just like most of the other officers interviewed, it’s something he said he makes a point of doing in order to maintain those relationships should a misunderstanding arise. According to the chief, “Rather than me being ticked off at you and shutting you off from any information, let’s talk this out ... this is going to impact our relationship for at least a while until I feel I can generate some trust here and know I’m going to be accurately quoted.”

Many of the topics brought up by the chief were those discussed in the interviews with other officers: the idea of developing relationships over time, the daily interaction through the logs and briefing and the maintenance of those relationships through accurate reporting. But there were several issues the chief viewed more strongly than others as potential areas of conflict. The chief started off the interview by classifying the overall relationship between the media and law enforcement as challenging. He said those challenges are in large part due to the turnover of reporters in an ever-changing market and getting them up to speed to cover crime. While he feels much of the responsibility for making that happen lies with the reporters, he’s ready to do what’s necessary on his end to help make that process for accessible.

Conclusion

This research shows that trust is above all the most important factor in the creation of a relationship between a police officer and members of the media. The officer needs to know he or she can trust the journalist to report the facts accurately and hold true to their word when asked to keep something off the record. The journalist needs to know he or she can trust the officer to tell them what they can, within the confines of the law and the investigative process. The relationships that are built between these two entities as a result of this trust then become the real foundation they work from. If a reporter finds out later that a tidbit was withheld or given to one reporter over another, the bond is broken. The police officer wants to know the journalist isn't just fishing for a story, that the legwork is being done to research potential stories and to understand how the department works. Often it seems the journalist, though trying to get a bearing on how to be a crime reporter, needs just a touch more guidance from the officer, since a reporter's initiative to do that on their own can be met with skepticism by police.

Through interviews the researcher found that trust and relationships figure prominently into how these two groups interact. However, each side could also easily name things that aggravate the relationship. Police officers become upset by sloppy and inaccurate reporting. They feel the trust is broken when their words are taken out of context. Reporters, on the other hand, say there are times when it is unavoidable to put these cultivated relationships on the line. Those are the times they report on something other than crime, such as internal issues facing the police department. The reporters can't overlook these matters and know there will always be the chance the relationship will sour for a time. All they can do is report the facts of the story and hope the relationship returns when the internal matter is resolved. Also, reporters expressed their

frustrations that some of the people involved in putting a strain on their relationship with police are often their own co-workers within the newsroom. They put in the time to work with officers and learn the ropes, gain trust and report the stories. Sometimes it's an overzealous producer or news director with an aggressive agenda that disrupts the process. The reporter has no control over those outside forces, although they try to make the police officers understand the situation.

This researcher began the process of writing this paper with one goal in mind: to find out both the positive and negative aspects of the police and media relationship. After spending ten years working as a broadcast journalist, I had been able to forge good working relationships with officers in several police departments and had also felt the sting and confusion of being unable to do that with others. Having been raised the daughter of a police officer, I understood better than most reporters the limitations law enforcement officers work within when providing information. I could easily feel the frustration of not getting all the details I wanted as a reporter and at the same time I could sympathize with an officer's constraints. I chose to conduct one-on-one interviews with each of the respondents with the goal of making them comfortable enough to provide honest responses to my questions, and I do believe for the most part, that's what I walked away with. I made my personal experience known prior to each interview, whether police officer or journalist, so there was no confusion as to my stance: I can see both sides' perspective. I always believed these two groups have more in common than they realize. And after conducting this research, I still do.

Although a solid cross-section of both police officers and reporters were interviewed, the research is not without its limitations. First is the issue of reporter turnover. The newspaper reporter had the most substantial amount of experience working with police at more than five years. The television reporters each had just over two years. Although they had enough

experience to share their insight, it is still difficult to get a solid grasp of the relationship when there is no singular connection dating longer than five years. Regular reporter turnover, especially among television reporters, posed a small issue in this research, just as it poses a regular problem in the police-media relationship. One up side to the minimum experience, however, was their collective recollections of learning about the department and becoming accustomed to reporting on crime. Also, the perspective of the news managers was intentionally excluded from this research. The idea here is to get the ins and outs of the ground level, working relationship. News managers do not have that regular contact. However, it is evident that their opinions and ideas on this subject have a substantial impact on reporters and police officers. It would be worthwhile to do further research into how news manager perspectives and direction to their employees influences the police-media interaction. Finally, this study focuses solely on one police department and several media outlets in one community. This department has a clear media policy and plan for working with the media daily. It would be interesting to contrast these findings with a similarly sized city without this structure in place.

A longtime radio reporter and news director in Missoula, who has seen the Missoula P.D. evolve over time in its dealings with the media, says the department has become more media savvy over the years and has evolved from a time when officers viewed reporters as the enemy. She said, "They now realize the media is part of their effort to reach the community and solve problems that only the community can solve with them." That idea of working with the community is echoed by the communications officer for the city of Missoula, who is a former journalist. She worked as a reporter for the Missoula newspaper for 20 years, before becoming the mayor's press secretary and communications director for the city. She was interviewed to get some dual perspective. She said she often helps reporters reach out to various city departments

to cover many types of stories, including police stories, and she urges them to build much of their contacts on their own over time.

I think all good reporting is about relationships. There's direct relationship between how good of a reporter you are and how good of relationships you make in your community, in a city like Missoula. Your source has to know you and trust you and trust that if he or she talks to you in a well-rounded comprehensive way, feels comfortable going off the record or telling you background so you really understand, you're going to get the best story. If you're source is suspicious of you, you have burned the person or you're inaccurate, it's not going to be a very good story.

The communications officer said one way to get reporters better attuned to working with police and city government is a boot camp of sorts. It would give reporters a basic understanding of how different facets of city government operate and initial points of contact for stories. Specific to the police department, reporters would learn more about how the department operates and hear from law enforcement about proper procedures for working with police to report crime stories. Similarly, Chief Muir believes initial contact with reporters who are new to the city could include a short orientation with some written materials. Those written materials could include an explanation of the codes and common terminology used by the police that can help reporters in sorting through regular incident reports and finding potential stories.

Interestingly, the research uncovered only one major problem with the department's current written media policy: none of the reporters knew it exists. Each of the reporters interviewed had never seen it before and some did not even know the department has a policy. The researcher believes reporters could benefit from a collection of written materials in a

preliminary information packet from the department, including the policy and the suggestions by the chief. The chief explained his frustrations that the department is expected to be available to reporters to search logs and answer questions, but often times the reporters, especially new reporters, are unprepared to do their part. Over time, reporters get a handle on the process, but the chief says he would like more outreach on the part of the news managers to get these new reporters in the know. It is the researcher's opinion that short, regular contact between the news managers and police chief (and possibly detectives, as well) could help alleviate some of these issues. It would allow these two parties to become better acquainted with each other, helping resolve some of the miscommunication that occurs at the management level, while allowing the news managers to set a clear standard for how to approach the department when new reporters come on board.

Overall the Missoula Police Department and local reporters have a solid working relationship. The department has done its part to set a clear media policy that includes a structured process for working with reporters during normal office hours and when breaking news occurs in the off-hours. The chief and the department expressed a willingness to do what they can to make that process even better. The reporters for the major media outlets take advantage of these opportunities and feel that for the most part, it works. Certainly there is nothing that can be done to quell the curiosity of the reporter on some occasions when they view the amount of information being released as insufficient. And certainly the officers can only do so much in that regard since they are working under a delicate system that weighs the rights of privacy of the individual with the public's right to know. However, the more these two sides know about each other and the process they work within, the better the public can be informed of instances of crime happening within Missoula. In the end, it is the shared goals of informing the

residents of the community and furthering public safety that both the police and reporters want to achieve.

Sources

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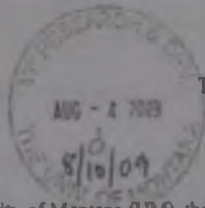
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Form RA-108
(Rev. 1/09)



THE UNIVERSITY OF MONTANA-MISSOULA
Institutional Review Board (IRB)
for the Use of Human Subjects in Research
CHECKLIST / APPLICATION

IRB Protocol No.
142-09

At The University of Montana (UM), the Institutional Review Board (IRB) is the institutional review body responsible for oversight of all research activities involving human subjects outlined in the U.S. Department of Health and Human Services Office of Human Research Protection (www.hhs.gov/ohrp) and the National Institutes of Health, Inclusion of Children Policy Implementation (<http://grants.nih.gov/grants/funding/children/children.htm>)

Instructions: A separate registration form must be submitted for each project. IRB proposals are approved for three years and must be continued annually. Faculty members may email the completed form as a Word document to IRB@umontana.edu. Students must submit a hardcopy of the completed form to the Office of the Vice President for Research & Development, University Hall 116.

1. Administrative Information

Project Title: Law Enforcement and the Media: An Examination of the Missoula Police Department	
Principal Investigator: Melissa Jensen	Title: Graduate Student
Email address: melissa.jensen@umontana.edu	
Work Phone: n/a	Cell Phone: (406) 690-1806
Department: Sociology	Office location: Don Anderson Hall

2. Human Subjects Protection Training (All researchers, including faculty supervisors, must have completed a self-study course on protection of human research subjects within the last three years (<http://www.umt.edu/research/compliance/info/IRB/>) and be able to supply the "Certificate(s) of Completion" upon request. Add rows to table as needed.)

NAME and DEPT.	PI	CO-PI	Faculty Supervisor	Research Assistant	DATE COMPLETED Human Subjects Protection Course
Melissa Jensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2/12/2009
Dusten Hollist	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9/15/2007
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

3. Project Funding

Is grant application currently under review at grant funding agency? <input type="checkbox"/> Yes (if yes, cite sponsor on ICF if applicable) <input checked="" type="checkbox"/> No		Has grant proposal received approval and funding? <input type="checkbox"/> Yes (if yes, cite sponsor on ICF if applicable) <input type="checkbox"/> No		
Agency	Grant No.	Start Date	End Date	PI
Is this part of your thesis or dissertation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		If yes, date you successfully presented your proposal to your committee: Dec 15, 2008		

For IRB-IRB Use Only

IRB Determination:

- Approved Exempt from Review, Exemption # _____ (see memo)
- Approved by Expedited/Administrative Review (see *Note to PI)
- Full IRB Determination
- Approved (see *Note to PI)
- Conditional Approval (see memo) - IRB Chair Signature/Date: _____
- Conditions Met (see *Note to PI)
- Resubmit Proposal (see memo)
- Disapproved (see memo)

* Note to PI: Study is approved for one year. Use any attached IRB-approved forms (signed/dated) as "masters" when preparing copies. If continuing beyond the expiration date, a continuation report must be submitted. Notify the IRB if any significant changes or unanticipated events occur. Notify the IRB in writing when the study is terminated.

Final Approval by IRB Chair: *Shala Hoffland* Date: 8/18/09 Expires: 8/17/2010

SUBJECT INFORMATION AND INFORMED CONSENT

Title: Law Enforcement and the Media: An Examination of the Missoula Police Department

Project Director(s): Student Researcher: Melissa Jensen, melissa.l.jensen@umontana.edu

Faculty Supervisor: Dusten Hollist, dusten.hollist@umontana.edu

Special instructions: If you read anything that is not clear to you, please ask the person who gave you this form to explain them to you.

Purpose: You are being asked to take part in a research study looking at the relationship between officers with the Missoula Police Department and members of the local media.

You have been chosen because you are a law enforcement officer with experience dealing with the media.

The purpose of this research study is to learn about law enforcement officers interactions with the media and gather ideas to facilitate a professional working relationship with them.

Procedures: If you agree to take part in this research study, an in-depth interview will be conducted.

- You will be asked questions dealing with the Missoula Police Department's media policy, your personal interactions with the media (both positive and negative) and your opinions on any potential improvements to the media policy.
- With your permission, this interview will be recorded. (Audio only)
- The study will take place at the Missoula Police Department (neutral location).
- The session will last approximately 60 minutes.
- You may be contacted in the future for further study.

Benefits: Your participation will help further an understanding of the relationship between law enforcement officers and journalists in your community.

Confidentiality: Your responses will be kept private and will not be released without your consent except as required by law.

- Only the researcher will have access to the files and tapes.
- Your identity will be kept confidential.
- If the results of this study are written in a professional journal or presented at a professional meeting, your name will not be used.
- The data will be stored in a locked file cabinet and/or on a password protected computer.
- Your signed consent form will be stored in a cabinet separate from the data.
- The audiotape will be transcribed without any information that could identify you.
- At the completion of the researcher's work, all recordings will be erased and/or destroyed.

Compensation for Injury:

Although the risks of taking part in this study are minimal, the following liability statement is required in all University of Montana consent forms.

Approval Expires On 8/17/2010
Date Approved By UM-IRB 8/18/2009
Dustin Hollist IRB-Chair

"In the event that you are injured as a result of this research you should individually seek appropriate medical treatment. If the injury is caused by the negligence of the University or any of its employees, you may be entitled to reimbursement or compensation pursuant to the Comprehensive State Insurance Plan established by the Department of Administration under the authority of M.C.A., Title 2, Chapter 9. In the event of a claim for such injury, further information may be obtained from the University's Claims representative or University Legal Counsel." (Reviewed by University Legal Counsel, July 6, 1993)

Voluntary Participation/Withdrawal:

- Your decision to take part in this research study is entirely voluntary.
- You may refuse to take part in or you may withdraw from the study at any time without penalty.
- You may leave the study for any reason, at any time.

Questions: You may wish to discuss this with others before you agree to take part in this study.

- If you have any questions about the research now or during the study contact:

Melissa Jensen: melissa.jensen@umontana.edu

Dusten Hollist: dusten.hollist@umontana.edu

- If you have any questions regarding your rights as a research subject, you may contact the Chair of the IRB through The University of Montana Research Office at 243-6670.

Statement of Consent:

I have read the above description of this research study. I have been informed of the risks and benefits involved, and all my questions have been answered to my satisfaction. Furthermore, I have been assured that any future questions I may have will also be answered by a member of the research team. I voluntarily agree to take part in this study. I understand I will receive a copy of this consent form.

Printed Name of Subject

Subject's Signature

Date

Statement of Consent for Audio Recording

I understand that audio recordings will be taken during the study.

I consent to being audio recorded.

I understand that audio recordings will be destroyed following transcription, and that no identifying information will be included in the transcription.

Subject's Signature

Date

Approval Expires On 8/17/2010
Date Approved By UM IRB Chair
[Signature] IRB-Chair

Explanation of Research

Law Enforcement and the Media: An Examination of the Missoula Police Department

This research project is an investigation of the interactions between officers with the Missoula Police Department and members of the local media. Participants in this research will be of varying ranks and experience levels within the department and will also have varying levels of experience in dealing with the local media. You have been asked to participate because you are an officer with the Missoula Police Department with personal experiences to share on this topic. Your participating will help identify common areas of conflict between these entities and potential solutions in order to facilitate these relationships and interactions.



Missoula Police Department

435 Ryman Street, Missoula, MT 59802-4297

From the Desk of Mark Muir

Phone: (406) 552-6316 Fax: (406) 728-6690

mmuir@ci.missoula.mt.us

UM Graduate Program
c/o Melissa Jensen

Dear Institutional Review Board Members,

I have been actively working with graduate student Melissa Jensen to help the Police Department further our policies and training in Media Relations. She attended our Police Citizens Academy this spring and is well prepared to conduct this research.

This letter is to inform you that Melissa Jensen has been given permission to conduct interviews for her graduate research at the Missoula Police Department within City Hall. Melissa has shared with me her intent to conduct these interviews on the premises in an effort to create a comfortable, accessible and consistent location for all of the officers being interviewed.

If you have any questions, please feel free to contact me at the above numbers. We are very happy to accommodate Melissa's efforts to complete her studies and assist in any way possible.

Respectfully,

A handwritten signature in cursive script that reads "Mark Muir".

Mark Muir, Chief of Police

Melissa Jensen -- Interview Guide

The purpose of this interview is to identify areas that you (the respondent) identify as sources of conflict and/or miscommunication between Missoula Police Department officers and local journalists. I am also interested in knowing more about areas of positive interaction between these two groups.

Interview Questions:

- 1.) Tell me about your law enforcement career. (Years of service, where, etc.)
- 2.) Tell me about the Missoula Police Department's policy for communicating with the media.
 - a.) Who dictates the media communication policy for the department?
 - b.) Is there a singularly responsible officer appointed for speaking on the dept.'s behalf?
 - c.) Who is responsible for press releases (both general information and breaking news)?
- 3.) What can you tell me about the effectiveness of this policy, from your perspective?
 - a.) Has it been helpful to you?
- 4.) Give me examples of instances when there have been communication problems with the media.
 - a.) Are these a matter of policy confines or lack of understanding on the part of the media?
 - b.) Tell me how you feel when this happens.
- 5.) Do you think these problems can be addressed with changes to the policy, or perhaps a more detailed policy?
- 6.) Give me examples of positive relationships/interactions you have with members of the media and why they work.
- 7.) Give me some examples of when the media are an important tool for you in reaching the community.
 - a.) Did the department reach out to the media or was it just happenstance?
 - b.) Would you like to see more of this in the future?
- 8.) What are the most common types of questions members of the media ask regarding active cases -- that you are unable to answer?
 - a.) Explain to me, if you can, the types of situations where withholding information is necessary to an investigation.
 - b.) How do journalists respond to not getting these questions answered? Do they understand your reasons for that?
- 9.) Is there anything else you would like to add?

Montana Code Annotated 2009

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44-5-101. Short title. This chapter may be cited as the "Montana Criminal Justice Information Act of 1979".

History: En. Sec. 1, Ch. 525, L. 1979.

Provided by Montana Legislative Services

Montana Code Annotated 2009

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44-5-103. Definitions. As used in this chapter, the following definitions apply:

- (1) "Access" means the ability to read, change, copy, use, transfer, or disseminate criminal justice information maintained by criminal justice agencies.
- (2) "Administration of criminal justice" means the performance of any of the following activities: detection, apprehension, detention, pretrial release, posttrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. It includes criminal identification activities and the collection, storage, and dissemination of criminal justice information.
- (3) "Confidential criminal justice information" means:
 - (a) criminal investigative information;
 - (b) criminal intelligence information;
 - (c) fingerprints and photographs;
 - (d) criminal justice information or records made confidential by law; and
 - (e) any other criminal justice information not clearly defined as public criminal justice information.
- (4) (a) "Criminal history record information" means information about individuals collected by criminal justice agencies consisting of identifiable descriptions and notations of arrests; detentions; the filing of complaints, indictments, or informations and dispositions arising from complaints, indictments, or informations; sentences; correctional status; and release. It includes identification information, such as fingerprint records or photographs, unless the information is obtained for purposes other than the administration of criminal justice.
 - (b) Criminal history record information does not include:
 - (i) records of traffic offenses maintained by the department of justice; or
 - (ii) court records.
- (5) (a) "Criminal intelligence information" means information associated with an identifiable individual, group, organization, or event compiled by a criminal justice agency:
 - (i) in the course of conducting an investigation relating to a major criminal conspiracy, projecting potential criminal operation, or producing an estimate of future major criminal activities; or
 - (ii) in relation to the reliability of information, including information derived from reports of informants or investigators or from any type of surveillance.
 - (b) Criminal intelligence information does not include information relating to political surveillance or criminal investigative information.
- (6) (a) "Criminal investigative information" means information associated with an individual, group, organization, or event compiled by a criminal justice agency in the course of conducting an investigation of a crime or crimes. It includes information about a crime or crimes derived from reports of informants or investigators or from any type of surveillance.
 - (b) The term does not include criminal intelligence information.
- (7) "Criminal justice agency" means:
 - (a) any court with criminal jurisdiction;
 - (b) any federal, state, or local government agency designated by statute or by a governor's executive order to perform as its principal function the administration of criminal justice, including a governmental fire agency organized under Title 7, chapter 33, or a fire marshal who conducts criminal investigations of fires;
 - (c) any local government agency not included under subsection (7)(b) that performs as its principal function the administration of criminal justice pursuant to an ordinance or local executive order; or

(d) any agency of a foreign nation that has been designated by that nation's law or chief executive officer to perform as its principal function the administration of criminal justice and that has been approved for the receipt of criminal justice information by the Montana attorney general, who may consult with the United States department of justice.

(8) (a) "Criminal justice information" means information relating to criminal justice collected, processed, or preserved by a criminal justice agency.

(b) The term does not include the administrative records of a criminal justice agency.

(9) "Criminal justice information system" means a system, automated or manual, operated by foreign, federal, regional, state, or local governments or governmental organizations for collecting, processing, preserving, or disseminating criminal justice information. It includes equipment, facilities, procedures, and agreements.

(10) (a) "Disposition" means information disclosing that criminal proceedings against an individual have terminated and describing the nature of the termination or information relating to sentencing, correctional supervision, release from correctional supervision, the outcome of appellate or collateral review of criminal proceedings, or executive clemency. Criminal proceedings have terminated if a decision has been made not to bring charges or if criminal proceedings have been concluded, abandoned, or indefinitely postponed.

(b) Particular dispositions include but are not limited to:

(i) conviction at trial or on a plea of guilty;

(ii) acquittal;

(iii) acquittal by reason of mental disease or defect;

(iv) acquittal by reason of mental incompetence;

(v) the sentence imposed, including all conditions attached to the sentence by the sentencing judge;

(vi) deferred imposition of sentence with any conditions of deferral;

(vii) nolle prosequi;

(viii) a nolo contendere plea;

(ix) deferred prosecution or diversion;

(x) bond forfeiture;

(xi) death;

(xii) release as a result of a successful collateral attack;

(xiii) dismissal of criminal proceedings by the court with or without the commencement of a civil action for determination of mental incompetence or mental illness;

(xiv) a finding of civil incompetence or mental illness;

(xv) exercise of executive clemency;

(xvi) correctional placement on probation or parole or release; or

(xvii) revocation of probation or parole.

(c) A single arrest of an individual may result in more than one disposition.

(11) "Dissemination" means the communication or transfer of criminal justice information to individuals or agencies other than the criminal justice agency that maintains the information. It includes confirmation of the existence or nonexistence of criminal justice information.

(12) "Fingerprints" means the recorded friction ridge skin of the fingers, palms, or soles of the feet.

(13) "Public criminal justice information" means:

(a) information made public by law;

(b) information of court records and proceedings;

(c) information of convictions, deferred sentences, and deferred prosecutions;

(d) information of postconviction proceedings and status;

(e) information originated by a criminal justice agency, including:

(i) initial offense reports;

(ii) initial arrest records;

(iii) bail records; and

(iv) daily jail occupancy rosters;

(f) information considered necessary by a criminal justice agency to secure public assistance in the apprehension of a suspect; or

(g) statistical information.

(14) "State repository" means the recordkeeping systems maintained by the department of justice pursuant to 44-2-201 in which criminal history record information is collected, processed, preserved, and disseminated.

(15) "Statistical information" means data derived from records in which individuals are not identified or identification is deleted and from which neither individual identity nor any other unique characteristic that could identify an individual is ascertainable.

History: En. Sec. 3, Ch. 525, L. 1979; amd. Sec. 1, Ch. 804, L. 1991; amd. Sec. 1, Ch. 431, L. 1993; amd. Sec. 1, Ch. 147, L. 1999; amd. Sec. 1, Ch. 253, L. 2003; amd. Sec. 9, Ch. 449, L. 2007.

Provided by Montana Legislative Services



MISSOULA POLICE DEPARTMENT POLICY MANUAL

<i>Subject:</i>		
MEDIA RELATIONS		
<i>Effective Date:</i> 03/17/2010	<i>Original Date:</i> 12/10/2003	<i>Next Review:</i> 12/01/2011
<i>Chapter</i> 14	<i>Policy #</i> 14.11	<i>Distribution:</i>
<i>References:</i> <i>Information Dissemination; City of Missoula Press Releases</i> <i>State ex rel. Smith v. District Court, 201 Mont. 376, 381, 654, P.2d 982, 985 (1982)</i> <i>Great Falls Tribune v. District Court, 186 Mont. 433, 438, 600 P.2d 116, 119 (1980)</i> <i>MCA 44-5-103, MCA 23-5-116, MCA 44-5-302, MCA 7-1-4144, MCA 44-5-303,</i> <i>MCA 41-5-215, MCA 61-7-114</i>		

I. Purpose

It is the purpose of this policy to establish guidelines for the release and dissemination of public information to print and broadcast news media.

II. Policy

It is the policy of the Missoula Police Department to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to the activities of the department, as long as these activities do not unduly interfere with police operations, infringe upon individual rights or violate right-to-privacy laws.

III. Definitions

News Media: Individuals employed by recognized agencies of the print and electronic media with proper credentials identifying them as a member of the media. Freelance workers and journalism students are to be considered members of the general public for this policy unless otherwise approved by the designated Public Information Officer, shift commander or staff officer.

Public Daily Activity Report: A report generated from the calls-for-service records of the Missoula Police Department, available for review at the 24 hour radio desk or the front receptionist desk during regular business hours.

Public Information: Information that may be of interest to the general public that is not prohibited from disclosure due to law or policy, including: Missoula Police Department Policies and Procedures, newsworthy events and strategic plans. Releases of this type of information should not unduly interfere with the mission of the Missoula Police Department, jeopardize the rights of the accused or compromise the legitimate safety of any individual.

Public Information Officer (PIO): A Public Information Officer is a specific officer or group of officers appointed by a staff member of the Missoula Police Department to be the sole distributor for an incident. Once a PIO or a group of

PIOs are established, no other department member will be allowed to distribute information to the media or general public. A PIO may be appointed by a staff member of the Missoula Police Department when the release of information from a central source is needed.

Statistical Information: Statistics generated from local police activities, calls-for-service records and other information generated by the Plans Unit for crime analysis and problem solving. Information of this nature must be reviewed by the Plans Unit and the Administration before release.

IV. Procedures

A. Cooperation with the media

1. News media representatives shall have reasonable access to the shift commander or his designee, the PIO, and the Chief of Police or his designee.
2. When information must be denied to the media, the basis for that denial should be fully and courteously explained.
3. Officers on scenes should refer all media request for information to the shift commander, the PIO, (if designated), or to the detective/officer assigned the case.

B. Failure of media representatives to present authorized credentials may result in restricted access to incident scenes.

1. Public information shall be available to media as promptly as possible, without partiality and in an objective manner.
2. Information should not be released by phone where the identity of the media representative is unknown.
3. Written press statements should be reviewed by the PIO, Shift Commander, Detective Supervisor or a staff member before distribution through physical or electronic means to local media outlets.
4. The shift commander shall be responsible for ensuring that the Strategic Plans Unit, the PIO and the ranking staff member are informed of events that may have media interests.

C. Personal Information that may be released:

1. The age, sex and geographical residency information of victims will normally be released. (i.e. 27 y/o female Missoula resident)
2. Victim business names may be released.

3. The names of arresting/investigating officers may be released unless the subject of an administrative action, in which case only by the Chief of Police or his designee.
4. The arrested adult's age, gender, city of residence and the nature of the incident being investigated may be released. The specific violations and bond amounts shall not be released until the person is formally charged in court.

D. Personal Information that may not be released.

1. Names of juveniles will not be released to the media under any circumstances, except in child abductions or disappearance cases.
2. The names of witnesses and victims will not normally be released, the media should be referred to the coroner's office for release of deceased victim's names.

E. Release of Investigative Information

1. Information which may be released in connection with a criminal investigation should contain value, concerns and interest of the citizens of Missoula.
2. The type or nature of an event or crime
3. The location, date and time, the injuries sustained, damages and a general description of how the event occurred
4. The type of property taken, but not the dollar amount or value.
5. The identity of a suspect may be released if it would aid in his/her apprehension or serve to warn the public of danger.
6. The name of the officer in charge of the investigation.
7. Estimated value of dangerous drugs.

F. Information which may not be released in connection with ongoing criminal investigations includes:

1. The identity of any victim of a sex crime or any related information which could lead to the victim's identity.
2. The identity of any witness or victim if such disclosure would prejudice the investigation or place them in personal danger.
3. The results of any investigative procedure such as fingerprint comparison, lineups or lab results, (the fact such tests have been done may be disclosed without further comment).

4. Information which could interfere with the investigation, or specific details that would only be known by the police or the criminal.
5. The specific cause of death, unless officially determined by the medical examiner.
6. Prior criminal conviction record, character or reputation of the defendant.
7. Existence or contents of confessions or statements by the defendant or his/her refusal to make either.
8. The results of any tests or failure to submit to such tests.
9. The expected testimony of any witnesses or victims.
10. Opinions about the defendant's guilt or the merits of the case.
11. Opinion or knowledge about pre-trial activities such as plea bargains.

V. Special Consideration

- A. Police personnel shall extend reasonable courtesy to news media representatives, who may include closer access of personnel and equipment than available to the general public; to the degree it does not hamper the police mission or the movement of traffic.
- B. Confidential Matters
 1. Media representatives shall be denied access to the contents of investigative or incident reports and records where release of the information would:
 - a. Endanger the life of any person
 - b. Interfere with law enforcement proceedings
 - c. Constitute an unwarranted invasion of the personal privacy rights of another person
 - d. Disclose investigative techniques and procedures, thereby impairing future effectiveness of the department or compromise officer safety.
 - e. Violate state or federal law.
- C. Criminal Matters
 1. The news media shall not be allowed access to a crime scene or to an incident scene where there is a possibility that evidence may be damaged, destroyed, altered, or otherwise prejudiced by its existence being published or portrayed.

2. At the scene of major incidents, the Incident Commander may designate a PIO, and a preliminary press area.
3. Media members shall not accompany officers onto private property without the permission of persons having an expectation of privacy.
4. Suspects or accused persons in custody shall not be posed or made available for interviews, photographs or telecasts.
5. Dissemination of photographs or mug shots to the media is allowed for locating suspects sought by the department for a criminal offense.

D. Media Ride-A-Long

1. In instances where members of the media are involved in a department approved citizen ride, the media member will not be allowed entry to or onto private property. At no time will citizens be exposed to the media in a way that would cause the citizens embarrassment.

E. Non-Criminal Matters

1. At the scene of significant accidents, man-made or natural catastrophes, the principles of media cooperation should be maintained to the degree that they do not obstruct the mission of the police, fire, medical or other emergency relief workers.

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MC040810-60	4/8/2010 6:10:36 AM	SUSPICIOUS ACTIVITY	MPD
MOUNT AVE AND JOHNSON ST			
Responding Unit(s): C280, C304, C339			
A7	UNFOUNDED, NOT BONAFIDE		
MC040810-67	4/8/2010 6:54:43 AM	QOL JNK/VEHICLES/PARKING ISSUE	MPD
1800 MONTANA ST			
Responding Unit(s): C11, C341			
A4	WARNED/RELEASED		
MC040810-70	4/8/2010 6:57:21 AM	SUSPICIOUS ACTIVITY	MPD
2325 RESERVE ST			
Responding Unit(s): C267, C304, C328, C339, C340			
MC040810-71	4/8/2010 6:57:02 AM	DISTURBANCE	MPD
2001 S 6TH ST W			
Responding Unit(s): C280, C301, C304, C320, C327, C328, C341			
A17	PEACE RESTORED		
A20	ASSISTANCE RENDERED		
MC040810-72	4/8/2010 7:03:28 AM	DISTURBANCE	MPD
1309 S 2ND ST W			
Responding Unit(s): C267, C301, C304, C327, C328			
A4	WARNED/RELEASED		
A20	ASSISTANCE RENDERED		
MC040810-74	4/8/2010 7:24:53 AM	EXTRA PATROL	MCSO
17620 FRENCHTOWN FRONTAGE RD			
Responding Unit(s): 411			
MC040810-75	4/8/2010 7:26:19 AM	COURT SUBPOENAS/PAPERS	MCSO
1530 MAURICE AVE			
Responding Unit(s): 420			
A38	COURT PAPERS SERVED		
MC040810-76	4/8/2010 7:29:33 AM	EXTRA PATROL	MCSO
11395 HIGHWAY 93 S			
Responding Unit(s): 440			
MC040810-78	4/8/2010 7:31:47 AM	EXTRA PATROL	MCSO
17620 FRENCHTOWN FRONTAGE RD			
Responding Unit(s): 426			

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MC040810-79	4/8/2010 7:32:11 AM	EXTRA PATROL	MCSO
16495 MAIN ST			
Responding Unit(s): 411			
MC040810-80	4/8/2010 7:35:27 AM	EXTRA PATROL	MCSO
18455 FRENCHTOWN FRONTAGE RD			
Responding Unit(s): 426			
MC040810-81	4/8/2010 7:42:51 AM	EXTRA PATROL	MCSO
16495 MAIN ST			
Responding Unit(s): 426			
MC040810-83	4/8/2010 7:43:43 AM	EXTRA PATROL	MCSO
9045 HIGHWAY 200			
Responding Unit(s): 422			
MC040810-84	4/8/2010 7:48:26 AM	SUSPICIOUS ACTIVITY	MCSO
15501 BOYER LN			
Responding Unit(s): 426			
A4	WARNED/RELEASED		
A5	INTERROGATED/RELEASED		
A20	ASSISTANCE RENDERED		
A20	ASSISTANCE RENDERED		
A55	ALCOHOL RELATED CALLS		
MC040810-85	4/8/2010 8:09:10 AM	EXTRA PATROL	MCSO
3100 SOUTH AVE W			
Responding Unit(s): 440			
MC040810-86	4/8/2010 8:12:55 AM	EXTRA PATROL	MCSO
4095 SOUTH AVE W			
Responding Unit(s): 440			
MC040810-87	4/8/2010 8:18:29 AM	EXTRA PATROL	MCSO
2835 S 3RD ST W			
Responding Unit(s): 440			

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MC040810-88	4/8/2010 8:20:06 AM	SEX OFFENDER RESIDENCE CHECK	MCSO
8060 HIGHWAY 93 N			
Responding Unit(s): 426			
A45	ERRAND COMPLETED		
MC040810-89	4/8/2010 8:22:09 AM	EXTRA PATROL	MCSO
6355 PADRE LN			
Responding Unit(s): 411			
MC040810-90	4/8/2010 8:28:07 AM	PERSON TO BE REMOVED	MPD
2325 RESERVE ST			
Responding Unit(s): C320, C341			
A4	WARNED/RELEASED		
MC040810-91	4/8/2010 8:27:23 AM	COURT SUBPOENAS/PAPERS	MCSO
2101 GARFIELD ST			
Responding Unit(s): 420			
A38	COURT PAPERS SERVED		
MC040810-92	4/8/2010 8:29:22 AM	PERSON/NEEDS ASSISTANCE	MCSO
AIRWAY BLVD AND HIGHWAY 10 W			
Responding Unit(s): 426			
A20	ASSISTANCE RENDERED		
MC040810-93	4/8/2010 8:30:10 AM	CONTROL/DIRECTION	MPD
HILLVIEW WAY AND 55TH ST			
Responding Unit(s): C11			
A47	UNABLE TO COMPLETE ACTION		
MC040810-97	4/8/2010 9:11:39 AM	DISORDERLY CONDUCT	MPD
2510 W CENTRAL AVE			
Responding Unit(s): C242			
A2	CITED/SUMMONS		
A8	REPORT, AT STATION		
A61	STATS		
MC040810-98	4/8/2010 9:12:10 AM	DISORDERLY CONDUCT	MPD
2510 W CENTRAL AVE			
Responding Unit(s): C242			
A2	CITED/SUMMONS		
A8	REPORT, AT STATION		
A61	STATS		