

7.5 News Media Relations

This directive reflects the news media policy for the Anne Arundel County Sheriff's Office. This agency's primary responsibilities entail security of the Anne Arundel County Circuit Court, the transport of prisoners throughout the State, and the service and execution of criminal and civil legal process. Since the Anne Arundel County Police Department and the Annapolis Police Department are tasked with providing response to *calls-for-service*, they attract the overwhelming majority of public safety media attention in this County.

Being a relatively small agency when compared to the primary law enforcement agencies, the need for a media policy has historically not been a priority. However, with the assumption of additional public safety responsibilities in recent years, the Sheriff's Office has increased its potential for media exposure, thus creating the definite need for a comprehensive media policy.

It is, as it has always been, the intent of the Anne Arundel County Sheriff's Office to cooperate fully and impartially with representatives of the news media in their efforts to gather and disseminate factual information, whenever these activities do not hamper an investigation or infringe on an individual's rights to privacy or a fair trial.

7.5.1 BACKGROUND AND DEMOGRAPHICS

Anne Arundel County covers about 416 square land miles, 172 square water miles, and has a population of approximately 564,000. As of 2016, the estimated 2015 citizen count was expected to be 564,195, with a citizen composition of 75.5% white, 17.0% African American, 0.4% American Indian & Alaska Natives, 3.9% Asian, 0.1% Hawaiian or Pacific Islander, 3.0% multi-racial, and 7.3% Hispanic or Latino.

Media outlets that cover Anne Arundel County include the print, radio, and television media. Major local television coverage is provided by ABC, NBC, CBS, and FOX out of Baltimore, Maryland. Print media is provided by the Baltimore Sun, Washington Post, and the Capital/Gazette. Anne Arundel County is also home to numerous radio stations.

7.5.2 DEFINITIONS

- Public Information - is Information that may be of interest to the general public regarding policy, procedures, or events involving the Office. This is inclusive of newsworthy information that is not legally protected, and which does not unduly interfere with the mission of the Office, infringe upon the rights of a defendant, or compromise the legitimate safety and privacy interests of deputies, victims, witnesses, or others.
- News Media Representatives - are those individuals who are directly employed by agencies of the electronic or print media such as radio, television, and newspapers. Freelance workers in this field are to be regarded just as any other member of the general public, unless otherwise recognized by the Sheriff.
- Public Information Officer (PIO) - serves as a central and authoritative source for the release of information by the Office, and responds to requests for information by the news media and the community.

7.5.3 AUTHORITY TO RELEASE INFORMATION

The Office's PIO will be available to assist news personnel in covering routine news stories, assisting the news media on an *on-call* basis, and preparing and distributing news releases. The PIO arranges and assists at news conferences, coordinates and authorizes the release of information about victims, witnesses, and suspects, and assists in crisis management within the agency. Additionally, the PIO coordinates the release of information concerning confidential agency investigations and operations.

The Sheriff or his designee is responsible for all administrative releases to the media, including policy changes, internal investigations, complaints against Office employees and other personnel matters (e.g., promotions, demotions, and terminations), new service programs, lawsuits involving the Office, and similar situations.

Each bureau commander has the authority to respond to inquiries from media representatives concerning information relating to his/her command. In addition, any employee who has personal knowledge of a situation may release accurate factual information relating to his/her normal duties to media representatives, but only after receiving authorization from the Sheriff or a designee.

7.5.4 COOPERATION WITH THE MEDIA

Authorized news media representatives shall have reasonable access to the PIO, the Sheriff or his designee, and operations of the Office as governed by this policy. When information must be denied to a media representative, the basis for that denial should be fully and courteously explained.

This Office recognizes official identification credentials from all local, national and international news organizations. Failure of media personnel to present proper identification may provide grounds for restricting access to requested information or to incident scenes.

Public information shall be released to the media as promptly as circumstances allow, without partiality and in the most objective manner as possible. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be authenticated.

Written press statements shall be released only following approval of the Sheriff or his designee. The Office's Communication unit shall inform the *on-call* supervisor as soon as possible upon receipt of information about events or activities that may have a media interest. The supervisor shall be responsible for ensuring that the agency's PIO or the Sheriff is informed of events that may have solicited media attention.

7.5.5 RELEASE OF INVESTIGATIVE AND ARREST INFORMATION

Investigative and arrest information may be released only by: the persons responsible for an investigation or arrest, the Sheriff, or the PIO. Media requests for investigative information should be referred to the PIO. Investigative and arrest information may be released only on cases which the Office has primary responsibility or has taken a lead role. Investigative and arrest information that may be released includes:

- Accused's name, age, residence, occupation and, family status;
- Location, date and time, whether pursuit or resistance was encountered, whether weapons were used, charges placed against the suspect, and a description of contraband seized;
- Injuries sustained, damages incurred, and a description of how the incident occurred;
- Identity of the investigating or arresting deputy and duration of the investigation;

- Amount of bond, scheduled court dates, and place of the suspect's detention; and,
- Photograph of the accused which is within the control of the Office.

7.5.6 INFORMATION WHICH MAY NOT BE RELEASED

- Identity of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger;
- Identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity;
- Identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in personal danger;
- Identity of any juvenile who is a suspect or defendant in a case subject to the jurisdiction of the Juvenile Court;
- Identity of any critically injured, or deceased person prior to notification of next of kin;
- Results of any investigative procedure such as line-ups, polygraph tests, fingerprint comparisons, ballistics test, or similar procedures (although the mere fact that these tests have been performed may be revealed, without further comment);
- Information which, if prematurely released, could interfere with an investigation or apprehension (e.g., the nature of *leads*, specifics of a modus operandi, details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension);
- Information that may be of evidentiary value in criminal proceedings;
- Specific cause of death unless officially determined by the medical examiner; and
- Home address or telephone number of any member of the Office.

Following the arrest and formal charging of a suspect, but prior to adjudication, the following types of information **should not be released** without express permission of the Sheriff or his designee:

- Prior criminal conviction record, character or reputation of a defendant;
- Existence or contents of any confession, admission, or statement of a defendant, or his failure or unwillingness to make a statement;
- Performance or results of any tests, or a defendant's refusal or failure to submit to tests (e.g., polygraph);
- Identity, statement, or expected testimony of any witness or victim;
- Any opinion about the guilt or innocence of a defendant or the merits of the case; and
- Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

7.5.7 SPECIAL CONSIDERATIONS - CRIMINAL MATTERS

In the event a member of the Sheriff's Office is at a crime scene controlled by our agency, every reasonable courtesy shall be extended to news media representatives. This may include facilitating closer physical access of personnel and equipment than granted to the general public, to the degree that it does not interfere with or compromise investigative activities or the movement of traffic.

The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed, and secured, the media may be allowed to enter by permission of the commanding officer at the scene. Furthermore, the following specific provisions apply:

- On private property, photography, film or videotape recording requires the permission of the owner or the owner's representative.
- Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts, or interviews, nor shall Office personnel pose with suspects or accused persons in custody.

- When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual. No Office photographs, mug shots, videotape, film, or composites of subjects in custody shall otherwise be released to the media unless authorized by the Sheriff or an authorized designee.
- At the scene of major crimes, the officer-in-charge shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.

7.5.8 SPECIAL CONSIDERATIONS - CIVIL DISTURBANCE MATTERS

At the scene of significant accidents, man-made or natural catastrophes, the principles of the media cooperation shall be maintained to the degree that they do not interfere with the mission of the law enforcement, fire, medical, or other emergency relief workers.

Media access to, and movement within, fire lines shall be controlled by the fire officer-in-charge. In consultation with the fire officer-in-charge, the ranking law enforcement officer at the scene shall establish an observation point from which the media may observe and photograph the incident.

- At the discretion of the officer-in-charge, an inner perimeter may be established for the media from which the event may be recorded or reported.
- News media representatives should not be prevented access to any area solely because of a personal safety risk. If this is the only consideration, the media representatives should be advised of the danger and allowed to make the decision to enter on his/her own volition.
- Sensitive information relating to internal investigations of deputies shall not be released without the express permission of the Sheriff.

Media representatives shall be denied access to the contents of investigative or incident reports and records where release of the information would:

- Interfere with law enforcement proceedings, including pending investigations;

- Deprive a person of the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information;
- Constitute an unwarranted invasion of the personal privacy rights of another person;
- Reveal the identity of an individual who has furnished information to the office under confidential circumstances;
- Disclose investigative techniques and procedures, thereby impairing future effectiveness of the Office; or
- Endanger the life or physical safety of any person.

7.5.9 NEWS MEDIA ACCESS TO PERSON IN CUSTODY

Employees of the Sheriff's Office will not deny or restrict the media or the public from taking photographs of an individual in a public area. Employees will not deliberately pose a person under office control for photographs or filming. Deputies who have custody of prisoners or inmates will not permit news media interviews.

The following guidelines govern news media relations at the Anne Arundel Circuit Court Judicial Center. These should ensure smooth operations at the circuit courthouse, while providing the media with support in its role of informing the public. Every reasonable effort will be made to accommodate the media, consistent with the Office's duty to provide for the safety and security of the court, court personnel, visitors, and prisoners. Furthermore, it is recommended that media personnel contact the Sheriff's Office Security Bureau prior to coverage of any high profile court case for specific arrangements and/or instructions. Generally though, the following apply:

Courtrooms:

No Cameras, recorders, or cellular phones will be permitted in any courtroom. No devices which may disturb the integrity of the court will be allowed in any courtroom. As a courtesy to the media, the Office encourages reporters to sit in the front rows of the courtrooms to better follow the proceedings.

Facility Exterior:

Media personnel may set up cameras and other equipment for interviews at the entrance to the Circuit Court facility, while ensuring that the entranceway to the Circuit Court remains open for the unobstructed movement of the public into and out of the courthouse.

Media Vehicles:

The sidewalk may be used for parking of media vehicles only after permission is first obtained from the Sheriff's Office. No vehicle will be allowed to park on the street or sidewalk on the Cathedral Street side of the Courthouse or block any entrance to the Courthouse.

Sallyport (prisoner arriving and departing):

At no time will anyone, media or otherwise, be permitted within the Sallyport, or allowed in any way to impede the ready access of prisoner transport vehicles entering or exiting the Sallyport. Under unusual circumstances, the Commander of the Security Bureau may establish a perimeter surrounding the sallyport, and not permit anyone beyond that perimeter.

Interfering with Deputies:

Normally the press is reasonably cooperative, and a courteous, professional approach is often sufficient to control a situation. Regardless, persons interfering with deputies enforcing administrative rules and regulations may be subject to arrest. If at all possible the decision to arrest a member of the press should be made at the direction of a supervisor.

Speaking with the Media:

Deputies are requested to refer all media contacts to their immediate supervisor or the PIO. Deputies are encouraged to use phrases like "Let me get you someone who can answer that for you." **Do not say "No Comment."** Instead, use phrases like, "Rather than give you part of the information, I'll have someone with more knowledge of the situation get with you shortly." Above all, make sure that someone of authority has been contacted to converse with inquiring media representatives. **Do not ignore them.**