



PUBLIC INFORMATION/MEDIA POLICY/*PUBLIC INFORMATION ACT REQUEST*

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I. POLICY

The Anne Arundel County Police Department is committed to informing the community and the news media of events within the public domain that are handled by or involve the agency. To operate effectively, law enforcement agencies must obtain the support of the public they serve. By providing the news media and the community with information on agency administration and operations, the department hopes to foster a relationship of mutual trust, cooperation, and respect.

II. ETHICS

It is the policy of this agency to treat members of the media with professionalism and ethical behavior. It is expected that the media will respond in a like manner and follow ethical guidelines established by their industry. Members of the agency who believe they were treated unethically should contact the Public Information Office.

III. PUBLIC INFORMATION FUNCTION

This directive establishes the department's public information function, to include:

- A. Assisting news personnel in covering routine news stories, and at the scenes of incidents;
- B. Being available for on-call responses to the news media;
- C. Preparing and distributing agency media releases;
- D. Arranging for, and assisting at, news conferences;

- E. Coordinating and authorizing the release of information about victims, witnesses, and suspects;
- F. Assisting in crisis situations within the agency; and
- G. Coordinating and authorizing the release of information concerning confidential agency investigations and operations.

IV. PUBLIC INFORMATION OFFICER

The department and its members will abide by all local, state, and federal laws governing the release of public records. The Public Information Officer (PIO) is responsible for the public information function *as it relates to release of information to the media.* He or she reports directly to the Chief of Police and oversees the Public Information Office. The Public Information Officer will establish written procedures for daily operations, as well as at the scene of crimes, catastrophes, special events, and unusual occurrences.

V. PUBLIC INFORMATION ACT (PIA) REQUEST

The Central Records Manager is the official custodian of all department records and all requests from non-media outlets for official documents, including Public Information Act Requests, will be directed to him/her. No other member of the department should advise as to whether or not a record is releasable. Requests can be made in the following manner:

- *Written request on PD# 2420 found at all police facilities;*
- *Written request in letter directed to the Custodian of Records;*
- *In-person at Central Records' service window (written request may be required at that time based on the request; or*
- *On-line request submitted through the department's website.*

VI. TRAINING

This agency is committed to providing proper training for its Public Information Officer, Supervisors, and line officers. Other personnel who interact with the media will also be provided access to appropriate training.

VII. PROFESSIONAL ASSOCIATIONS

A. Associations with Other Public Information Officers

This agency is committed to ensuring the public information function is part of mutual aid support that law enforcement agencies provide to each other. To that end, the PIO will participate in and support professional associations and organizations comprised of PIO's from other public and private agencies.

B. Law Enforcement/Media Associations

This agency will participate in regional law enforcement/media associations to further the understanding between the two professions.

VIII. AUTHORITY TO RELEASE INFORMATION

Confidential intelligence, investigative, or personnel information will not be disclosed except by the permission of the Chief of Police. When information is released on internal investigations, it will conform to all laws concerning the privacy of personnel matters.

In addition to the Chief of Police, the following individuals or positions are authorized to release information of the types or categories indicated:

A. At the Scene of an Incident

By the following personnel, in the order indicated:

1. Public Information Officer
2. Incident commander or officer in charge
3. Platoon commander
4. Field supervisor

Any field supervisor may summon an on-call PIO.

B. From Department Files

Commander or manager of the applicable component, or the PIO.

C. Ongoing Criminal Investigation

Commander or supervisor of the investigating officer, or the PIO.

IX. RELEASABLE INFORMATION

A. Arrest Information

1. The accused's name, age, description, residence, and marital status. Exception: juvenile personal information will not be released.
2. The substance of the charge as contained in a complaint, warrant, indictment or information.
3. The identity of the investigating and arresting officer(s), or agency, and the length of the investigation. Exception: identity of undercover officers will not be released.
4. The circumstances immediately surrounding an arrest including: time and place of arrest, pursuit (vehicle or foot), resistance to arrest and any injuries sustained as a result, possession and use of weapons, chronological description of the events and description of contraband seized.
5. Amount of bond, scheduled court dates, place of detention.

B. Investigative Information

1. The type or nature of an event or crime.
2. The location, date, time, injuries sustained, damages and description of how an incident occurred.
3. Type of property taken (general description only). Note: For all crimes, the amount of cash taken will not be released.
4. The identity and general address (cite hundred block only) of a victim, if not prohibited in Section IX below.
5. The fact that a juvenile arrest has been made, including sex, age, general area of residence and substance of the charge.
6. Request for aid in locating evidence, a complainant or a suspect. A person's race may be released as descriptive information in such cases.
7. Number of officers, or people, involved in an event or investigation and length of the investigation.
8. Name of the officer in charge of a case, his or her supervisor and bureau, division, section or unit assignment. Exception: names of undercover officers will not be released.
9. ***Mug shot, unless necessary for investigation (photographic line up).***

X. NONRELEASABLE INFORMATION

A. Arrest Information

1. The identity or location of any suspect. The existence of a suspect may be acknowledged without further comment. The PIO or Incident Commander may deviate and release the identity or location of a suspect if it is in the interest of public safety.
2. Results of any investigative procedure (lineups, polygraph, fingerprinting, lab, ballistics, etc.). However, the fact that tests are performed may be acknowledged without further comment.
3. Information which, if prematurely disclosed, would interfere with an investigation or apprehension, particularly: unchecked leads, unverified information, specifics of "MO" details known only to a suspect or police, information which may cause a suspect to flee or avoid apprehension.
4. Identities of witnesses.
5. Identities of victims of rape, sexual assault, or sexual child abuse.
6. Identity of a victim if such disclosure would prejudice an investigation, or if it would place the victim in danger.
7. Prior criminal record, character, reputation of a defendant. Members of the media will not be granted access to restricted areas of district stations for the purpose of photographing a defendant.
8. Existence, or contents, of any confession, admission, or statement by the defendant, or his/her failure to make a confession, admission, or statement.
9. Performance or results of any examinations or tests, or a defendant's refusal or failure to submit to such examinations or tests.
10. Identity, credibility, character, statement, or expected testimony of any witness or prospective witness.
11. Statement, prospective testimony, character, or credibility of any victim.

12. Any opinion about the guilt or innocence of a defendant, or concerning the merits of a case or quality of evidence gathered.
13. Plea bargaining negotiations.
14. Reports, transcripts or summaries of proceedings from which the media and public have been excluded by judicial order.

B. Investigative Information

1. Information about any victim of a sex crime that, if divulged, would identify the victim.
2. The identity of any juvenile suspect or defendant, unless waived to adult court.
3. The identity of any critically injured or deceased person prior to the notification of next of kin. Exception: When notification has been attempted but is not possible within a reasonable amount of time as determined by the PIO.
4. The specific cause of death, until determined by the State Medical Examiner.
5. Investigative information and information of an evidentiary nature regarding a criminal case; for example, the point of entry of a burglary.
6. Contents of a suicide note.
7. Personal opinion not founded on fact.
8. Home addresses or telephone numbers of members of the department. Identities of undercover officers.
9. Amount of cash taken in any crime.
10. Information received from other law enforcement agencies without their concurrence in releasing that information.
11. Specific or detailed information about stolen property.

XI. MEDIA RELEASES

A. Media releases are not routinely issued on a daily or weekly basis, but will be disseminated whenever special events occur of interest to the community and/or the media. Examples include incidents involving fatalities, major crimes, critical missing persons, and arrest of notorious or long-sought suspects, planned police operations having an impact on traffic or the community, and major traffic accidents. Any department member who prepares a media release will forward a copy of the release to the PIO for final distribution. Prior to dissemination, a shift supervisor must approve all media releases by signing the original media release. Media releases must be typed and faxed to the PIO prior to the end of the officer's tour of duty. Supervisors/officers are encouraged to e-mail media releases if possible. If a media release is e-mailed, it must still be faxed to the PIO prior to the end of the officer's tour of duty.

B. Generally, a description of those circumstances which are not legally privileged and which will not prejudice the rights of suspects or interfere with an investigation will be offered.

C. Media releases will be disseminated without partiality and in a manner that is equally available to all news media. Information will not be withheld, delayed or selectively released to favor any particular news media. The department's PIO will establish written procedures to implement this policy. Specific inquiries made independently by the media may be honored.

D. When other public service agencies are involved in a mutual effort, the agency having primary jurisdiction should be responsible for releasing or coordinating the release of information. In the event that the Emergency Operations Center is activated, the Office of Emergency Management's Public Information Officer will have jurisdiction over the release of information.

XII. REQUESTS FOR MEDIA ASSISTANCE

The on-scene commander or the PIO may solicit media personnel regarding a "public request for assistance" on behalf of the department. The solicitation for assistance will contain at a minimum:

- A. The character or nature of the assistance or information being sought.
- B. Person or specific departmental component to be contacted.
- C. Departmental telephone number(s) or other numbers to be contacted.
- D. The granting of anonymity, upon request, to the person providing the assistance or information.

- E. The provision of monetary rewards (if applicable) for persons providing pertinent information or assistance that results in case closure and the conviction of the person committing the offense specified in the announcement.

XIII. FEATURE ARTICLES OR PROGRAMS

Requests for department participation in feature articles and programs will be individually considered by the PIO. If approved, permission for interviewing department personnel and photographing police facilities will be limited to the scope of approval. Department members participating in the preparation of such articles or programs should ascertain the scope of approval and should be careful not to exceed those limits. In any event, members will exercise care and discretion to avoid making statements or conveying information, which if later quoted, may create a misunderstanding or compromise the effectiveness of the department.

XIV. ROLE OF THE MEDIA IN POLICY DEVELOPMENT

It is the policy of the department to involve members of the news media in the development of changes in policies and procedures relating to the news media. The PIO will meet semi-annually with news media representatives to solicit input and review pending changes in such policies and procedures.

XV. MEDIA ACCESS TO INFORMATION

A. News media representatives will have access to members of the department. Members will cooperate with and assist media personnel in an objective, impartial and courteous manner without jeopardizing investigations or infringing upon the privacy rights of the citizens. While it is department policy to fulfill public and media requests, it is not always possible to do so. The determination to release information or participate in interviews will be made according to the facts of the case. Routine requests will normally be coordinated through the PIO.

B. All inquiries from the news media pertaining to management responsibilities, such as adequate staffing levels, equipment needs, budget requests, and policy decisions will be referred to the Chief's office, via the PIO.

C. Media representatives may photograph and report anything they observe when legally present at an incident scene. Where publication of such coverage would interfere with an official investigation or place a victim, suspect, or others in jeopardy, the withholding of publication is dependent upon a cooperative media, not upon department censorship. Under such circumstances, officers should advise the media representatives or their superior of the possible consequences of publication; however, officers may not interfere with the media's activities as long as such activities remain lawful.

D. News media representatives are not permitted to interview persons in police custody.

E. No officer will release information to the media regarding ongoing criminal investigations without prior notification and approval from the PIO.

F. Any problems with denying information will be referred to the officer in charge of an incident scene, the field supervisor, or the PIO.

XVI. MINOR INCIDENTS & TRAFFIC ACCIDENTS

A. Department members will extend every courtesy to news media representatives and photographers who are actively covering an incident at the scene. These courtesies will permit closer access (generally providing an opportunity to view the scene) than that granted the general public, and will provide for vehicles and equipment to be located closer, so long as such courtesy does not interfere with the police mission at hand, or with general traffic flow. Also, where there is danger of personal injury, access will be restricted until the officer in charge determines the area is safe.

B. Direct access by media personnel and photographers will be allowed only after all known evidence has been processed and the on-site investigation has been completed. This restriction is necessary to preserve and protect the integrity of the scene and takes priority over news media coverage. However, once such integrity is insured, media mobility will not be restricted. Note that permission must be obtained from owners or their representative when photographs, films or videotape are to be taken on private property. Members of the department may not assist the media in obtaining permission to enter on to private property. Media requests to access public school property will be referred to school officials.

XVII. ACCESS TO CRIME SCENES AND CRITICAL INCIDENTS

Agency personnel should be courteous to news media representatives at crime and critical incident scenes.

- A. At such scenes, agency personnel shall ensure that the media respect the established perimeter. Members of the media should be granted greater access to an incident scene than members of the general public.
- B. The PIO, with approval of the scene commander, may grant closer access to news personnel and their equipment, to the degree that it does not interfere with law enforcement operations.
- C. No member of this agency shall prohibit the media from newsgathering practices, including photography and interviews, outside the established perimeter.
- D. Information at crime/critical incident scenes will be released by the PIO or scene commander.
- E. At critical incident scenes, the PIO or scene commander will establish a media briefing area as close to the scene as safety and operational requirements allow.
- F. At critical incident scenes, members of the agency will work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public. This is particularly critical during hostage or barricaded subject situations.

XVIII. ALTERNATIVE METHODS TO DISSEMINATE INFORMATION

It is the policy of the department to pursue alternative methods of disseminating information directly to the public. These may include community newsletters, government access cable television shows, web sites, public appearances by agency members, public area bulletin boards, and others.

XIX. MEDIA RIDE ALONGS

Media ride alongs allow members of the media to accompany law enforcement officers as they perform their duties. The PIO will coordinate all ride alongs for media representatives. Employees shall not permit members of the media to accompany them onto private property nor will they assist in securing permission for access from property owners.

XX. LIVE COVERAGE AGREEMENTS

Live coverage agreements establish voluntary guidelines for the broadcast of live pictures or information emanating from critical incidents scenes such as hostage situations, barricaded subjects, and other ongoing crises. This agency supports the creation, implementation, and use of such agreements.

XXI. MEDIA CREDENTIALS

This agency acknowledges representatives from recognized media organizations who carry and/or display photographic identification issued by their employer. Anyone else is considered a member of the general public.

XXII. PROPONENT UNIT: Public Information Office.

XXIII. CANCELLATION: This directive cancels Index Code 2420, dated 03-17-06.