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I. Purpose

This Directive establishes guidelines for the release of information to the media. Specific questions regarding this Directive should be addressed to the Office of the Chief.

II. Policy

The impact of crime and the efforts to reduce it are matters of continuing public concern. The Division has the responsibility of providing the public with timely and accurate information on police activities. A positive relationship with the media is one means of accomplishing this task.

In dealing with the media, officers and staff must be careful to protect the rights and interests of crime victims, the Division, the Department of Parks, and the Park and Planning Commission, particularly with regard to liability and confidentiality. It is important to cooperate and respond as promptly as possible to media requests as such cooperation enhances the Division's reputation for integrity with the news media.

This Directive has been written consistent with the Maryland Public Information Law, Access to Public Records (State Government Article of the Maryland Annotated Code) and the Maryland Criminal Justice Information System Law of the Maryland Annotated Code.

III. Definitions

- A. News media are defined as organizations and their accredited representatives (reporters and editors) whose purpose is to communicate news to the public through electronic media (wire services, computer networks), print media (newspapers, news magazines, newsletters), and broadcast media (radio, television).
- B. The Park Police recognize and accord appropriate privileges to any individual employed by and presenting valid identification from any local, national, or international news organization. This includes persons with Metropolitan Police, Prince George's County Police, Montgomery County Police, and White House press passes. Any questions as to the validity of anyone's employment should be referred to the *Public Information Office*. Freelance writers or photographers will not be accorded press privileges unless credentialed.

- C. Records include correspondence records, reports, investigative files, photographs, computer disks and files, and drawings.

IV. Functions

The *Public Information* function of the Park Police includes but is not limited to the following activities and responsibilities. Media Relations will:

- A. Assist news media personnel in covering routine news stories and at the scenes of incidents;
- B. Be available for on-call responses to news inquiries;
- C. Prepare and distribute agency news releases, when opportunity for such preparation exists;
- D. Arrange for and assist at news conferences;
- E. Assist in crisis situations within the agency;
- F. Coordinate release of information when other public service agencies are involved in a mutual effort;
- G. Coordinate and authorize the release of information, about victims, witnesses and suspects;
- H. Coordinate and authorize release of information concerning confidential agency investigations and operations, subject to the provision of this procedure.

V. Authorized Spokespersons

- A. The Chief, Park Police Division, is the primary spokesperson for the Division on all matters, and is the only spokesperson on matters of opinion and interpretations of policy.
- B. The *Public Information* Officer is the primary media spokesperson responsible for sensitive matters, including confidential agency investigations and operations, personnel issues and incidents involving race, gender, hate and violence. The *Public Information* Officer is to be contacted in person, or by the telephone, for desired information. The *Public Information* Officer or a designated officer will be on call through the Communications Section at all times. They will be available to respond to scenes as needed, provide responses for media inquiries, and will assist in crisis situations within the agency. Media representatives requesting feature story interviews (excluding on scene interviews) with on-duty members of the Division should first contact the *Public Information* Officer to explain the request. The *Public Information* Officer will make every effort to arrange the interview after consultation with the Chief, Park Police Division or designee.
- C. It is the primary spokesperson's responsibility to arrange for coverage during his/her absence.

- D. Supervisors, Watch Commanders, Section Commanders and or Branch Commanders on the scene, of an incident may release basic information within the guidelines of this Directive, with approval of the Chief, Park Police Division. No one else is authorized to speak for attribution on behalf of the Division, except for factual information that officers may provide where they are specialists in a particular field and have been authorized to speak on a case by case basis by the Chief, Park Police Division, or designee assigned by Chief, Park Police.
 - E. All members of this Division should understand that it is standard media policy that conversations with any member of the news media are considered "on the record" and are subject to being quoted.
- VI. Investigative Information Subject to/Exempt from Release
- A. Following notification of a significant event, a Park Police spokesperson will respond to the scene or Headquarters to gather information from the officer in charge (OIC) and release it as quickly as possible.
 - B. Investigative or sensitive information from an internal investigation will not be disclosed except by expressed permission of the Chief, Park Police Division. Investigative information from the Investigative Services will be released only on the authority of the Chief, Park Police Division. Information of this type may be released if it would not:
 - 1. Interfere with enforcement procedures;
 - 2. Deprive a person of a fair trial or impartial adjudication;
 - 3. Invade an individual's privacy;
 - 4. Identify a confidential source;
 - 5. Reveal investigative techniques; or
 - 6. Endanger the life or safety of law enforcement personnel, crime victims, witnesses, or other involved individuals.
 - C. Arrest Information
- Spokespersons will discuss current arrests for seven days after charges are placed, including identifying the arrested person(s). After seven days, an arrest will be verified for a period of one year from the time of arrest only if the person in question is still in the criminal justice system. In such instances, the circumstances surrounding the arrest also will be discussed only if it would not be prejudicial to a fair trial and the information is not routine.
- Requests by the media to inspect an individual's arrest record will be denied on the grounds that it is contrary to the Maryland Criminal Justice Information System Law of the Annotated Code of Maryland. Persons disclosing information in violation of the provisions of this article are subject to criminal prosecution. If further information is required, referral to the State's Attorney's Office will be made. Specific information that may be released to media includes:
- 1. The facts and circumstances immediately surrounding an arrest or criminal investigation may be released if such disclosure would not be prejudicial. Such information might include the time and place of arrest, whether or not a pursuit

was made or if resistance was offered, any injuries were sustained as a result, the possession of weapons, suspect or police use of weapons, and a description of property seized.

2. The exact offense charged and the method by which the charge was made, for example, warrant, indictment, on-view arrest by officer, and so forth.
3. Suspect/Defendant Information
 - a. During investigation: The existence of a suspect may be acknowledged without divulging names, and then only when it will not interfere with the investigation.
 - b. After apprehension prior to being charged: A description of the suspect may be made without names or race.
 - c. After being formally charged: Defendant information may now be released: name, age, marital status, address, employment, and arrest photo. Race and names of juveniles will not be released.

NOTE: Requests and release of any other photographs must be approved by the *Public Information Officer*, Chief, Park Police, Division or designee. This will ensure that investigative or trial preparation photographs remain confidential, while still meeting the obligation to release those records which are public information.
 - d. Criminal History Record Information (CHRI) (for example, previous arrests) is not to be released or confirmed by the Park Police, according to the Maryland Criminal Justice Information System law of the Annotated Code of Maryland.
 - e. Arresting Officer: The name and assignment of the arresting officer may be released.
 - f. Request for aid in locating a suspect or evidence.
 - g. Pre-trial release or detention: The amount of bond, scheduled court dates, and location of detention may be released.
4. Victim's witness' name, address, age, occupation, and injury information may be released when doing so would not jeopardize the victim's life or property.
 - a. In cases involving jeopardy or sexual assault, name and address will not be released. Only the age, sex, and geographic area of occurrence may be released.
 - b. The existence, but not the contents, of suicide notes may be acknowledged.

- c. Photographs of victims or witnesses will not be released by police personnel without specific approval from the Chief, Park Police Division or designee.
- d. Personnel will not instruct victims or witnesses not talk to the media. It is the victims or witnesses' individual decision as to whether or not they will speak with them.

D. Information That May Not Be Released

Media requests for information denied by the Division will be supported by a courteous, logical, and adequate explanation. Justification for denial may include an explanation of privacy rights, judicial rulings, and/or the safety of the defendant, victim, or witness.

Examples of information that may not be released include:

- Information that, if prematurely disclosed, would significantly interfere with an investigation or apprehension. Especially prohibited are premature disclosures of unchecked leads, unverified information, specific facts of an "MO," details known only to the suspect, and information, which may cause a suspect to flee or avoid apprehension.
- The identity of any deceased or seriously injured person prior to notification of next of kin. An exception is permitted when notification has been attempted but is unsuccessful within a reasonable period of time. (Eight hours may be considered reasonable).
- The home addresses or telephone number of any employee of this Division unless the employee consents to its release.
- The exact dollar value stolen from commercial institutions or private residence, which may expose them to further vulnerability.

E. Information Not to Be Released to Ensure a Fair Trial

The release of information to the media is especially sensitive after an individual has been charged and prior to adjudication. For this reason, the disclosure of specific information is restricted to ensure the constitutional guarantees of a fair and impartial trial. The improper disclosure of information could form the basis for a legal defense and possible dismissal of the charges.

DO NOT RELEASE INFORMATION REGARDING

- The prior criminal record, character, or reputation of a defendant.
- The existence or the contents of any confession, admission, statement, or alibi given by the accused, or failure to make same.
- The results of or failure of, a defendant to submit to any test, such as a polygraph, and so forth.

- The identity, testimony, credibility, or character of any witness or prospective witness.
- The testimony or credibility of any victim.
- Any opinion as to the innocence or guilt of the accused or the merits of the case, such as evidence and arguments, whether or not their use in court is anticipated.
- The possibility of a guilty plea, plea bargain, or other disposition, such as Stet Docket or Nolle Prosequi.
- Transcripts, reports, or summaries of judicial proceedings from which the public and the press have been excluded by judicial proclamation.
- A person in police custody will not be permitted to be interviewed by the media. This restriction does not apply to persons free on bond or those incarcerated who can consent to interviews.

VII. Critical Incidents Involving Police Officers

- A. Division policy permits only the Chief, Park Police Division or his/her designee the authority to release the names of those police personnel involved in an incident.
1. Prior to release, caution should be exercised to be certain of the accuracy of the information;
 2. The officer should be afforded the opportunity to notify his/her family, prior to the release of his/her name, if the report of his/her participation in an incident could cause them unnecessary concern;
 3. No information concerning an incident should be released if the information would adversely affect or hamper the investigation in any way;
- B. Releasing Photographs of Police Personnel:

Under normal circumstances, photographs of police personnel may be released to the media for a specific community-relations purpose, promotion of a police function or program, recognition for meritorious act, promotion in rank, etc.

Photographs of police personnel will not be released without permission of the Chief, Park Police Division, when:

1. The possibility of disciplinary action exists;
2. An arrest of an officer is made;
3. Civil action is initiated;
4. The officer is working in a covert assignment;
5. An officer commits suicide;
6. Any other circumstances exist, which may reflect unfavorably on the individual officer or the Division.

VIII. Employee Responsibilities

- A. *Communications will notify the Public Information officer for all situations/events listed in the Division Directive on Notifications. Communications will also notify the "Emergency Control Center", "Traffic Management Center", and "Metro Traffic" upon any road closures. They will also request notification be made for any other incident that results in a media response.*
- B. The Chief, Park Police Division may exercise his/her prerogative to assume the responsibilities of the *Public Information Officer* at any time for a variety of reasons such as the serious nature of the incident.
- C. After consultation with the *Public Information Officer*, a supervisor may answer specific questions concerning facts on any previously released incident. This includes information as to the time and location of the incident. In incidents involving sexual assaults or juveniles, location would mean geographic area only. Names and information regarding victims, witnesses, or suspects MAY NOT be released without approval from the *Public Information Officer*.
- D. Suspects or accused persons in custody should not be deliberately posed for photographs, telecasts, or interviews.
- E. When media responds to the incident scene, efforts should be made to assist them while not significantly interfering with police operations. In places where the press may otherwise lawfully be, no officer will take any action to prevent or interfere with the news media. If possible, the *Public Information Officer* or OIC will provide a media staging area. Use of police tape to cordon off a crime scene is recommended and will effectively set limits for the media. The purpose of the staging area is to transfer information, to maintain safety and ensure preservation of evidence. If matters of safety or evidence preservation are involved, media should be restricted to this area and an officer assigned to them until the arrival of a *Public Information Officer*.
- F. Any contact with the media by an employee of this Division will be reported to the *Public Information Officer*.

IX. Requests for Written Records

- A. Requests for police documents must be in writing and will be reviewed by the Office of Professional Standards pursuant to the Commission Practice on "Public Information and Records Management" and the Maryland Annotated Code Article, "Public Information".
- B. Many police records are confidential under Maryland law therefore the Office of Professional Standards will consult with the Legal Department when confidentiality concerns exist *and will forward all Freedom of Information Act requests for their review.*

X. News Releases

- A. News releases will be the responsibility of the *Public Information Officer*. All news releases will be approved by the Chief, Park Police Division or designee. All news releases will be forwarded to the Director of Parks.

- B. News releases will be disseminated in a timely manner, to applicable media outlets as determined by the *Public Information Officer*.
 - C. The *Public Information Officer* will review Commander's Reports.
 - D. The *Public Information Team* will be responsible for generating and distributing a news release.
- XI. Coordination of Press Conferences
- A. The *Public Information Officer* will be the point of contact for all inter-agency press conferences.
 - B. The *Public Information Officer* will coordinate all Divisional press conferences.
 - C. Notification of press conferences will be made to applicable media contacts as determined by the *Public Information Officer*. Phone calls will also be made to the same media contacts to encourage interest and to determine attendance.
- XII Media Assistance
- A. The Chief, Park Police Division, *Public Information Officer* or the Watch Commander/OIC with specific authorization of the Chief, in exigent circumstances may enlist the assistance of the media when a crisis situation develops where the broadcast and information distribution may benefit the mitigation and/or successful outcome of the situation. Any media assistance should be documented as:
 - 1. A part of the event's incident report in accordance with Division reporting procedures;
 - 2. A media release as authorized under provisions of this Directive

Approved Park Police Document
Signed Original on File

End of Directive