



HOWARD COUNTY DEPARTMENT OF POLICE

GENERAL ORDER ADM-14 MEDIA RELATIONS AND PUBLIC AFFAIRS

EFFECTIVE SEPTEMBER 28, 2007

This General Order contains the following numbered sections:

- I. POLICY
- II. GUIDING PRINCIPLES
- III. INFORMATION RELEASE
- IV. FREEDOM OF INFORMATION
- V. INTERNAL AFFAIRS MATTERS
- VI. MEDIA ACCESS TO POLICE SCENES AND POLICE FACILITIES
- VII. ROLE & FUNCTION OF THE OFFICE OF PUBLIC AFFAIRS
- VIII. ROLE & FUNCTION OF THE WATCH COMMANDER
- IX. ROLE & FUNCTION OF THE COMMUNICATIONS SUPERVISOR
- X. ROLE & FUNCTION OF THE DUTY OFFICER
- XI. OTHER AGENCY MATTERS
- XII. POLICY CHANGES
- XIII. CANCELLATIONS

I. POLICY

The Howard County Department of Police (HCPD) is committed to informing the community and the news media of events within the public domain in a timely manner. The HCPD shall cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the Department, as long as these activities do not unduly interfere with Departmental operation, infringe upon individual rights, or violate the law.

II. GUIDING PRINCIPLES

- A. The HCPD recognizes that citizens must be informed about public safety issues and the activities of the police. The HCPD further recognizes the importance of releasing information in a consistent and timely manner while still being aware of and sensitive to the needs of any victim involved in an incident.
- B. The HCPD will make certain information on its policies, programs, and daily activities available to the media on a regular basis. Certain reports, files, and other information maintained by the HCPD are open to any reasonable and timely examination by the media provided that such examination does not disrupt normal activities, jeopardize investigations, or otherwise reveal information protected by law.
- C. The HCPD will not release certain information which may compromise the safety of persons involved in a police incident, the right of defendants to a fair trial, and protection of citizens against unwarranted invasions of privacy.
- D. The HCPD will not purposely supply misinformation to the media. Information will be disseminated in such a manner as to ensure that first release of information is equally available to all reporters.
- E. All provisions of this General Order shall apply to all HCPD members when acting in their official capacities in contact with any news media. All provisions of this General Order shall also apply, when it can be reasonably assumed, that the member is speaking on behalf of the HCPD concerning any matter; or when contact was initiated because of the member's association with the HCPD; or when discussing actions performed as a member of the HCPD. It shall be noted that an individual may comment only on matters of public concern as long as the individual makes clear that the statements are personal and do not necessarily represent those of the HCPD.

III. INFORMATION RELEASE

- A. The HCPD specifically authorizes the representatives listed below to officially communicate with the media on Departmental matters. Any other HCPD member communicating with the media on Departmental matters must first coordinate their communications through the Office of Public Affairs (OPA).
1. The Chief of Police, or his designee
 2. Members of the OPA
 3. Commissioned Officers
 4. Traffic Enforcement Section (TES) supervisor, or his designee
 5. On-Duty Communications supervisor, or his designee
 6. Records Section Supervisor (when addressing requests from a Freedom of Information Act or a Public Information Act)
- B. Sworn officers and members are prohibited from making statements or releasing information to the media when a media release specifically states that the HCPD will not release any further information or when the OPA, the Chief of Police, or his designee has imposed other limitations.
- C. When gathering information intended for public release, OPA members will contact the highest-ranking supervisor of the Bureau or District available to verify the information released. Information provided by non-supervisory personnel shall not be released without the approval of an appropriate supervisor.
- D. The following information may be released to the media:
1. Most Teletype Messages, Accident Reports, Incident Reports, and Arrest Reports will be released to the media through the Records Section. Certain exclusions prohibiting the release of specific types of information are listed in Section III, E. of this General Order.
 2. Investigative information that may be released includes the following:
 - a. The type or nature of any incident.
 - b. The location, date and time, any injuries or property damage sustained, and a description of how any incident occurred.
 - c. The amount and type of property taken, including its approximate value, if known. The case investigator will notify the OPA, or in their absence, the Watch Commander or section supervisor, if these facts are not to be released.
 - d. The name, age, and address (hundred block) of a victim, except that the name and address of the victim of a rape, child abuse, or sex offense shall not be released.
 - e. The number of officers or other persons involved in an incident and the duration of the investigation.
 - f. The name of the officer investigating an incident, and his work unit.
 - g. Requests for aid in locating evidence, a suspect, or a complaint.
 - h. The fact that a suicide note exists may be acknowledged without further comment.
 2. Arrest information that may be released includes the following:
 - a. The name, age, description, residence, employment, marital status, and similar

background information of adult arrestees or of juvenile arrestees charged as adults.

- b. The substance or text of the charge as contained in a warrant, indictment, or other charging document.
 - c. The identity of the arresting officers.
 - d. The circumstances immediately surrounding an arrest including time and place, pursuit, resistance, any injuries sustained, possession or use of weapons by the arrestee or the police, and description of any property or other items seized.
 - e. Amount of bond and/or place of detention if known.
- E. Information that shall not be released:
1. The names of undercover officers.
 2. The home addresses, telephone numbers or other personal information of HCPD members will not be released except by written consent of the individual concerned.
 3. The specific contents of any Incident Report where a juvenile is a suspect. Law specifically prohibits disclosure of such matters unless a court order directs otherwise.
 4. Interpretation of HCPD orders, directives, rules, regulations or policies
 5. Personal opinions as related to HCPD functions
 6. Sensitive operational activities
 7. Personnel issues involving other members of the HCPD
 8. Investigative information that shall not be released includes the following:
 - a. The identify of the victim of a child abuse, rape, or any sex crime, or related information which, if divulged, might lead to the victim's identification.
 - b. The identity of any juvenile who is a suspect or defendant in an incident over which the juvenile court has jurisdiction. The HCPD will acknowledge that a juvenile arrest has been made, including the sex, age, general area of residence of the arrestee, and the substance of the charge.
 - c. The contents of any suicide note.
 - d. Results of investigative procedures (line-ups, polygraphs, fingerprinting, etc.). The fact that such procedures have been or will be performed may be acknowledged.
 - e. The identity of a victim or witness if such disclosure would significantly prejudice an investigation or constitute an unwarranted invasion of personal privacy.
 - f. Information regarding the specific identity or location of a suspect unless an arrest warrant exists.
 9. Particular attention must be paid to comments about unchecked leads, unverified information, or specific details known only to someone involved in the crime.
 10. The name of any persons seriously injured or killed in an incident investigated by the

Department will be withheld until positive identification is made and next of kin notified. No information relating to a specific cause of death will be released until the office of the State Medical Examiner has made a determination.

11. Confidential intelligence information will not be disclosed without the expressed permission of a supervisor having authority over the incident or investigation in question.
12. Information that would interfere with law enforcement proceedings, including pending investigations.
13. Information that would reveal the identity of an individual who has furnished information to the HCPD under confidential circumstances (i.e. informants, concerned citizens, etc.).
14. Information that would disclose investigative techniques and procedures, thereby impairing future effectiveness of the HCPD.
15. Information that would serve to endanger the life or physical safety of any person.
16. The pretrial disclosure of the following information may jeopardize a defendant's right to a fair trial and will not be released:
 - a. Observations about an arrestee's character.
 - b. Statements, admissions, confessions, or alibis attributable to an arrestee.
 - c. The refusal or failure of an arrestee to make a statement or to participate or allow investigative procedures such as polygraph examinations, etc.
 - d. Statements concerning the credibility, character, or testimony of a victim or prospective witnesses.
 - e. Any opinion as to an arrestee's guilt, or the possibility of a plea of guilty to the offense charged.
 - f. Statements concerning evidence or arguments in the case, whether or not it is anticipated that such evidence or argument will be used at trial.

IV. FREEDOM OF INFORMATION

- A. Maryland's Public Information Act (PIA), which is similar to the Freedom of Information Act (FOIA) that applies to federal agencies, gives the public and media the right to access government records. The PIA is contained within the State Government Article § 10-611-10-628, Annotated Code of Maryland.
 1. PIA is not intended to be used to violate individual privacy; for the purpose of furthering a commercial enterprise or to disrupt the duly undertaken work of the HCPD.
 2. PIA is also not intended to create an obligation on the part of the HCPD to maintain or prepare any public record which was not maintained or prepared by the HCPD.
- B. Managing PIA Requests:
 1. All PIA requests must be submitted/received in writing.
 2. The original HCPD recipient must date stamp any PIA request upon receipt and immediately forward the entire correspondence (including the envelope) to the Records Section Supervisor.
 3. The Records Section Supervisor will make a written response to the requestor with either an approved request or denial, in accordance with the PIA (within 10 days to deny or 30

days to comply).

4. Each written request for information under the PIA must be logged in by the Records Section Supervisor and forwarded to any organizational component(s) holding the records/data pertinent to the request.
5. Any organizational components receiving a request for information under the PIA must promptly respond within five (5) days to the Records Section Supervisor.
6. The Records Section Supervisor shall ensure that PIA requests are reviewed and approved by the Office of Law, as appropriate.
7. The Records Section Supervisor, or any affected Commander, may recommend that a PIA request be deemed "unduly burdensome" or be denied, under the provisions of the PIA. Such recommendations shall be reviewed by the appropriate Deputy Chief of Police and the Office of Law.
8. Notice of denial will be forwarded to the original requestor, in writing, by the Records Section Supervisor, notifying the requestor of the decision to deny and the reasons for the denial.
9. Each denial will also inform the person of the right to appeal, pursuant to State Government Article § 10-623.
10. The Records Section Supervisor will initiate any other correspondence required by the PIA.
11. After evaluation, mug shots may be disclosed in response to a PIA request unless the HCPD determines that disclosure would be contrary to the public interest. The evaluation may include consultation with the States Attorney's Office.

V. INTERNAL AFFAIRS MATTERS

- A. Internal investigations are personnel matters. The HCPD and its members are prohibited by law from releasing information to the media about such matters unless the involved member waives the privilege of confidentiality.
- B. A member may request waiver of the confidentiality of his case by forwarding a memorandum to the Chief of Police.
- C. A member who releases information about his case to the media will be deemed by the HCPD to have waived confidentiality.
- D. A member who elects an open trial board or other open hearing, or who appeals a decision to the Circuit Court will be deemed by the HCPD to have waived confidentiality.
- E. The HCPD may comment to the media in those cases where confidentiality has been waived. In such cases, comments will only be made after receiving explicit consent of the Chief.

VI. MEDIA ACCESS TO POLICE SCENES AND POLICE FACILITIES¹

- A. HCPD members will accord appropriate privileges to local, national, and international news media

¹ CALEA 54.1.3
HOWARD COUNTY DEPARTMENT OF POLICE

- representatives, including photographers displaying appropriate identification (place of employment credentials).
- B. Whenever information must be denied to a media representative, the reason for the denial shall be fully explained.
- C. Members will extend every possible courtesy to accredited media personnel at police incident scenes or at any HCPD facility.
1. Media personnel will not be restricted from a scene beyond what is necessary for crime scene preservation.
 2. Media personnel will be permitted as close or be granted closer access (generally providing an opportunity to view the scene) than that which is granted the general public.
 3. Access arrangements will:
 - a. Be restricted until the officer in charge determines the area is safe.
 - b. Allow press vehicles and equipment to be located as close or be granted closer than the general public so long as those arrangements do not interfere with the police mission at hand.
- D. The Incident Commander shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow at the incidents listed below. Public information will be provided to media representatives at the following:²
1. A scene involving a major crime, such as a hostage and barricade situation.
 2. A scene involving a major fire, natural disaster, or other catastrophic event.
 3. Bomb threats or emergencies, man-made disasters, civil disturbances and other unusual occurrences.
- E. Media personnel will be allowed to photograph, film, and videotape members, suspects, witnesses or victims under any circumstances where a member of the public would be permitted to view the same. On private property, photography, filming or videotaping requires the permission of the owner or owner's representative.
- F. Members of the HCPD will neither encourage nor prevent the photographing of defendants in public places. However, in no case will posing of defendants for photographers be allowed.
- G. Persons in custody will not be permitted to be interviewed nor will members be interviewed while an arrestee or prisoner is present.
- H. Members will not instruct or warn victims or witnesses not to talk to the media personnel, although members may caution victims or witnesses about disclosing specific evidentiary information.
- I. Media personnel will be afforded cooperation when visiting police facilities.
- J. Requests for HCPD participation in feature articles and programs will be considered on a case-by-case basis by the OPA. The OPA will first contact the member advising them of the request, which they may decline. If the member has not first been contacted by the OPA they are to assume that the request has not or has yet to be approved. If approved, permission for interviewing HCPD members and photographing police facilities will be limited to the specific

² CALEA 46.1.3 f

scope of approval.

- K. Sworn officers or members of the HCPD who experience difficulties with media personnel will report the matter promptly to the OPA.

VII. ROLE & FUNCTION OF THE OFFICE OF PUBLIC AFFAIRS

- A. The Office of Public Affairs holds primary responsibility for media relations, public affairs and shall work cooperatively with all other organizational components to advance community relations.
- B. The scheduled hours for the OPA shall be Monday through Friday 0800-1700 and ensure adequate on-call coverage and availability for all other times.
- C. The OPA shall include a Section Supervisor who shall be the HCPD's primary Public Information Officer (PIO) and spokesperson. On matters directly related to media relations, the PIO shall report directly to the Chief of Police. Statements to the media concerning major cases or incidents will generally only be made by the PIO or designated member of the OPA. The OPA is responsible for the following pertaining to information released to the public and media.
1. Preparing and distributing media releases.³
 2. Assisting media personnel covering routine stories or at police incident scenes.⁴
 3. Responding to newsworthy incidents.
 4. Arranging and assisting at news conferences.⁵
 5. Coordinating and authorizing the release of information about missing persons, victims, witnesses, and suspects.⁶
 6. Redacting of the Daily Crime Report for the press and public.
 7. Coordinating and authorizing the release of information concerning confidential agency investigations and operations.⁷
 8. Inform the public and media about the agency's victim/witness assistance services.⁸
 9. Daily media monitoring and posting of new articles and events.
 10. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.⁹
 11. Publicize the HCPD objectives, challenges, problems and successes.¹⁰
- D. The responsibility and authority in the following departmental affairs rests with the OPA.
1. Providing media relations training to HCPD members.
 2. Coordinating or assisting with special events planning.
 3. Liaison of the Hate-Bias Task Force and submission of monthly reports.

³ CALEA 54.1.1 b

⁴ CALEA 54.1.1 a

⁵ CALEA 54.1.1 c

⁶ CALEA 54.1.1 d & 41.2.5 b

⁷ CALEA 54.1.1 e

⁸ CALEA 55.1.3 c

⁹ CALEA 54.1.1 f

¹⁰ CALEA 45.2.1 c

4. Planning and coordinating the "Bring Your Child to Work" day.
 5. Assisting in crisis situations within the agency
 6. Planning and coordinating the "National Night Out" event.
 7. Maintaining an up-to-date and professional internet presence (i.e. HCPD web site input and management; linkage to County home page).
 8. Liaison to the Police-Private Security Partnership, seniors and Law Enforcement Together (SALT) and Metro Crime Stoppers Committee.
 9. Writing, editing, layout and design of the HCPD Annual Report.
 10. Writing, editing, layout and design of the HCPD monthly newsletter, "The Beat".
- E. OPA shall continually conduct a survey of citizen attitudes and opinions through the HCPD website, with respect to the items listed below. Information obtained from the survey will be compiled annually and a written summary will be forwarded to the appropriate supervisor/commander and the Chief of Police.¹¹
1. Overall agency performance.¹²
 2. Overall competence of HCPD members (as perceived by the community).¹³
 3. Members attitudes' and behavior toward citizens.¹⁴
 4. Community concern over safety and security within Howard County.¹⁵
 5. Recommendations and suggestions for improvements.¹⁶
- F. The responsibility to design professional marketing materials, publications and audio/video presentations to promote the HCPD, rests with the OPA consistent with General Order ADM-59, Publications and Forms Control.

VIII. ROLE & FUNCTION OF THE WATCH COMMANDER

- A. The Watch Commander will keep the OPA informed of developments in major cases. The OPA will be kept informed of anticipated major events such as raids and/or multiple arrests.
- B. The Watch Commander will ensure that the OPA and the Communications supervisor are immediately notified, of the following incidents:
1. Any felony resulting in death or serious injuries.
 2. Any shooting incident involving a member of the HCPD.
 3. Any incident involving serious injury to a member of the HCPD, or serious injury to another person that may have been caused by a member.
 4. Any incident requiring an unusual police commitment, i.e. special teams, a large number of officers, etc.
 5. Any incident that is receiving unusual media attention (media personnel at a scene, repeated inquiries, etc.)
 6. Any incident likely to arouse an unusual level of public attention.

¹¹ CALEA 45.2.5
¹² CALEA 45.2.4 a
¹³ CALEA 45.2.4 b
¹⁴ CALEA 45.2.4 c
¹⁵ CALEA 45.2.4 d
¹⁶ CALEA 45.2.4 e

7. Any incident where a member requests the assistance of the OPA.
- C. In the event the Watch Commander does not request OPA he will access the PIO Briefing Sheet on the network shared drive and complete as appropriate whenever one of the below incidents occurs. The Watch Commander will ensure that the Duty Officer at each District, the Communications supervisor and the OPA, receives a copy of the PIO Briefing Sheet.
1. Any motor vehicle collision involving a school bus with children on board or any motor vehicle collision involving death or serious injury.
 2. Any reported rape or other serious sex offense.
 3. Any robbery.
 4. Any incident involving a foot or vehicle pursuit and/or bailout where a significant amount of time or personnel are involved.
 5. Any incident that involves the closure of a major roadway for a period of time exceeding one half hour.
- D. Should the Watch Commander be unable to provide sufficient information to answer media inquiries, the OPA will be immediately contacted.

IX. ROLE & FUNCTION OF THE COMMUNICATIONS SUPERVISOR

- A. Media personnel frequently contact the HCPD by telephone during "breaking news" incidents. All such calls will be referred to the on duty Communications supervisor, or his designee, who will provide basic details of an incident based on the information that they are receiving.
- B. The Communications supervisor, or his designee, shall provide the media representative with the following information:
 1. Location (hundred block & street name)
 2. What is reported to be occurring (not specific)
 3. Time it was reported (if asked)
 4. Status of police response (ie. Enroute, on the scene)
- C. Should the Communications supervisor, or his designee, be unable to provide sufficient information to answer media inquiries, they will immediately contact the Watch Commander. The Watch Commander will either call the media representative immediately, contact the OPA or on call PIO.

X. ROLE & FUNCTION OF THE DUTY OFFICER

- A. When contacted by the media, in the event of breaking news, each district Duty Officer shall refer callers to the Communications supervisor, the Watch Commander or they may read directly from any HCPD press release.
- B. The northern district Duty Officer will maintain an arrest log for the HCPD and may release adult arrest information to the media.

XI. OTHER AGENCY MATTERS

- A. The HCPD is sometimes jointly involved with other agencies in newsworthy incidents where the HCPD does not have primary jurisdiction. In those cases, the primary public information function will not be provided by the HCPD. Although the OPA may assist, all media requests will be referred to the agency having primary responsibility.

- B. Fire scenes are under the jurisdiction of the Department of Fire and Rescue Services (DFRS). Members will not allow media access to these scenes until authority is granted by the DFRS Incident Commander. If the fire scene is determined to be a crime scene access to the media will be granted consistent with section VI. of this policy.
- C. Federal law prohibits the photographing of classified defense material, including selected military aircraft, documents, and hardware. In the even of an incident involving military aircraft in Howard County, military authorities may ask that members enforce these federal laws. Supervisors will comply with all reasonable requests by the military in such matters.
- D. Whenever information may affect another law enforcement agency, or any local, federal or state government, the OPA will contact the agency in advance of the release.

XII. POLICY CHANGES¹⁷

- A. Whenever a change in HCPD written directives is contemplated that would directly impact media relations, the OPA will ensure that representatives of all regional news media sources are made aware of the contemplated changes by written correspondence and seek their input. The correspondence should provide a due date of at least twenty (20) days to allow for written comments to be submitted.
- B. Prior to final implementation of the changes, the OPA shall review all comments reviewed, and as appropriate, make recommendations to implement, reject or modify the change based upon the comments.
- C. The OPA will provide copies of any new appropriate written directives to local media representatives.

XIII. CANCELLATIONS

This General Order cancels and replaces:

General Order ADM-14, Media Relations, dated April 6, 1998
Standard Operating Procedure 90-01 PIO-01, News Releases, dated March 1, 1990
Standard Operating Procedure 90-02 PIO-02, Policy Development, dated March 1, 1990

AUTHORITY:



William J. McMahon
Chief of Police

¹⁷ CALEA 54.1.2