

Release of Information to the Media

Index Code: 2303

Effective Date: 05/01/05 (Revised 8/2/16)

I. Purpose

The purpose of this policy is to provide specific guidelines regarding the release of information to the media concerning criminal investigations and other matters involving the Sheriff's Office.

II. Policy

It is the policy of the Queen Anne's County Sheriff's Office to release information to the media concerning newsworthy events that are not legally privileged, will not prejudice the rights of a suspect, or interfere with an investigation. In addition, only the Sheriff or the **Undersheriff** may disclose confidential intelligence and personnel information.

III. Non-releasable Information

A. Arrest Information

1. The result of any investigative procedure (lineup, polygraph, fingerprinting, laboratory analysis, ballistics testing, etc.) instrumental in the arrest of a suspect, which if divulged may reveal a confidential investigative technique or create a prejudicial environment for prosecution. However, the fact that a test was performed may be acknowledged without further comment

2. Prior criminal records, character, or reputation of a defendant

3. The performance or result of any examination or test (i.e., Blood, DNA, etc.) or a defendant's refusal or failure to submit to such examination or test.

4. The identity of any juvenile defendant, and/or any information related to the offense, which is required by law to be referred to the Department of Juvenile Services.

5. Any opinion about the guilt or innocence of a defendant, or concerning the merits of a case or quality of evidence gathered.

6. Plea bargaining negotiations.

7. The identity of any victim, or any information about a victim that, if divulged, would identify the victim and such disclosure would place the victim in danger.

8. The identity of any victim of rape, felony sex offense, or child abuse, or any information about any victim of rape, felony sex offense, or child abuse that, if divulged, would identify the victim.

9. Any statement, prospective testimony, character, or credibility of any victim.

10. The identity, credibility, character, statement, or expected testimony of any witness or prospective witness.

11. Reports, transcripts, or summaries of proceedings from which the press and the public have been excluded by judicial order.

B. Investigative Information

1. The result of any investigative procedure (lineup, polygraph, fingerprinting, laboratory analysis, ballistics testing, etc.) which, if divulged, may reveal a confidential investigative technique. However, the fact that a test was performed may be acknowledged without further comment.

2. Information which, if prematurely disclosed, would interfere with an investigation or apprehension, particularly unchecked leads, unverified information, specifics of modus operandi, details known only to a suspect or the Sheriff's Office, or information that may cause a suspect to flee or avoid apprehension.

3. Specific investigative information or information of an evidentiary nature regarding a criminal case, for example, the exact point of entry in a burglary.

4. The amount of cash taken in any crime, or specific or detailed information about stolen property.

5. The identity or location of any suspect. However, the existence of a suspect may be acknowledged without further comment

6. The identity of any juvenile suspect, and/or any information related to an offense, which is required by law to be referred to the Department of Juvenile Services.

7. The identity of any victim of rape, felony sex offense, or child abuse, or any information about any victim of rape, felony sex offense, or child abuse that, if divulged, would identify the victim.

8. The identity of any victim, or any information about a victim that if divulged, would identify the victim and such disclosure would compromise an investigation or place the victim in danger.

9. The identity of any critically injured or deceased person prior to the notification of the next of kin. Exception: When notification has been attempted but is not possible within a reasonable amount of time as determined by the PIO, Sheriff or Undersheriff.

10. The specific cause of death, until determined by the State Medical Examiner.

11. The contents of a suicide note.

12. Personal opinions not founded on fact.

13. Home addresses or telephone numbers of members of the Office of the Sheriff, or the identities of undercover deputies.

14. Information received from other law enforcement agencies without their approval.

IV. Releasable Information

A. Arrest Information

1. The name, age, description, and general address (block number only) of the arrestee.

However, the names of juveniles in criminal cases are non-releasable information.

2. The substance of the charge(s) as contained in the criminal summons, warrant, indictment, or information.

3. The identity of the investigating and/or arresting deputy and the length of the investigation, except for undercover deputies.

4. The circumstances immediately surrounding an arrest including: time, location, pursuit, resistance to arrest, injuries sustained, possession and use of weapons, chronological description of events, and description of contraband seized.

5. The amount of bond, scheduled court dates, and place of detention.

B. Investigative Information

1. The type or nature of the investigation.

2. The date, time, location, injuries sustained, damages, and a general non-specific description of how an incident occurred.

3. The type of property taken (general description only). The amount of cash taken will not be disclosed.

4. The name, age, and general address (block number only) of the victim if not prohibited in Sections III 8 & 9 of this index code (non-releasable information).

5. A request for aid in locating evidence, a complainant, victim or suspect.

6. The number of agencies and law enforcement officers involved, and the length of the investigation.

7. The name of the person in charge of the investigation, his/her supervisor, and the assigned division or unit (except for the names of undercover deputies).

V. State's Attorney's Office

A. In cases where the dissemination or withholding of information could adversely affect personal safety, create a risk of flight, and/or create other similar circumstances, approval will be obtained by the State's

Attorney's Office prior to the dissemination or withholding of that information.

B. The State's Attorney's Office will be provided a copy of a press release prior to its dissemination for the following crimes:

1. Homicide
2. Manslaughter
3. Rape
4. Felony sex offenses
5. Kidnapping
6. Robbery
7. Child Abuse

VI. Duty Officer Notification

Other components releasing information to the media (i.e., PIO, CID, etc.) will provide the Duty Officer with a copy of the press release to assist in answering questions presented by the media or the general public.

VII. Requests for copies of Body Worn Camera (BWC) recordings will be made via a recording/report request form or a Public Information Act Request. Those requests will be submitted to the Sheriff, Undersheriff or their designee for consideration. Approved requests will be forwarded to the BWC Manager for copying and release of the recording. Denied requests shall be in writing to the requestor. Prohibited or sensitive images will be redacted prior to the release of the recording.

VIII. Each request for a report or recording will be accompanied by the appropriate fee as delineated by the posted fee schedule at the Office of the Sheriff.

IX. Cancellation of #2303 dated 5/1/05 & #2302 dated 5/1/05

X. CALEA References: None

Sheriff Gary Hofmann