

Release of Information to the Public

Index Code: 2304

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

I. Purpose

The purpose of this directive is to provide specific guidelines regarding the release of information to the public concerning criminal investigations and other matters involving the Office of the Sheriff.

II. Policy

It is the policy of the Queen Anne's County Office of the Sheriff to release information to the public that is not legally privileged, will not prejudice the rights of a suspect, interfere with an investigation, or place any person in harm

III. Release of Information

A. Defendants

No information, including reports and related documents, will be released to defendants in criminal cases, unless authorized in writing by the State's Attorney's Office or by court order. This does not include any court documents that a defendant would normally be entitled to (i.e., criminal summons, warrant, statement of charges, statement of probable cause, etc.).

Defendants attempting to obtain copies of reports and related documents will be referred to the State's Attorney's Office.

B. Victims

1. Victims are entitled to copies of offense reports with the fees waived.

2. Any victim requesting an offense report must complete and submit a Report Request form (see Index Code 2304 Appendix A). Clerical personnel will review the offense report to ensure the victim is entitled to such, and mail said report to the victim within ten (10) working days, unless arrangements are made to have the report picked up by the victim.

3. Victims are not entitled to an offense report if any of the following conditions exist:

- a. The investigation is still active (has not been closed or suspended).
- b. The release of certain information could place any person in harm.
- c. The defendant is a juvenile.
- d. Any suspect listed has not been formally charged.

4. In the event any of the above conditions exist, a report may still be released if the prohibited information has been redacted and cannot be seen. Approval to release any report with the above conditions must be approved by the Sheriff, the Undersheriff or their designee.

5. In the event a report contains information that may be confidential, or appears prohibited for release, the Sheriff, Undersheriff or their designee will assist in making the determination to release or withhold the report.

6. Other case related documents contained within the case file (i.e., photographs, receipts, written statements, etc.) may not be released without the authorization of the Sheriff, Undersheriff, or their designee.

7. Requests for copies of Body Worn Camera (BWC) recordings will be made via a recording/report request form. 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. Prohibited or sensitive images will be redacted prior to the release of the recording.

C. Attorneys, Insurance Companies, Claims Adjusters, and Other Interested Parties .

1. Reports and related documents being requested by attorneys on behalf of defendants will be referred to the State's Attorney's Office.

2. Reports being requested by insurance companies and claims adjusters must be accompanied by documentation clearly showing that the requesting agent has a vested interest in the claim.

3. Reports being requested by other interested parties will be handled on a case-by-case basis.

4. In the event a report contains information that may be confidential, or appears prohibited for release, the Sheriff, Undersheriff or their designee will assist in making the determination to release or withhold the report.

5. Other case related documents contained within the case file (i.e., photographs, receipts, written statements, etc.) may not be released without authorization of the Sheriff, Undersheriff or their designee.

6.

Requests for copies of Body Worn Camera (BWC) recordings will be made via a recording/report request form. 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. Prohibited or sensitive images will be redacted prior to the release of the recording.

7. 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.

IV. Cancellation of Directive #2304 dated 5/1/05 & #2301 dated 5/1/05

V. CALEA References: None

Sheriff Gary Hofmann

