

THURMONT POLICE DEPARTMENT

GENERAL ORDER	<i>Date Issued:</i> June 6, 2007	<i>Effective Date:</i> June 6, 2007	<i>Order No:</i> Chapter 34.0
<i>Authority:</i> Chief of Police <div style="text-align: center;"><i>Gregory L. Eyster</i></div>		<i>Manual Page No:</i>	
<i>Subject:</i> PUBLIC INFORMATION		<i>Replaces Page No:</i>	
<i>Accreditation Standard:</i> Chapter 54	<i>Distribution:</i> ALL	<i>Amended:</i>	<i>Number Of Pages:</i> 8
<i>Related Documents:</i>		<i>Rescinds:</i>	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

I. PURPOSE:

The purpose of this order is to establish guidelines for the dissemination of information to the public and the media.

II. POLICY:

It shall be the policy of the Thurmont Police Department to inform the public and the news media of events that effect the lives of citizens in our community. The purpose of the public information and media relations function is to develop and maintain a relationship of mutual trust, cooperation and respect by providing the news media and the community with accurate information on agency administration and operation. While maintaining the privacy rights of individuals and the integrity of criminal investigations, authorized individuals will be expected to release public information with openness and candor. The Thurmont Police Department is committed to informing the community of events within the public domain that are handled by or involve the Department.

III. DEFINITIONS:

MAJOR INCIDENT: Situations involving homicides, officer-involved shootings, natural disasters, major fire or aircraft incidents, hostage situations, etc., which require police response.

NEWS MEDIA: Legitimate news gathering and disseminating agencies with recognized credentials to include press, radio, television, magazine, wire services, and photographers/cameramen.

P.I.O.: Public Information Officer

IV. PROCEDURE:

The Thurmont Police Department reserves the right to withhold information which can endanger life, jeopardize an ongoing investigation, or prevent misinformation being supplied to the media.

A. PUBLIC INFORMATION FUNCTION:

1. The Chief of Police is the principal spokesperson for the Thurmont Police Department on policy issues and any other concerns he chooses to address. Media inquiries pertaining to Departmental policies and procedures shall be referred to the Chief of Police. The Deputy Chief of Police or other person officially designated by the Chief of Police shall serve as the PIO accountable for controlled and responsible dissemination of information to the community and media.
2. The specific responsibilities of the Public Information function will include, but are not limited to:
 - a. Providing assistance and direction to news media personnel in covering routine news stories, and at the scene of incidents.
 - b. Being available for on-call responses to the news media for a major newsworthy incident.
 - c. Preparation and dissemination of Department news releases.
 - d. Coordinating and authorizing the release of information relative to victims, witnesses, and suspects.
 - e. Assisting in crisis resolutions within the Department.
 - f. Coordinating and authorizing the release of information concerning confidential internal investigations and questions when permissible.
 - g. Arranging for and assisting at news conferences.
 - h. In instances in which more than one agency is involved, the agency having jurisdiction should be responsible for coordination and releasing information unless other arrangements have been made.

B. CONFIDENTIAL DEPARTMENT INVESTIGATIONS AND OPERATIONS:

1. The Chief of Police will be solely responsible for the coordination and authorization of information concerning confidential department investigations and operations.

C. PRESS VISITS:

1. Members of the press are welcome at the department at anytime. It may be advantageous to the press to maintain a regular schedule that the P.I.O. or designee will be available to assist them in obtaining information.
2. Members of the press may be required to present identification as a representative of a public news media service before gaining access to the records section.
3. The Thurmont Police Department does not issue its own press credentials, however, it will deny access to the scene of an incident or to the department for any of the following reasons:
 - a. Dangerous or irresponsible conduct at a crime scene or other Police operation,
 - b. Failure to follow reasonable direction of a Police Officer at a crime scene or scene of other Police operation,
 - c. Interference with an official Police investigation,
 - d. Obstruction of a criminal justice process,
 - e. Violation and conviction of Town, State, or Federal Law,
 - f. Other unethical or unprofessional conduct deemed inappropriate by the Chief of Police.

D. RELEASE OF INFORMATION:

1. Generally, all news releases will be made at the Thurmont Police Station. In the case of major fires, natural disasters, major crime scenes, etc., the Department will make every effort to allow the media reasonable safe access for photographs and television within limitations of public safety, civil rights restrictions, and crime scene integrity. In no case should the media be allowed to hinder or obstruct Police or Fire operations.

E. RELEASE OF INFORMATION AT THE SCENE OF AN INCIDENT:

1. To relieve on-scene Commanders of the added burden of dealing with the media, the P.I.O. will attempt to respond to the scene of all major incidents during his/her normal working hours. If the Department P.I.O. is not available at the scene of a major incident, it becomes the responsibility of the on-scene Commander to respond to the media as his emergency workload permits.
2. At crime and accident scenes, media will not be permitted access beyond non-public access perimeter established by the Department; however, a press staging area will be established. Access will not be permitted until emergency and investigative actions have been completed.
3. Media access to private property will not be allowed unless the media obtains permission from the property owner. If allowed, entry will be made only after police have relinquished the scene.

F. RELEASE OF INFORMATION - ONGOING CRIMINAL INVESTIGATIONS:

1. All information released through media interviews or press releases will be made in accordance with this order and applicable state and federal statutes pertaining to the Freedom of Information Act.
2. The following information will be made public:
 - a. An arrestee's name, age, race, sex, general address such as Thurmont, MD, date, time and place of arrest (EXCEPTION – name and address of juvenile).
 - b. The charges on which the arrestee is being held.
 - c. The identity of the investigator and/or arresting officer(s).
 - d. Physical evidence seized, if disclosure will not harm the investigation.
3. The following information MAY be released unless otherwise restricted herein:
 - a. Confirmation that a named individual was arrested or issued a citation or notice to appear on a specific date for an offense, including amount of bail (if known).
 - b. Name, general address and physical description of a suspect being sought when there is a warrant on file, and such release will not impede the service of such warrant.
 - c. General information that would assist in the apprehension of a suspect, such as a physical description, but not the name and address.

- d. The type or nature of an event or crime such as accident, fire, homicide, rape, etc.
- e. The approximate location (hundred block, apartment complex, etc.), date and time, injuries sustained, damages and general description of how the incident occurred.
- f. Type and quantity of property taken except as prohibited herein.
- g. The identity and approximate address of a victim, with the EXCEPTION of a sex crime or child abuse victim, and in other cases where reprisals or intimidation may be employed.
- h. Casualty figures, to include known dead or injured.
- i. Number of officers, or persons, involved in an event or investigation and the length of the investigation.
- j. Facts that would indicate why the event occurred, such as a domestic related or drug related, etc.

4. Restricted Information

The following types of information will NOT be released without the express permission of the Chief of Police or his designee:

- a. Names and address of juveniles,
- b. Information concerning litigation, complaints, charges or other action pending against any employee or person within the Department,
- c. The prior criminal record or statements as to the character and reputation of a defendant,
- d. The existence or contents of any purported confession, admission, or statements given by a defendant or the defendant's refusal or failure to make a statement,
- e. The performance or results of any test, or examination, or refusal or failure to take such a test or examination, particularly as related to a polygraph,
- f. The name, address, identity, testimony or credibility of any prospective witness to the crime,

- g. Any opinion of the defendant's guilt or innocence in any matters relating to the merits of the case,
- h. Any information surrounding any juvenile investigation, incident, or arrest other than specified in this order,
- i. The identity of any critically injured or deceased person prior to the notification of next of kin (except when notification has been attempted but is not possible within a reasonable time as determined by the Chief of Police or his designee),
- j. Investigative information and information of evidentiary nature,
- k. The specific cause of death until determined by the medical examiner,
- l. Information concerning the amount of cash loss in a robbery or burglary, specific description of valuables other than in general categories, or any other information when it will most probably lead to a recurrence of a crime (EXCEPTION – when it may be beneficial to release such information as the number and descriptions of credit cards, money orders, checks, etc.),
- m. Contents of suicide notes,
- n. Speed of vehicles involved in police chases, and
- o. Personal opinion not founded on fact.

News media interviews of subjects while in Department custody will not be granted, nor will the media be allowed to photograph arrestees, witnesses, or victims within any Department buildings. Defendants will not be taken outside of any Department building for the purpose of photographing, taping, or viewing by the news media.

Anytime a representative of the news media is denied access to certain information, as outlined above, they will be given a courteous explanation of the reasons for denial.

5. Confidential Information

- a. No Departmental employee will disclose to any person who does not have an official "need to know" any confidential information whatsoever concerning:
 - i. The activities, administration, or operation of the Department,

- ii. Criminal History Record information,
- iii. Identities of officers in covert positions and informants,
- iv. Investigations of every variety,
- v. All personnel matters,
- vi. Any other information a reasonable and prudent person would consider "confidential."

G. ACCESS OF THE MEDIA - MAJOR INCIDENTS:

1. Media requests for information at such scenes should be directed to the P.I.O. at the Police Station, unless circumstances exist that would dictate other actions.
2. In the case of announced major events such as demonstrations, or large scale catastrophes, the Department will designate a specific on-scene area for the media. The P.I.O. or other person designated by the Chief of Police will be available at the on-scene area to answer questions and release statements.

H. NEWS MEDIA INVOLVEMENT IN POLICY DEVELOPMENT

1. The Thurmont Police Department will provide copies of this standard to local News Media agencies. Continued input from Media representatives relating to the Public Information Function will be elicited in an effort to establish a more effective working relationship between the Thurmont Police Department and Media personnel.

I. RELEASE OF PHOTOGRAPHS

1. When issuing a press release, it may be appropriate to attach a photograph. The release of photographs will be restricted to the following instances:
 - a. When requesting information from the community regarding the identity of an individual(s) pictured in a surveillance photograph,
 - b. When requesting assistance from the community in apprehending a missing person or a fugitive,
 - c. When a media representative requests a booking photograph of the defendant(s), and the release of the booking photograph(s) is contemporaneous with the press release documenting the incident being disseminated to the media,
 - d. When releasing information relative to Department events,

promotions, etc., or

- e. As approved by the Chief of Police or designee.
- 2. In cases of arrestees, the individual issuing the press release will arrange to obtain the booking photograph from Central Booking.
- 3. Requests for booking photographs not contemporaneous as stated herein will be considered Criminal History Record information and will not be released.

ATTACHMENTS:

DOCUMENT DATES:

Amended Date:

Review Date:

Review Date:

Review Date:

Rescinds:

Order Written by: Lieutenant Shawn R. Tyler

Order Edited and Approved by: Chief Gregory L. Eyer