

2.450 PUBLIC INFORMATION & MEDIA RELATIONS

2.450.02 PIO Function Established

- A. The agency's PIO function is organizationally coordinated and assigned consistent with **1.200 Organization**.
- B. The chief will appoint a primary PIO and sufficient secondary PIOs to ensure the agency's PIO function is staffed.
- C. PIO duties and responsibilities include, but are not limited to:
 - 1. Assisting media personnel in covering stories at the scenes of incidents;
 - 2. Being available for responses to the news media;
 - 3. Preparing or promoting image-building features about the agency and its employees;
 - 4. Preparing and distributing agency public information releases;
 - 5. Arranging for, and assisting at, news conferences;
 - 6. Coordinating and authorizing the release of information to the media about victims, witnesses, and suspects;
 - 7. Channeling or coordinating media requests for information between requesters and agency personnel;
 - 8. Discussing and interpreting agency policies or directives for the media and community;
 - 9. Assisting the chief in the management of information during crisis situations within the agency;
 - 10. Coordinating and authorizing the release of information to the media concerning confidential agency investigations and operations;
 - 11. Developing procedures for releasing information when other public service agencies are involved in a mutual effort; and
 - 12. As specifically authorized, providing official comments on internal affairs or other sensitive matters; and
 - 13. Providing public information on the prevention of identity crime, victimization, crime prevention, and Homeland Security related issues.
- D. The agency's public information and media relations activities are guided by laws and regulations that include, but are not limited to:
 - 1. Access to Public Records, SG 10-611 *et seq.*;
 - 2. Criminal Justice Information System, CP 10-201, ET. SEQ.;
 - 3. Family Educational Rights and Privacy Act (FERPA) - Buckley Amendment, 20 USC 1232g;
 - 4. Juvenile Court Records, MD Rule 11-121;
 - 5. Confidentiality of Records, CJ 3-828;
 - 6. Confidentiality of Medical Records, HG 4-301, et. seq.;
 - 7. USMH III-6.30 Policy on Confidentiality and Disclosure of Student Records
 - 8. Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (Clery Act) as amended; and
 - 9. Legal Advisory Committee on Fair Trial and Free Press of the American Bar Association.

2.450.04 PIO Availability & Notification

- A. Barring exigent circumstances, a PIO will be available 0800 - 1630 hours, Monday through Friday, excepting holidays and days the university is closed.
 - 1. PIO personnel are issued pagers &/or cell phones in order to facilitate contact 24 hours a day.
 - a. On-duty PIOs, not immediately available in their offices, will respond as quickly as possible to agency messages.
 - b. Off-duty PIOs will not be in an on-call status, unless specifically designated by the chief, but will be available and respond to messages consistent with **1.438.20 First Call Status**.
 - 2. Communications is the primary contact point for matters involving news media inquiries to the agency during PIO off-duty hours and hours PIO personnel are on-duty, but not immediately available.

- a. Voice mail greeting messages of PIO personnel will inform callers how to contact Communications if PIO personnel are not immediately available and callers choose not to leave voice mail messages. Communications personnel will take messages for PIO personnel or contact them in cases of *bona fide* emergencies.
 - b. During times when PIO personnel are on-duty, but not immediately available, callers to PIO personnel will be instructed to leave voice mail messages or contact Communications.
- B. Patrol squad commanders or incident commanders are responsible for ensuring PIO personnel are notified:
 - 1. Consistent with **2.442 Notifications**;
 - 2. When major incidents or unusual events generate great amounts of media interest; or
 - 3. When mass media representatives arrive at scenes of incidents.
 - C. Notifications to PIO personnel of incidents are not necessarily requests for PIO personnel to respond to incidents.
 - 1. PIO personnel will notify Communications or agency employees making notifications whether PIO personnel will be responding as result of incident or situation notifications.
 - 2. PIO personnel may assist patrol squad commanders or incident commanders in preparing or coordinating preliminary public information releases prior to, or in lieu of, response of PIO personnel.

2.450.06 PIO Role of Incident Commanders / Ranking Officers

- A. Patrol squad commanders or incident commanders will ensure that official preliminary accounts of incidents requiring PIO notification consistent with **2.442 Notifications** and **2.450.10** are released within reasonable amounts of time to media representatives responding to incident scenes or making inquiries into incidents.
- B. Preliminary public information releases will be made as reasonable, prudent, and necessary, only by patrol squad commanders, incident commanders, or others specifically authorized by the chief or PIO personnel, in order to:
 - 1. Avert unconfirmed, undocumented news accounts from unofficial sources that may have detrimental effects on the agency, its efforts, or persons involved in incidents;
 - 2. Satisfy early or immediate needs of the media; and
 - 3. Allow time for more complete information to be compiled and subsequently released.
- C. Information disseminated in preliminary public information releases will not only be consistent with this directive, but also restricted to general information relating to the who, what, where, when, and how of incidents.

2.450.08 Limitations on Agency Employees

- A. Agency employees will only discuss incidents with media representatives, prepare releases, or otherwise provide information to the media, in compliance with this directive and will keep PIO personnel informed of all such contacts or informational releases.
- B. Agency employees are prohibited from making statements or releasing further information to the media when existing media releases specifically state that the agency will not release any further information or when other limitations have been imposed, unless specifically authorized to do so by the chief or PIO personnel.
- C. Nothing in agency directives precludes or diminishes employees' rights of free speech unless their statements:
 - 1. Materially and substantially affects the performance of employees' duties;
 - 2. Affects the discipline, harmony, or general efficiency and effectiveness of the agency;

3. Are not of compelling public interest; or
4. Are specifically prohibited by directives, laws, or regulations.

2.450.09 Release of Medical Record Information

- A. Only specified, incident related medical record information can be released by agency officers consistent with HG 4-301 et. seq.
- B. Medical record information that can be released to non-health care providers includes, but is not limited to:
 1. All pertinent information to the parents, guardians, or legal custodians of minor children;
 2. Directory information concerning patients' presence and general health condition, excepting that information primarily developed in connection with mental health services;
 3. Circumstances of causality, excepting mental health services related, described in general terms such as "trauma", "illness", "injury", etc.;
 4. General health condition, which is the general health status of patients described in general terms such as "critical", "poor", "fair", "good", "excellent", etc.; and
 5. Any relevant information in emergency situations where there are clear and significant risks of death or imminent serious injuries or harm to patients.

2.450.10 Preparation of Public Information Releases

- A. PIO personnel are responsible for preparing and distributing public information releases. Public information releases will be prepared for, but not limited to:
 1. Incidents that may attract significant media attention;
 2. Criminal or other police incidents involving deaths, serious injuries, or extensive losses or destruction of property;
 3. Incidents needing assistance from the public;
 4. Incidents mandated to be released consistent with the federal Clery Act, as amended;
 5. Serious situations, conditions, or incidents affecting the safety or security of the community and not under the jurisdiction of another agency;
 6. Incidents of human interest that illustrate agency employees fulfilling social needs or performing heroic or humanitarian services; and
 7. Disasters, natural or otherwise, involving extensive agency involvement, unless joint operation public information releases are prepared.
- B. Public information releases will be distributed by PIO personnel via:
 1. The agency's web site;
 2. E-mail systems; or
 3. Other appropriate venues as determined by the chief or PIO personnel.
- C. Information contained in public information releases may be viewed, duplicated, faxed, e-mailed, and/or read verbatim to anyone upon request.
 1. Requests to access public information releases will be referred to the agency's web site, the Service Window, or PIO personnel.
 2. Any additional information, clarification, or questions from the media, in reference to public information releases or specific incidents must be referred to PIO personnel.
- D. Public information releases, unless otherwise directed by courts of competent jurisdiction, will be maintained on the agency's web site at least one year from distribution dates.

2.450.12 Releasable Information

- A. Unless otherwise precluded by **2.450.14**, releasable arrest related information is:
 1. The name, sex, age, description, residence, and marital status of arrested adults or juveniles charged as adults;

2. The fact juvenile arrests were made, including sex, age, general area of residence, and substance of charges;
 3. Substance or text of charges as contained in warrants or other charging documents;
 4. Identities of arresting officers, excepting identities of undercover officers;
 5. Chronological arrest logs; and
 6. Circumstances immediately surrounding arrests, including:
 - a. Time and place of arrests;
 - b. If pursuits occurred;
 - c. Resistance, and if any injuries were sustained as a direct result;
 - d. Possession and/or use of weapons;
 - e. Description of items or contraband seized; and
 - f. Arrest disposition.
- B. Releasable investigative related information is:
 1. Types and nature of incidents;
 2. Locations, dates, and times, of incidents;
 3. If injuries were sustained by parties involved;
 4. The amounts and types of property taken, including its value, if known, rounded to the nearest hundred dollars, unless precluded by investigative protocols;
 5. The race of individuals involved when this descriptive information advances the conduct of investigations, or is germane to the incident;
 6. The number of officers or other persons involved in incidents and length of investigations;
 7. The names of officers investigating incidents, their supervisors as appropriate, and units to which they are assigned, excepting undercover officers;
 8. Requests for aid in locating evidence, suspects, or complainants;
 9. The existence, but not contents of, suicide notes; or
 10. If suspects deny their charges, but not the substance of their denials or alibis.

2.450.14 Non-Releasable Information

- A. After incidents, but before arrests are made or during investigations, information will not be released regarding:
 1. Identities or locations of any suspects, excepting that the existence of suspects may be acknowledged without comment; and
 2. Results of any investigative or forensic procedures, such as CDS field tests, BrAC tests, field sobriety tests, lineups, polygraphs, fingerprinting, laboratory analyses, and ballistics examinations. Facts that tests are being performed may be acknowledged without further comment.
- B. Information will not be released which, if prematurely disclosed, may significantly interfere with investigations or apprehensions.
- C. Information will not be released regarding:
 1. Prior criminal records, character, or reputation of defendants;
 2. Employment or college/university student status, unless germane to the case;
 3. Existence, or contents, of confessions, admissions, or statements of defendants, or their failure or refusal to make such;
 4. Results of any tests, or defendants' refusal or failure to submit to tests;
 5. Identity, credibility, character, statement or expected testimony of any witnesses, or prospective witnesses;
 6. Statements, prospective testimony, character, or credibility of any victims;
 7. Opinions about the guilt or innocence of defendants, or concerning the merits of the case;
 8. Possibility of guilty pleas, plea bargaining or other dispositions;

9. Reports, transcripts or summaries of proceedings from which the media and public have been excluded by judicial order;
10. Photographs of suspects, unless in the public's interest;
11. Names of juvenile suspects, unless charged as adults;
12. Names and addresses of victims of sexual assaults or victims of child molestations or related information which, if divulged would tend to lead to the victims' identification;
13. Names of witnesses or victims or their addresses, unless the release of such information will assist the agency in locating missing persons;
14. Specific causes of death;
15. Investigative information or other evidentiary information regarding criminal cases;
16. Contents of suicide notes;
17. Personal opinions not founded in fact;
18. Unofficial statements concerning personnel or internal affairs matters;
19. Home addresses or telephone numbers of agency employees;
20. Identities of any critically injured or deceased persons prior to notifications of next of kin, except after all reasonable efforts to notify families have been exhausted; or
21. Information received from other law enforcement or public safety agencies without their concurrence in releasing that information.

2.450.16 Police Ledgers

- A. PIO personnel are responsible for ensuring that certain police ledgers are updated and maintained by the agency for public inspection.
 1. The agency's police ledgers are the:
 - a. Incident/Offense Ledger; and
 - b. Criminal Charges Ledger.
 2. The ledgers are posted to the agency's web site and are accessible to the general public 24 hours a day, seven day a week.
 3. Anyone may generate or distribute printed copies of ledgers as needed.
 4. Questions regarding ledgers and/or inquiries about specific information contained therein will be directed to PIO personnel.
- B. The Incident/Offense Ledger contains a listing of incident reports initiated by the agency. The list is generally in sequential order according to when the incidents were brought to the attention of the agency.
 1. Incidents in the ledger are classified consistent with the U.S. Department of Justice, FBI's Uniform Crime Reporting Handbook (UCR) and do not necessarily correspond with crimes according to the Annotated Code of Maryland. Therefore, crimes classified according to the Annotated Code of Maryland may be classified differently according to UCR criteria.
 2. In cases where multiple offenses occurred during single incidents, the most serious offense, as classified by the UCR, is utilized for classification purposes.
 3. Ledger entries are posted and updated within two business days of incidents or updates coming to the agency's attention.
 4. Ledgers provide general location of incidents.
 5. Ledger entries will be retained four years from dates of entry.
- C. The Criminal Charges Ledger is posted to the agency's web site and contains a listing of individuals who have been charged with criminal offenses by agency officers.
 1. Names and birth dates are not posted on the ledger. Unless specifically designated to be withheld, agency personnel may verbally divulge names and birth dates that correspond to specific C-Numbers. Requests to inspect printed lists that includes names should be directed to a PIO.
 2. Ledger entries are sequential according to when individuals

are charged.

3. Ledger entries do not contain;
 - a. Traffic offenses; and
 - b. Arrests made by agency officers for warrants that were obtained by other agencies or individuals not affiliated with the university.
4. Dates and times listed in the ledger reflect only the dates and times arrests were made. They may not reflect the actual dates and times crimes occurred.
5. Charges listed in the ledger may not include traffic offenses if criminal and traffic charges were both placed against individuals.

2.450.18 Internal Affairs Matters

- A. The agency and its employees are prohibited by law from releasing information to the media and the public relating to internal investigations and personnel matters unless involved employees waive their confidentiality privileges.
- B. Agency employees may request waivers of their confidentiality privileges through direct correspondence or e-mail to the chief.
- C. Employees who release information to the media or the public about their internal affairs or personnel matters will be deemed by the agency to have waived their confidentiality privileges.
- D. Employees who elect to have trial boards or other personnel hearing matters open, or who appeal decisions to the Circuit Court will be deemed by the agency to have waived their confidentiality privileges.
- E. The agency may comment to the media in those cases where confidentiality privileges have been waived. In these instances, the agency's comments will be made only with the express consent of the chief.

2.450.20 Press/Media Credentials

- A. The agency does not issue credentials to members of the media, but does recognize valid identifications or credentials from all local, national, and international news organizations.
- B. Free lance writers, photographers, or other media representatives lacking valid press or media identification or credentials will be treated as members of the general public.
- C. Questions pertaining to press/media identification or credentials will be referred to, and resolved by, PIO personnel.

2.450.22 Telephone or Walk-In Inquiries

Agency employees are authorized to release to media representatives and the general public information contained in the agency's public information releases or agency's web site. Information contained in public information releases may be viewed, duplicated, faxed, emailed and/or read verbatim to anyone upon request. Other information will be released consistent with this directive.

2.450.24 Impartiality

Public information will be released to media representatives without partiality. Information will not be withheld, delayed, or selectively released to favor any particular news media representative or agency. Specific inquiries made independently by media representatives may be honored when inquiries are made.

2.450.26 Access to Agency Employees

Bona fide representatives of the news media will be granted reasonable access to agency employees, but news gathering efforts will not be permitted to interfere with agency operations or administration.

2.450.28 Withholding Information

Denials to release information will be adequately and courteously explained in order to avoid adversely affecting relations between the agency and the media or the public.

2.450.30 Disinformation

The agency and its employees will not purposely supply misinformation or disinformation to the media or the public.

2.450.32 Media Access to Incident Scenes & Police Activities

- A. Agency employees will allow bona fide members of the media, their vehicles and equipment, closer access to incidents than that granted the general public and to conduct news gathering activities so long as it is reasonable and practical and their activities do not interfere with police operations, public safety, or traffic flow.
- B. Incident scene commanders at major police incidents, hostage or barricade incidents, and civil disturbances will, as necessary and appropriate, ensure:
 1. Perimeters are designated and established;
 2. Media staging areas are designated and established nearby command posts or at centralized positions;
 3. Perimeter personnel are informed where to send media representatives and any limits on media activities; and
 4. Determine preliminary facts of cases or incidents and ensure media representatives are up dated with the information.
- C. PIO personnel are responsible for:
 1. Ensuring their activities are coordinated with incident scene commanders;
 2. Conducting regular media up dates or briefings and making timely announcements of major developments; and
 3. Assisting with rumor control by providing correct information to dispel rumors.
- D. Direct access by media personnel to police incident scenes may be allowed only after all known evidence has been processed and on-site investigations have been completed. Criminal investigations have priority over news media coverage.
- E. Agency employees will not take any actions against media representatives to prevent or impede the lawful right to photograph, telecast, etc., persons at incident scenes or in public places.
 1. Agency employees may take protective or humanistic actions to cover or screen bodies or other inflammatory scenes if such actions are deemed necessary by incident commanders.
 2. Suspects or accused persons in custody will not be deliberately posed for photographs, telecasts, etc.
 3. Media representatives will not be permitted to interview persons in custody.
 4. Agency employees will not pose themselves with suspects or accused persons, or enter into agreements to have suspects or accused persons in custody at prearranged times or places to facilitate photographs, telecasts, etc.
 5. The agency may arrange media coverage of significant seizures or other evidentiary items when:
 - a. The coverage is conducted under controlled circumstances; and
 - b. The coverage will not prejudice subsequent prosecutions.
 6. Photographs, mug shots, etc., may be released by the agency to help locate persons charged with criminal offenses or being sought in connection with investigations.
- F. Media access to, and movement within, fire, rescue, EMS, disaster or other similar scenes, is under the control and jurisdiction of fire officers in charge.
 1. Police incident commanders will confer with fire officers in charge of scenes to assist in facilitating media coverage or access.
 2. Agency employees will not allow media representatives access to scenes until permission is granted by fire officers in charge.
- G. Other agency directives relating to media coverage of disasters, civil disturbances, and hostage / barricade situations are contained in the agency's Unusual Occurrences Manual.

2.450.34 Multi-Agency Efforts

- A. The agency's PIO personnel will coordinate media inquiries and releases with PIO personnel of other agencies whenever this agency and other public service agencies are involved in mutual efforts.
- B. The agency's PIO personnel will participate in cooperative efforts with PIO personnel from agencies involved in mutual efforts to determine the lead agency for media relations and what, if any, information will be included in this agency's public information releases pertaining to other agencies involved.

2.450.36 Involvement of the Media in Related Directive Development

- A. The primary PIO will maintain a list of media points of contact.
- B. PIO personnel will provide copies of directives relating to public information and media relations to media points of contact and other media representatives upon request.
- C. Proposed changes to public information and media relations directives will be distributed for comments by PIO personnel to media points of contact and other media representatives upon request.
 1. Proposed changes will be distributed for comment in order for written comments to be returned to the agency.
 2. Comments returned by media points of contact will be considered when staffing changes to public information and media relations.

2.450.38 Incidents Involving Serious Injury or Death Inflicted by Non-sworn Employees

- A. The Chief of Police assisted by the Public Information Officer (PIO) will collaborate with the appropriate officials of the Maryland State Police or another allied law enforcement agency and the Office of the State's Attorney and/or Office of the Attorney General involved in conducting the investigation in order to provide important information to the public as appropriate.
- B. The names of employees and citizens involved will generally be made public within a timely manner of an incident barring a necessary delay due to family notifications, safety concerns, investigative processes, or other articulable cause.
- C. Photographic and/or video evidence, to include body-worn camera and in-car camera footage may be released to the public on a case by case basis with understanding that investigative and prosecutorial integrity will always outweigh the strong desire to be transparent to the public. Once all investigative and prosecutorial authorities conclude that public release of evidence will not jeopardize ongoing investigations, the evidence will be released at the discretion of the Chief of Police in accordance with law.
- D. At the conclusion of a criminal investigation into an incident involving serious injury or death, the Chief of Police in conjunction with the State's Attorney's Office and/or the Office of the Attorney General, will make a public statement detailing the findings and any actions to be taken.

2.450.40 Incidents Involving Serious Injury or Death Inflicted by Officer(s)

- A. **The Office of Attorney General's Independent Investigations Division ("IID") and the Maryland State Police ("MSP") will lead the criminal investigation of police-involved fatalities as mandated by Maryland Annotated Code, State Government Article, § 6-106.2.**
- B. Communication with the Public and Media in the wake of a fatal or potentially fatal incident must balance the public's desire for quick answers, the need for accuracy, and the need to convey the

independence of the investigation. The public wants information soon after an event occurs, and UMDPS may be called on to provide some information before the IID and MSP have fully taken control of the investigation.

- C. UMDPS may choose, at its discretion, to defer all public response to the IID. A member of the IID with responsibility for media response will respond to the scene as soon as is practical. Whether or not UMDPS plans to make a public statement, UMDPS should provide to the IID, a public information officer or an individual with similar responsibilities who can assist the IID in gathering information. The PIO should begin gathering preliminary information before the IID arrives.
- D. UMDPS may also choose to make a public statement or release certain limited information in the immediate aftermath of an incident. To the extent possible, UMDPS will consult with IID prior to the release of this information. Notification of the release of this information should be provided to the IID investigative supervisor or media contact preferably prior to, or at least simultaneously with the Public Release. UMDPS may generally include the following information in its public statement:
 - 1. The date, time, and location of the incident;
 - 2. The type of call for service that led officers to the scene.
 - 3. Information concerning injuries sustained by any surviving civilians and/or an officer, and whether any individuals were transported to the hospital.
 - 4. How many officers discharged their firearms.
 - 5. Whether a weapon was recovered or located on-scene.
 - 6. Basic information regarding the age, race, duty assignment, tenure, and current administrative status of the officer(s).
 - 7. Each police department will include in their remarks a statement confirming that the investigation into the officers' conduct will be conducted by the Maryland Attorney General's Office Independent Investigative Division, with assistance provided by his/her department as requested.
- E. Upon completion of the initial public/media notifications, the UMDPS may continue to provide periodic updates involving an ongoing community threat, such as a continuing search for a suspect, or any road or business closures. If UMDPS wishes to release a written statement detailing the facts already released in the initial media response (see bullet D above), it should consult with the IID before doing so.
- F. Further comment or the release of additional information or materials that could be considered evidentiary or could impact the integrity or outcome of the investigation should come from the IID, not from UMDPS. If UMDPS believes that the release of this information is necessary, it will consult with and obtain approval of the IID to avoid impacting the outcome of the investigation. This includes:
 - 1. body camera footage;
 - 2. in-car camera footage;
 - 3. surveillance footage;
 - 4. commercial or residential security camera footage;
 - 5. crime-scene or other photographs, other than photos related to a continuing search for a suspect;
 - 6. photographs or video footage taken by witnesses;
 - 7. detailed statements provided by officers/deputies involved;
 - 8. detailed statements provided by witnesses or suspects;
 - 9. test results of any kind;
 - 10. investigative reports;
 - 11. autopsy information, including cause/manner of death;
 - 12. legal conclusions about an officer's conduct;
 - 13. Any information that could be considered investigative or evidentiary.
- G. The IID will generally release the name of the involved officers within 48 hours of the incident, though that period may be extended if there is a specific reason to believe that an officer's safety is at risk. If UMDPS wishes to release the name of the officer itself prior to the IID doing so, it may, after consultation with the IID.
- H. The IID will generally release body camera footage within 14 days of the incident. There may be situations where more than 14 days is necessary, including if investigators need more time to complete witness interviews, if there are technical delays caused by the need to redact the identities of civilian witnesses, or to allow family members to view the video before it is released to the public.
- I. Upon completion of the investigation and review by the Maryland Office of the Attorney General, the IID will release a statement confirming that it has completed the investigation and forwarded its report to the relevant State's Attorney's Office. The IID will notify UMDPS when its investigation is complete. By statute, the report remains confidential until any prosecution is complete, and therefore the IID will not comment on the content of its report.