

HARFORD COUNTY SHERIFF'S OFFICE ADMINISTRATIVE POLICY



Jeffrey R. Gahler,
Sheriff

Office of Media and Public Relations

Distribution:	All Personnel	Policy Number:	ADM 1201		
Responsible Unit:	Office of Media and Public Relations	Rescinds:	MAN0800 dtd 08/20/13		
Original Issued Date:	10/15/16	Revision #:	1	Latest Revision Date:	06/13/24
Latest Required Review was Completed:		06/13/24	Next Review Due:	06/30/27	

1. Purpose

To provide members of the Harford County Sheriff's Office (HCSO) with guidelines regarding the procedures for the release of public information and contact with the media.

2. Policy

The Harford County Sheriff's Office will make available to the news media and the public information which is of general public interest, or which is vital to the safety of the citizens of Harford County.

3. References

Maryland Annotated Code, General Provisions Article, Title 4, Public Information Act ("PIA")
United States Code, Title 5, § 552, Freedom of Information Act ("FOIA")
Federal Bureau of Investigation Criminal Justice Information Services Security Policy Version 5.9.4

4. Procedures

A. Media Access

1. Public Information will be made available to the news media and the public in accordance with the PIA and FOIA.
2. If it cannot be immediately determined if the information requested is public, then the Public Information Officer (PIO), along with consultation with the Sheriff and review by the **Legal Affairs Unit**, will serve as a guide in granting or denying access to the requested information.
3. All restrictions will be considered carefully.

B. Sheriff's Office

1. Will inform the citizens and media of the events and activities that affect the community in order to foster a relationship of mutual trust, cooperation, and respect.
2. Does not issue press credentials.
3. Is responsible for releasing information when it has primary jurisdiction in a multi-agency incident.

C. Office of Media and Public Relations

1. Designated by the Sheriff as the official representative for the Agency and is the focal point for inquiries from the news media and discussing Agency policy.
2. Maintains office hours Monday through Friday, except holidays, from 0800 to 1700 hours, and provides a designated on-call PIO when the office is closed.
3. Issues news releases, media advisories and provides factual information to the media and coordinates all requests for information between the media and Agency personnel.
4. Refers requests for all other records/documents to the Records Custodian.
5. Prepares, conducts, and oversees Agency news conferences.
6. Assures coordination when media releases and information emanating from the Sheriff's Office impacts another agency.
7. Coordinates and/or refers special requests considered to be background, statistical, documentary, or of a special nature, to the appropriate Agency member.
8. Coordinates and notifies Agency members of pending inquiries or interviews.
9. Receives requests made to Agency members.
10. Verifies the validity of the media's credentials when questionable.
11. Coordinates and assists with the respective agencies or HCSO units as necessary when an established Memorandum of Agreement or Understanding (MOA/MOU) with the Sheriff's Office and allied agencies specify the release of news and information to the media.

D. **The Director of the Office of Media and Public Relations will:**

1. **Designate individuals authorized to make information publicly accessible;**
2. **Ensure authorized individuals are trained to ensure that publicly accessible information does not contain nonpublic information;**
3. **Review the proposed content of information prior to posting onto the publicly accessible system to ensure that nonpublic information is not included;**
4. **Review the content on the publicly accessible system for nonpublic information quarterly and remove such information, if discovered; and**
5. **Maintain records of the quarterly reviews for three years or until audited.**

E. Public Information Officer (PIO)

1. Chief spokesperson for all matters of public comment, including procedural issues, criminal investigations, press releases, annual reports, public relations, and marketing.

2. Will be directly responsible for the creation and development of marketing and public relations strategies.

F. Incidents Requiring PIO Notification

1. Death Investigations to include homicide, suspicious, in-custody, drug overdose, and those by other than natural causes.
2. Child abuse/sex offenses where the suspect is unknown and presents a danger to the community at large.
3. Major commercial fires and explosions and natural or man-made disasters, including traffic, train, and aircraft, where fatalities or extensive property damage occur.
4. Aircraft, railroad, and traffic collisions where serious injuries or fatalities result; school bus collisions involving any injuries.
5. Traffic problems (e.g. major collisions, road closures, traffic signals out, etc.) which are likely to disrupt traffic for an extended period.
6. Serious injuries to in-custody individuals.
7. Missing persons of any age where extensive searches are conducted.
8. Missing persons when foul play is suspected.
9. Extensive searches for suspects.
10. Strikes, riots, disorders, or demonstrations involving groups of people.
11. Shootings involving citizens or deputies.
12. Homeland security threats.
13. Hostage/barricade situations, kidnapping, bomb plants or threats.
14. Any incident involving persons who, by their position in society, are of interest to the public or the media.
15. Prisoner escapes.
16. Agency vehicle crashes with injuries.
17. Extended pursuits.
18. Arrest of Agency members.
19. Arrest of Allied Agency members.
20. Animal bites involving hospitalization.
21. Threats or significant issues involving schools within Harford County.

G. Media

1. Media representatives experiencing difficulty gathering information under these provisions will be referred to the PIO.
2. Problems with the media or media representatives will be referred to the PIO or the watch commander.

H. Agency Members

1. Are authorized by PIO, in certain circumstances, to release information to known media representatives.
2. Circumstances would include pre-approved news releases, general acknowledgement of an incident occurring at that time, weather/road conditions, crash location(s), etc.
3. Agency members are not authorized to release specific information concerning case matters, speak on behalf of the Sheriff, or make specific Agency comments regarding policy and procedures.
4. Where applicable, courteously explain the reason for denial of information.
5. Are encouraged to use the PIO as necessary to assist in the investigation of cases, community notification of events/incidents, and to publicize information about the Sheriff's Office.
6. Will not withhold, delay, or selectively release information to favor a particular media representative or agency; however, specific inquiries made independently may be honored at the time of inquiry.
7. Will avoid giving the public or media any information as to the livability and/or safety of any location within Harford County.

I. Commanders

1. Will forward newsworthy information to the Office of Media and Public Relations.
2. May allow Agency facilities, when appropriate and requested, to be used by the media for recording interviews, news stories, and documentaries.

J. Releasable Investigative Information

1. Type or nature of incident.
2. Location, date, time, injuries sustained, damages, and description of how incident occurred.
3. Amount, type and approximate value of property taken.
4. Victim's identity and general address (hundred block only). EXCEPTION: See section "K" below "Information Not to Be Released".
5. Requests for aid in locating evidence, complainants, missing persons, or suspects (race may be released as descriptive information in such cases).
6. Number of deputies, or people, involved in an investigation, and length of the investigation.

7. Names of deputy in charge of the case and the supervisor, and their division/unit assignment.
EXCEPTION: Undercover officers or deputies involved in tactical operations without approval of the Sheriff or his designee.

K. Releasable Arrest and Charging Information

1. The accused adult's name, age, description, residence, employment, and marital status.
2. The charge as contained in the complaint, warrant, indictment, or information.
3. The name, age, and address of a juvenile **ONLY** when charged as an adult or waived to adult status.
4. The fact that an unnamed juvenile was taken into custody on delinquent charges, including sex, age, general area of a juvenile's residence, and substance of the charge.
5. Identity of the investigating and arresting deputy(s), Agency, and length of the investigation.
EXCEPTION: Undercover deputies or deputies involved in tactical operations without approval of the Sheriff or designee.
6. Circumstances immediately surrounding the arrest, including time and place of arrest.
7. Pursuit information, if applicable.
8. Resistance and injuries sustained as a result of the arrest.
9. Possession and use of weapons by suspects or police.
10. Description of items or contraband seized.
11. Amount of bond and place of detention.
12. Chronological arrest information, which is open to inspection.

L. Information Not To Be Released

1. Any extrajudicial statement, for dissemination by any means of public communication, if such statement poses a clear and present danger to the fairness of the trial.
2. Information pertaining to ongoing tactical operations (barricade, large scale disorder, etc.) without approval from the incident commander.
3. Criminal History Record Information (CHRI) is not to be released or confirmed by the Harford County Sheriff's Office
4. Identity of sex crime victim, adult or juvenile, or related information which may divulge the victim's identity.
5. Identity of a physical or sexual child abuse victim.
6. Identity of juvenile suspect, defendant, or respondent in any case over which the Juvenile Court of Harford County has jurisdiction.

7. Identity of any critically injured or deceased person prior to notification of next of kin.
EXCEPTION: When notification has been attempted but is not possible within a reasonable time (as determined on a case-by-case basis by the on-duty unit supervisor or the PIO).
8. Specific cause of death, until determined by the State Medical Examiner.
9. Investigative and evidentiary information regarding a criminal case.
10. Suspect statements, admissions, confessions, alibis and/or specific evidence.
11. The exact dollar value and specific descriptions of items stolen from commercial institutions or private residences if it exposes them to further vulnerability.
12. The home address, telephone number, or photograph of any employee of the HCSO, unless the employee (employee's family if employee is incapacitated) consents to its release.
13. Contents of suicide notes.
14. Personal opinion not founded on fact.
15. Unofficial statements concerning personnel or internal affairs matters.
16. Home addresses and telephone numbers of Agency members.
17. Witness names.
18. After the incident, but prior to arrest, or during investigation:
 - a. A suspect's identity or location except that the existence of the suspect may be acknowledged without further comment. EXCEPTION: After a warrant has been obtained, a suspect may be identified to assist in apprehension.
 - b. The results of any investigative procedure (e.g., lineup, etc.). EXCEPTION: The fact that the investigative methods were performed may be acknowledged without further comment.
 - c. Information, which if prematurely disclosed, would significantly interfere with an investigation or apprehension. This includes unchecked leads and specifics of method of operation (MO) details known only to the police or suspects.
 - d. Identity of a victim/witness, if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in clear personal danger.
19. After arrest and formal charging
 - a. Prior criminal record, character, or reputation of defendants.
 - b. The existence or contents of confessions, admissions or statements made by the defendant, or failure to make such.
 - c. Results of defendant's tests or the defendant's refusal or failure to submit to any tests, such as a polygraph, breathalyzer, etc.

- d. Identity, credibility, character, statements or expected testimony of victims or witnesses.
- e. Opinions about the defendant's guilt or innocence, the merits of the case, or what information may be used in court.
- f. Possibility of a guilty plea, plea-bargaining or other dispositions.
- g. Reports, transcripts, or summaries of proceedings from which the press and public have been excluded by judicial order.

M. Crime/Incident Scene Access

- 1. With regard to general access, closer access may be provided for media personnel, equipment, and vehicles than for the general public, provided it does not interfere with the Sheriff's Office operations or general traffic flow, or unless a danger of personal injury exists.
- 2. With regard to direct access, media access may be allowed only after all known evidence has been processed and on-site investigation is completed.
- 3. Permission must be obtained from owners or their representatives when photographs, films or videotapes are to be taken on private property.
- 4. When necessary, the deputy in charge may designate a media staging area.
- 5. On fire scenes, unless otherwise designated, media access is controlled by the fire officer in charge or by investigators from the Office of the Maryland State Fire Marshal.

N. Recording/Televising/Photographing

- 1. In public places, is allowed as long as it does not interfere with the operations of the Sheriff's Office.
- 2. Members may facilitate or assist the media as long as it does not jeopardize or compromise the investigation or prosecution.
- 3. Members may take protective action (i.e. screening a body from public view, etc.) as long as they provide a courteous and logical explanation for such action.
- 4. Media recording of suspects/accused at incident scenes or other public places is permissible.
- 5. Members will not pose the suspect or accused for photographs, telecasts, or interviews.
- 6. Members will not appear with the suspect/accused or agree on a pre-arranged time and place to be photographed, televised, or interviewed.

O. Photographs

- 1. Arrest or booking photographs are releasable to the news media and can be used by publications and media outlets for general publication and to identify a wanted subject.

P. Confidential/Internal Investigations


1. Confidential intelligence or investigative information from the Criminal Investigation Division or Special Investigations Division will not be released except by express permission of the respective Commanders, the Sheriff or designee.
2. Sensitive or investigative information from the Office of Professional Standards will not be released except with permission from the Sheriff or designee.

Q. Restriction of Information Requested by Citizens

1. When a citizen requests that specific information recorded on a report not be released or reported to the media, deputies will explain that police reports are generally considered public information and accessible to the media.
2. Deputies will explain that such a request will be noted in the official report, but that the media will make the decision whether or not to publish unrestricted information.
3. Deputies may also notify the PIO of such requests.

5. Summary of Changes

- A. On 10/15/16 the former MAN0800 policy was reformatted as ADM 1201.
- B. On 03/14/22 a review was conducted with no changes to the policy.
- C. **On 05/15/24 edits were made to enable compliance with the FBI CJIS requirements effective 10/01/24.**
 1. Designate individuals authorized to make information publicly accessible;
 2. Ensure authorized individuals are trained to ensure that publicly accessible information does not contain nonpublic information;
 3. Review the proposed content of information prior to posting onto the publicly accessible system to ensure that nonpublic information is not included;
 4. Review the content on the publicly accessible system for nonpublic information quarterly and remove such information, if discovered; and
 5. Maintain records of the quarterly reviews for three years or until audited.

Approved

JEFFREY R. GAHLER
SHERIFF
DATE 6/13/24