Lincoln Police Department

Standard Operating Procedures

Integrity, Competency, Fairness

Subject:	**Giglio: Disclosure of Credibility Information**	**Policy #**	**A-3**
Effective Date:	**September 14, 2026**	**Review Cycle:**	**2 Years**
Distribution:	**All Sworn Personnel**	**# of pages:**	**3**
MLEAP:	**N/A**	**MCJA Mandatory Policy 16**	
Rescinds All Previous Policies - Related to This Current Policy			
Issuing Authority:	**Chief of Police Lee Miller**		

I. POLICY:

It is the policy of the Lincoln Police Department to uphold the highest standards of honesty and integrity. Officers shall conduct themselves truthfully in all aspects of their official duties, and any form of misrepresentation or untruthfulness is strictly prohibited. The agency shall also disclose to relevant prosecutors any evidence or information that may adversely affect the credibility of officers who may serve as material witnesses in criminal prosecutions. This commitment ensures transparency, preserves the integrity of investigations, and maintains public trust in the criminal justice system.

All officers are required to follow this policy and comply with applicable standards established by the Maine Criminal Justice Academy Board of Trustees. Any deviation from this policy may result in administrative review and action by the Board. ***BOT 16-8***

II. PURPOSE:

The purpose of this policy is to help ensure that the Lincoln Police Department appropriately aids in fulfilling the constitutional governmental duty to affirmatively disclose specific information that may be viewed as adverse to the credibility of its officers who may be material witnesses in prosecutions.

III. DEFINITIONS:

Giglio Information: Refers to evidence that, if true, would tend to adversely affect the credibility of a law enforcement officer who may be a material witness in a prosecution. Specifically, this includes any sustained finding that establishes a record of untruthfulness, bias, and/or commission of crimes. It does not include mere allegations, rumors, or other inconclusive information.

IV. Discussion:

In *Brady v. Maryland*[1] and *Giglio v. United States,*[2] the United States Supreme Court created the mandatory disclosure requirements stated in the purpose section of this policy. The duty is an affirmative one, i.e., if law enforcement officials know of evidence or information that may be favorable to the defense in a prosecution, including information that may be viewed as adverse to the credibility of an officer who may be a material witness, those officials must disclose the information to the prosecutor, regardless of whether the defense has requested the information.

V. PROCEDURES – Officer Credibility

[1] 373 US 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 - Supreme Court, 1963
[2] 405 US 150, 92 S. Ct. 763, 31 L. Ed. 2d 104 - Supreme Court, 1972

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A. Officers shall act with honesty and integrity in the performance of their official duties. Any form of misrepresentation or untruthfulness is strictly prohibited. This includes, but is not limited to, falsifying written or verbal communications in official reports, records, or during interactions with individuals or organizations, particularly when it is reasonable to expect that the information may be relied upon due to the officer's official position. ***BOT 16-1, 16-2***

B. Officers may, when appropriate and lawful, use deception or employ misleading or untruthful information during interviews, interrogations, or special investigations, for eliciting information during an official investigation. ***BOT 16-3***

C. Officers are prohibited from disclosing any information that is confidential by law, agency policy, or Maine Criminal Justice Academy rules, unless properly authorized. This includes any information the officer knew or reasonably should have known was confidential. ***BOT 16-4***

VI. PROCEDURES – Complying with Constitutional Obligations

A. The Lincoln Police Department must assist a prosecuting agency in complying with the prosecuting agency's constitutional obligation under *Brady v. Maryland*, 373 U.S. 83 (1963) and *Giglio v. United States*, 405 U.S. 150 (1972) ***BOT 16-5***

B. The following are the Lincoln Police Department's procedures for complying with the prosecuting attorney's constitutional obligation.

i. On an annual basis, the Chief of Police or designee shall complete and submit the **Law Enforcement Agency Giglio Inquiry** *(See Appendix #1).*

ii. Individual officers have a continuing obligation to report to the Chief of Police or designee any relevant circumstances that would change the status of the *Giglio* Inquiry.

iii. The agency must report to the respective Office of the District Attorney and the Office of the Attorney General any new potential Giglio information at the time it becomes known. Before this notification, the respective officer will be provided an opportunity to address the information further.

iv. The Office of the United States Attorney General may make a *Giglio* inquiry that is associated with a specific investigation or prosecution. This constitutes a process separate from the procedure described in this policy.

C. Upon the presentation by the Chief of Police or designee to a relevant prosecutor of any potential *Giglio* information, it becomes the duty of the prosecutor to determine whether the information is subject to further disclosure.

D. The Chief of Police may confer with the appropriate prosecutorial agency and, if necessary, the agency's legal counsel or others, to determine whether any potential *Giglio* information regarding an officer is so serious as to render the officer unable to offer credible testimony in a court of law. ***BOT 16-6***

VII. PROCEDURES – Reporting Violations

A. The Chief of Police is required to report to the Maine Criminal Justice Academy any conviction or misconduct by a Maine Criminal Justice Academy certified employee, to include conduct in violation of any minimum policy standard or administrative rule as required by Title 25 M.R.S. §2807. ***BOT 16-7***

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APPENDIX # 1

Lincoln Police Department Officer Giglio Inquiry

APPENDIX # 2

Lincoln Police Department Agency Giglio Inquiry Form

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