



# **PUBLIC INFORMATION/MEDIA POLICY/PUBLIC INFORMATION ACT REQUEST**

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## **I. POLICY**

The Anne Arundel County Police Department is committed to informing the community and the news media of events within the public domain that are handled by or involve the agency. To operate effectively, law enforcement agencies must obtain the support of the public they serve. By providing the news media and the community with information on agency administration and operations, the department hopes to foster a relationship of mutual trust, cooperation, and respect.

## **II. ETHICS**

It is the policy of this agency to treat members of the media with professionalism and ethical behavior. It is expected that the media will respond in a like manner and follow ethical guidelines established by their industry. Members of the agency who believe they were treated unethically should contact the Media Relations Office.

## **III. PUBLIC INFORMATION FUNCTION**

This directive establishes the department's public information function, to include:

1. Assisting news personnel in covering routine news stories, and at the scenes of incidents;
2. Being available for on-call responses to the news media;
3. Preparing and distributing agency media releases;
4. Arranging for, and assisting at, news conferences;

5. Coordinating and authorizing the release of information about victims, witnesses, and suspects;
6. Assisting in crisis situations within the agency;
7. Coordinating and authorizing the release of information concerning confidential agency investigations and operations; and
8. Manage and monitor departmental social media accounts.

#### **IV. DIRECTOR OF MEDIA RELATIONS / PUBLIC INFORMATION OFFICER**

The department and its members *must* abide by all local, state, and federal laws governing the release of public records. The Director of Media Relations and the Public Information Officer (PIO) are responsible for the public information function as it relates to the release of police department information to the media. The Director of Media Relations reports to the Executive Assistant to the Chief of Police or his/her designee and oversees the Media Relations Office. The Media Relations Office establishes written procedures for daily operations, as well as at the scene of crimes, catastrophes, special events, and unusual occurrences. After normal business hours, a designated police department representative (on-call PIO) serves as the department's spokesperson.

#### **V. PUBLIC INFORMATION ACT (PIA) REQUEST**

The Central Records Manager is the official custodian of all department records and all requests from non-media outlets for official documents, including Public Information Act Requests, *must* be directed to him/her. No other member of the department *may* advise as to whether or not a record is releasable. Requests *should be made through the department's website, but may be submitted in writing.*

#### **VI. TRAINING**

This agency *provides training* for Public Information Officers *through the Media Relations Office TDY program where members learn first-hand how to interact with the media, conduct interviews, and write press releases. Additionally, the Media Relations Office instructs recruits, officers, and supervisors about the function of the office and what their responsibilities are in the field when they encounter media.*

#### **VII. PROFESSIONAL ASSOCIATIONS**

##### **A. Associations with Other Public Information Officers**

This agency *ensures* the public information function is part of mutual aid support that law enforcement agencies provide to each other. *The PIO maintains the contact information for surrounding PIO's, and participates in and supports professional associations and organizations comprised of PIO's from other public and private agencies.*

##### **B. Law Enforcement/Media Associations**

This agency *participates* in regional law enforcement/media associations to further the understanding between the two professions.

#### **VIII. AUTHORITY TO RELEASE INFORMATION**

Confidential intelligence, investigative, or personnel information *may* not be disclosed except by the permission of the Chief of Police, or his/her designee. When information is released on internal investigations, it *must* conform to all laws concerning the privacy of personnel matters.

*The release of information must be in conformance with the requirements and limitations in Section IX and Section X of this policy.*

##### **A. Information Release At the Scene of an Incident**

*The Director of Media Relations, a Public Information Officer, or an on-call PIO may release information at the scene of an incident.*

##### **B. Information Release From Department Records**

A member of the Media Relations Office or a Section Commander/Manager per the Authority of the Chief or his/her designee, *may release information from department records when requested by members of the media.*

*The Office of Professional Standards, in collaboration with the Office of the State's Attorneys and the Office of the Attorney General, when applicable, is responsible for authorizing the release of information related to internal investigations.*

*The Media Relations Office may release basic crime data that does not require a formal public information request.*

**C. Ongoing Criminal Investigation**

A member of the Media Relations Office or the Section Commander/Manager per the Authority of the Chief or his/her designee, *may release information regarding ongoing criminal investigations.*

**IX. RELEASABLE INFORMATION**

*The following information may be released by personnel authorized under this policy:*

**A. Arrest Information**

1. The accused's name, age, *and city/town of residence*. Exception: juvenile personal information *may* not be released *in most cases other than their age and city/town of residence*.
2. The substance of the charge as contained in a complaint, warrant, indictment or information.
3. The identity of the investigating and arresting officer(s), or agency, and the length of the investigation. Exception: identity of undercover officers *may* not be released.
4. The circumstances immediately surrounding an arrest including: time and place of arrest, pursuit (vehicle or foot), resistance to arrest and any injuries sustained as a result, possession and use of weapons, chronological description of the events and description of contraband seized.
5. Amount of bond, scheduled court dates, place of detention.

**B. Investigative Information**

1. The type or nature of an event or crime.
2. The location, date, time, injuries sustained, damages and description of how an incident occurred.
3. Type of property taken (general description only). Note: For all crimes, the amount of cash taken *may* not be released.
4. The identity and general address (cite hundred block only) of a victim, if not prohibited in Section IX below.
5. The fact that a juvenile arrest has been made, including sex, age, general area of residence and substance of the charge.
6. Request for aid in locating evidence, a complainant or a suspect. A person's race may be released as descriptive information in such cases.
7. Number of officers, or people, involved in an event or investigation and length of the investigation.
8. Name of the officer in charge of a case, his or her supervisor and bureau, division, section or unit assignment. Exception: names of undercover officers *may* not be released.
9. *Whether forensic tests have been performed, without comment as to the results of such tests. Such tests include: lineups, polygraph, fingerprinting, laboratory tests, ballistics tests.*

**C. Wanted Individuals**

1. The accused's name, age, description, mugshot/or other photograph, and substance of the charge contained in the warrant or indictment/information.
2. When necessary and for the sole purpose of facilitating apprehension of a child and ensuring public safety, a photograph and identifying information of a child can be released for a child who has escaped from a detention center for juveniles, a secure residential facility for juveniles, a correctional unit, or an arrest warrant issued by a criminal court.

**D. Missing persons**

The missing person's name, age, description, and photograph.

**E. Body Worn Camera Footage**

As outlined in IC 1904.4

**X. NON-RELEASABLE INFORMATION**

*The following information may NOT be released, unless otherwise specifically authorized under this policy:*

1. The identity or location of any suspect. The existence of a suspect may be acknowledged without further comment. The spokesperson on scene or Incident Commander may deviate and release the identity or location of a suspect if it is in the interest of public safety.
2. Results of any investigative procedure (lineups, polygraph, fingerprinting, lab, ballistics, etc.). However, the fact that tests are performed may be acknowledged without further comment.

3. Information which, if prematurely disclosed, would interfere with an investigation or apprehension, particularly: unchecked leads, unverified information, specifics of "MO" details known only to a suspect or police, information which may cause a suspect to flee or avoid apprehension.
4. Identities of witnesses.
5. Identities of victims of rape, sexual assault, or sexual child abuse.
6. Identity of a victim if such disclosure would prejudice an investigation, or if it would place the victim in danger.
7. Prior criminal record, character, reputation of a defendant. Members of the media *may* not be granted access to restricted areas of district stations for the purpose of photographing a defendant.
8. Existence, or contents, of any confession, admission, or statement by the defendant, or his/her failure to make a confession, admission, or statement.
9. Performance or results of any examinations or tests, or a defendant's refusal or failure to submit to such examinations or tests.
10. Identity, credibility, character, statement, or expected testimony of any witness or prospective witness.
11. Statement, prospective testimony, character, or credibility of any victim.
12. Any opinion about the guilt or innocence of a defendant, or concerning the merits of a case or quality of evidence gathered.
13. Plea bargaining negotiations.
14. Reports, transcripts or summaries of proceedings from which the media and public have been excluded by judicial order.
15. Medical or psychological information about an individual, including information which identifies a person with disabilities.
16. Information about any victim of a sex crime that, if divulged, would identify the victim.
17. The identity of any juvenile suspect or defendant, *except as permitted by law*.
18. The identity of any critically injured or deceased person prior to the notification of next of kin. Exception: When notification has been attempted but is not possible within a reasonable amount of time as determined by the Media Relations Office.
19. The specific cause of death, until determined by the State Medical Examiner.
20. Investigative information and information of an evidentiary nature regarding a criminal case; for example, the point of entry of a burglary.
21. Contents of a suicide note.
22. Personal opinion not founded on fact.
23. Home addresses or telephone numbers of members of the department. Identities of undercover officers.
24. Amount of cash taken in any crime, or other financial information pertaining to an individual.
25. Information received from other law enforcement agencies without their concurrence in releasing that information.
26. Specific or detailed information about stolen property.
27. Medical or psychological information about an individual, including information which identifies a person with disabilities.

## **XI. MEDIA RELEASES**

1. Media releases are not routinely issued on a daily or weekly basis, but *may* be disseminated whenever special events occur of interest to the community and/or the media. Examples include incidents involving fatalities, major crimes, critical missing persons, and arrest of notorious or long-sought suspects, planned police operations having an impact on traffic or the community, and major traffic accidents. Any department member who prepares a media release *must* forward a copy of the release to the PIO for final distribution. Press releases should be typed in an email to the Director of Media Relations and the PIO prior to the end of the supervisor's tour of duty. If a press release is to be sent on a weekend or holiday, the on-call sworn PIO should also be copied on the email.

2. Generally, a description of those circumstances which are not legally privileged and which will not prejudice the rights of suspects or interfere with an investigation will be ***provided to the media in news releases***.
3. Media releases ***must*** be disseminated without partiality and in a manner that is equally available to all news media. Information ***may*** not be withheld, delayed, or selectively released to favor any particular news media. The department's PIO ***must*** establish written procedures to implement this policy. Specific inquiries made independently by the media may be honored.
4. ***When there are multiple agencies, departments or jurisdictions with legally mandated responsibilities related to an incident or event, a Joint Information System should be implemented by representatives/PIOs from the involved agencies, departments and jurisdictions to facilitate coordination of information gathering, developing a common message and facilitating the public release of the information. In these circumstances, public messages should be approved by the Incident Commander/Unified Command.***
5. ***Unless an incident is under the jurisdiction of the Office of the Attorney General,*** in cases of the use of deadly force involving a department member, a brief synopsis of the incident ***may*** be available ***to media when*** a PIO has gathered the information and arrived on scene. Information about the identity of the officer ***should*** be released no sooner than 24 hours after the incident. In most circumstances, unless there is a concern that releasing the information poses a threat to the safety of the officer in question or his/her family or the release of that information ***may*** jeopardize the investigation, as determined by the Chief of Police or his/her designee.

The following information ***should*** be released by the Media Relations Office:

- a. Officer's first ***name*** and last name
  - b. Rank
  - c. Tenure
  - d. Assignment
  - e. A brief synopsis of the incident.
6. In cases involving ***investigation by the Office of the Attorney's General Independent Investigative Division (IID)***, the Director of Media Relations or his/her designee ***must*** contact the PIO for the ***IID***. No member of our agency ***may*** give out any information without ***permission of*** the OAG PIO. Our agency may only release information approved by the OAG PIO. All subsequent information/media requests ***must*** be directed to the Office of the Attorney General.

## **XII. REQUESTS FOR MEDIA ASSISTANCE**

The on-scene commander or the PIO may solicit media personnel regarding a "public request for assistance" on behalf of the department. The solicitation for assistance ***should*** contain at a minimum:

1. The character or nature of the assistance or information being sought.
2. Person or specific departmental component to be contacted.
3. Departmental telephone number(s) or other numbers to be contacted.
4. The granting of anonymity, upon request, to the person providing the assistance or information.
5. The provision of monetary rewards (if applicable) for persons providing pertinent information or assistance that results in case closure and the conviction of the person committing the offense specified in the announcement.

## **XIII. FEATURE ARTICLES, INTERVIEWS, AND PROGRAMS**

Requests for department participation in feature articles, ***interviews***, and programs ***are*** individually considered by the Media Relations Office. ***Members are prohibited from participation in such activities without approval from the Director of the Media Relations Office or the Office of the Chief.***

If approved, ***interviews of department personnel and photography/video of*** police facilities ***must*** be limited to the scope of approval. Department members participating in the preparation of such articles or programs should ascertain the scope of approval and should be careful not to exceed those limits. ***Members must*** exercise care and discretion to avoid making statements or conveying information, which if later quoted, may create a misunderstanding or compromise the effectiveness of the department.

## **XIV. ROLE OF THE MEDIA IN POLICY DEVELOPMENT**

It is the policy of the department to involve members of the news media in the development of changes in policies and procedures relating to the news media. Members from the Media Relations Office meet as needed with news media representatives to solicit input and review pending changes in such policies and procedures.

#### **XV. MEDIA ACCESS TO INFORMATION**

1. News media representatives *may* have access to members of the department *upon request and approval by the Director of the Media Relations Office*. Members *should* cooperate with and assist media personnel in an objective, impartial and courteous manner without jeopardizing investigations or infringing upon the privacy rights of the citizens. While it is department policy to *attempt to* fulfill public and media requests, it is not always possible to do so. *Some information may be prohibited from release under this policy. Additionally, the department reserves the right to not to fulfill media requests for participation in reports, stories, articles, or other similar features. Determinations* to release information or participate in interviews *or other similar activities are* made according to the facts of the case. Routine requests *are* normally coordinated through the Media Relations Office.
2. All inquiries from the news media pertaining to management responsibilities, such as adequate staffing levels, equipment needs, budget requests, and policy decisions *must* be referred to the Chief's office, via the Media Relations Office.
3. Media representatives may photograph and report anything they observe when legally present at an incident scene. Where publication of such coverage would interfere with an official investigation or place a victim, suspect, or others in jeopardy, the withholding of publication is dependent upon a cooperative media, not upon department censorship. Under such circumstances, officers should advise the media representatives or their superior of the possible consequences of publication; however, officers may not interfere with the media's activities as long as such activities remain lawful.
4. News media representatives are not permitted to interview persons in police custody.
5. *Members may not* release information to the media regarding ongoing criminal investigations without prior notification and approval from the Media Relations Office.
6. Any problems with denying information *must* be referred to the officer in charge of an incident scene, the field supervisor, or the on-scene spokesperson.

#### **XVI. MINOR INCIDENTS & TRAFFIC ACCIDENTS**

1. Department members *should* extend *appropriate* courtesy to news media representatives and photographers who are actively covering an incident at the scene. These courtesies *should* permit closer access (generally providing an opportunity to view the scene) than that granted the general public, and *should* provide for vehicles and equipment to be located closer, so long as such courtesy does not interfere with the police mission at hand, or with general traffic flow. Also, where there is danger of personal injury, access *must* be restricted until the officer in charge determines the area is safe.
2. Direct access by media personnel and photographers *may* be allowed only after all known evidence has been processed and the on-site investigation has been completed. This restriction is necessary to preserve and protect the integrity of the scene and takes priority over news media coverage. However, once such integrity is insured, media mobility *may* not be restricted. *Permission* must be obtained from owners or their representative *before* photographs, films, or videotape are taken on private property. Members of the department may not assist the media in obtaining permission to enter on to private property. Media requests to access public school property *must* be referred to school officials.

#### **XVII. ACCESS TO CRIME SCENES AND CRITICAL INCIDENTS**

1. At *crime and other incident* scenes, agency personnel *must* ensure that the media respect *any* perimeters *established by the police department or other government agencies*.
2. No member of this agency *may* prohibit the media from newsgathering practices, including photography and interviews, outside the established perimeter.
3. Information at crime/critical incident scenes *may* be released by the on-scene spokesperson or *incident* commander.
4. At critical incident scenes, the on-scene spokesperson or *incident* commander *should* establish a media briefing area as close to the scene as safety and operational requirements allow.

5. At critical incident scenes, members of the agency *should* work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public. This is particularly critical during hostage or barricaded subject situations.

#### **XXVIII. ALTERNATIVE METHODS TO DISSEMINATE INFORMATION**

*Alternative methods of information dissemination* may include community newsletters, government access cable television shows, web sites, public appearances by agency members, public area bulletin boards, departmental social media, and others.

#### **XIX. MEDIA RIDE-ALONGS**

Media ride-alongs allow members of the media to accompany law enforcement officers as they perform their duties. The Media Relations Office *is responsible for the coordination of* all ride-alongs for media representatives. Employees *may* not permit members of the media to accompany them onto private property nor *may members of the media* assist in securing permission for access from property owners.

#### **XX. LIVE COVERAGE AGREEMENTS**

Live coverage agreements establish voluntary guidelines for the broadcast of live pictures or information emanating from critical incidents scenes such as hostage situations, barricaded subjects, and other ongoing crises. The Media Relations Office is responsible for the creation, implementation, and use of such agreements.

#### **XXI. MEDIA CREDENTIALS**

This agency acknowledges representatives from recognized media organizations who carry and/or display photographic identification issued by their employer. Anyone else is considered a member of the general public.

**XXII. PROPONENT UNIT:** Media Relations Office.

**XXIII. CANCELLATION:** This directive cancels Index Code 2420, dated *01-13-22*.