



Release of Information

.01 Policy

It is the policy of the Bladensburg Police Department to release information to the public in a timely and accurate fashion by assigning the duty of controlling and disseminating public information to one office or officer.

In the absence of a designated Public Information Officer, unit commanders will control the release of public information.

Although it is important to release information in a timely manner, priority must be given to the security of a crime scene or disaster area. In this sense, the preservation of any evidence and the safety of bystanders, police officers, and media representatives should take precedence over the access to a scene or the dissemination of information.

.02 Governing Legislation and Reference

Governing Legislation:

Maryland Code, Criminal Procedure Article, § 10-219.

Maryland Code, General Provisions Article, §§4-201 through 4-306, Inspection of Public Records.

Press Enterprise Co. v. Superior Court, 478 U.S. 1 (1986).

Patton v. Yount, 467 U.S. 1025 (1984).

Rideau v. Louisiana, 373 U.S. 723 (1963).

Sheppard v. Maxwell, 384 U.S. 333 (1966).

Smith v. Daily Mail Publishing Co., 443 U.S. 97 (1979).

U.S. v. Regan, 878 F.2d 67 (1989).

Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555 (1980).

Forms:

Report Request (Form 6726).

Reference:

General Order 216, Criminal History Record Information.

General Order 235, Records and Reports.

Maryland Public Information Act Manual (13th Ed.)

.03 Procedure

A. Restrictions on the Release of Information

The following information is not subject to release:

- The identity of victims of sex-related crimes;
- The identity of a suspect for whom a charging document or summons has not been issued or indictment returned;
- The existence or contents of any confession, admission, or statement of the accused;
- The identity, comments, expected testimony or credibility of any witness;
- Any statements regarding the innocence or guilt of the accused, the merits of the case, the possibility of a plea, or the value of evidence when these statements are based upon an officer's own opinion.
- The identity of a juvenile arrestee who has not been waived by the Court as an adult;
- The identity of a deceased person before next-of-kin have been notified;
- Information regarding special enforcement tactics that have been planned in advance, i.e., raids, surveillance, or special assignments except where it may be beneficial to release such information in advance, i.e., DWI, seatbelt, and out-of-state license plate checkpoints;
- Any information which could impede the enforcement of the law or an on-going investigation;
- Any information which is legally privileged;
- Any information which violates or jeopardizes the constitutional rights of an accused person;
- Any information that could jeopardize the safety of an officer, victim, witness, or informant; or,

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- Any information that could cause embarrassment or harm to a victim or witness, i.e., name or address of a suspected abuser living in the same residence as the victim.

B. Permitted Release of Information

Upon request, the following information may be released:

- The type of event or crime and where it occurred;
- Identity of victim (unless the crime is a sexual assault, the victim has requested to remain unidentified, or in the case of death, the victim's next-of-kin have not been notified);
- The name, age, city of residence, and other background information of a charged suspect;
- The charge upon which an arrest has been made;
- Custody status;
- Dates of hearings; and,
- Identifying photographs, only if they are available and do not contain police identification data.

C. Criminal Offenses Committed by Juvenile Delinquents

Release of information in regards to criminal offenses committed by juvenile delinquents only when:

- Any distinctly identifying information, such as name or address, will not be released;
- A juvenile's age, sex, city of residence, and the details of the offense may be released;
- Only those traffic offenses which have been committed by juveniles over the age of 16 years and not subject to penalties of incarceration shall be available for release; and,
- The release of information regarding juvenile defendants who are charged as adults will follow the guidelines established for adult defendants.

D. Release to Media Representatives

Requests for the release of information by bona fide representatives from the media shall be accepted when the necessary credentials have been verified.

Information will not be released to media representatives with any particular favor or prejudice.

E. Other Information

Personal addresses and telephone numbers of police personnel will not be released at any time.

HISTORY: Adopted January 1, 2014. Revised January 20, 2015.

This General Order supersedes all other orders and memoranda in conflict therewith.

Authority:



Charles L. Owens
Chief of Police