
	<b>GAITHERSBURG POLICE DEPARTMENT</b>		
	<b>Media Relations and Public Information</b>		
	<b>GENERAL ORDER</b>	<b>1201.1</b>	
<b>Effective Date</b>	<b>12/04/2013</b>	<b>1.2.5, 54.1.1, 54.1.2, 54.1.3, 55.1.3, 55.2.6, 55.2.7</b>	
<b>Authorized by:</b>	<b>Mark P. Sroka</b> CHIEF OF POLICE	SIGNATURE	DATE

**I. PURPOSE**

Providing accurate and timely information to the community and members of the news media fosters a relationship of mutual trust, cooperation and respect.

**II. POLICY**

The Department believes in keeping citizens informed about public safety issues and the current activities of their law enforcement agency. Consequently, the Department is committed to informing the community and the news media of news worthy events within the public domain that are handled by or involve its members. The Chief of Police acts as the Department’s Public Information Officer (PIO) and also delegates certain aspects of the position as appropriate.

**III. DEFINITIONS**

For the purpose of this General Order, the term “Officer with Administrative Rights” will mean only those officers that have been authorized by the Chief of Police to monitor GPD social media pages and make official posts on the Department’s behalf.

For the purpose of this General Order, the term “Managers Rights” means those staff members in the City of Gaithersburg Public Information Office who have rights to access all Facebook pages officially associated with the City.

**IV. PROCEDURE**

**A. Responsibilities**

1. Coordinated by the Chief of Police, the Department's public information function is responsible for:
  - a) Assisting news personnel in covering routine news stories and at the scene of incidents, so that the incident can be appropriately covered without unnecessarily impeding or hindering police operations;

- b) Being available for on call responses to members of the news media through the Public Safety Communications Center;
  - c) Preparing and distributing news releases in an equitable manner;
  - d) Arranging for and assisting at news conferences, as requested;
  - e) Coordinating and authorizing the release of information about victims, witnesses and suspects, when appropriate, and in accordance with the provisions of this directive, department policy and applicable statutes;
  - f) Assisting in crisis situations within the Department;
  - g) Coordinating and authorizing the release of information concerning confidential investigations and operations; ~~and~~
  - h) Developing procedures for releasing information when other public service agencies are involved in a mutual effort and assisting with the coordination of the release of said information;
  - i) Follow-up on media inquiries; and
  - j) Post Department messages on social media sites.
2. In accordance with established Department policies and procedures, the shift supervisor will determine the necessity for immediate notification of the Department's PIO for the purpose of generating an immediate Press Release.
  3. Press releases shall be made available to the media in an equitable manner, via the Community Services Officer (CSO).
  4. Press Releases may be prepared by a CSO, bureau commander or the Chief of Police, and will be made available electronically in response to major newsworthy events. Except in urgent situations, such releases will be coordinated with the Chief of Police and, if appropriate, the Office of Media Services (MCP) and/or the City's Office of Public Information.
  5. Any member of the Department that releases information to, or is interviewed by the media, shall report this information to the Chief

of Police, via email, memorandum or telephone.

6. Officers will not bring members of the media into a home during the execution of a warrant.
7. If the presence of media representatives is necessary during the execution of a warrant, officers must obtain prior approval from the Chief of Police or designee.

**B. Information Protected From Disclosure**

1. Members of the Department shall not release any of the following information to the media or the public, through any means:
  - a) The identity of sex related crime victims;
  - b) The identity of any suspect for whom a charging document has not been issued, or an indictment returned;
  - c) The existence of any prior criminal record or any information concerning criminal history, the character or reputation of the accused or remarks which tend to establish the defendant as a "professional" criminal;
  - d) The existence or contents of any confession, admission or statement of the accused;
  - e) The taking of any examination or test (i.e., polygraph, breathalyzer, etc.) by the accused, the refusal or failure to submit to an examination or test or any test results;
  - f) The identity of actual or prospective witnesses to crimes, or comments on the anticipated testimony or credibility of any witness;
  - g) Any opinion as to the innocence or guilt of the accused, the merits of the case, the possibility of any pleas or negotiations or the value of any evidence;
  - h) The identity of any juvenile arrested who has not been waived by the court as an adult. A Judge may authorize release of juvenile identity information, however the State's Attorney's Office will be consulted regarding juveniles charged as adults before the juvenile's name is released to the media;

- i) The names of deceased persons, prior to notification of next-of- kin;
  - j) Comments which tend to suggest that a defendant has aided in the investigation;
  - k) Information concerning the planning of raids or other specialized enforcement efforts of a sensitive confidential nature;
  - l) Information relating to personnel matters, especially involving an ongoing internal investigation, the results of the investigation and/or disciplinary records; ~~and~~
  - m) A Department member's (or other City employee's) home address and/or home phone number; and
  - n) The identity of an officer involved in a shooting or event involving serious bodily injury, unless approved by the Chief of Police.
2. Limited information may be released relating to juvenile offenses. However, when it is unclear whether certain information may be released, a bureau commander or the Chief of Police must be consulted before any disclosure is made.
- a) A juvenile's name, address, and/or other distinctly unique information which would serve to identify a juvenile shall not be released. However, a juvenile's age, sex, city of residence and details of the offense may be released.
  - b) If involved in a traffic collision and traffic charges are, or may be, placed as a result of a collision investigation, the juvenile's identity information will be withheld. However, the nature of the charges may be released.
  - c) The identity of a juvenile who has been charged with "must appear" traffic offenses will not be released. However, it is permissible to release the nature of the charges.

**C. Release upon Media Request**

- 1. Crime or incident information to be released upon media request includes:
  - a) The type of event or crime and when and where it occurred, to include a brief synopsis of known facts concerning the

incident;

- b) Information concerning property loss, physical injuries or death (after notification of next-of-kin);
  - c) Information concerning the type and anticipated length of the investigation, if known;
  - d) Information concerning the existence of suspects may be released. If it is felt that public assistance is needed to locate a suspect or evidence, the information may be given to the press for dissemination. If mug shots are used, identification numbers shall be concealed;
  - e) If a warrant has been obtained or executed, the name, address, description and other relevant information of the defendant may be released, unless premature release may jeopardize an ongoing investigation (i.e., other suspects still outstanding); and
  - f) The names of Department members, unless involved in an undercover or covert assignment. If the Department member has been injured or killed, identity information may not be released until the officer's next-of-kin are notified.
2. After the arrest of an individual, other than a juvenile, the following may be released upon media request:
- a) A defendant's name, age, residence and other factual background information;
  - b) The nature of the charge upon which the arrest was made;
  - c) The name of the agency, unit or Department conducting the investigation;
  - d) The circumstances surrounding the arrest, including the place of arrest and identity of arresting officers;
  - e) Custody status (bond information), if known; and
  - f) The dates of various hearings, if known.

**D. Major Incidents**

1. At the scene of major fires, natural disasters, other catastrophic

events or crime or accident scenes, it may be necessary for police to establish perimeters and control access for the safety and security of Department and news personnel.

- a) Any such limitations will be clearly explained to news media representatives.
  - b) At the scene of a fire or rescue operation, the Fire Incident Commander is the officer in charge of the scene and media inquiries should be referred to their PIO.
2. Normally, members of the media will be allowed no closer than the outer perimeter, but are allowed closer access to an event than a private citizen. If a member of the media can satisfactorily establish their affiliation with a particular news organization, network, radio or television station, or as a freelance reporter or photographer, officers assigned to the perimeter will allow the person appropriate access.
  3. No member of the Department shall knowingly and unnecessarily obstruct news media representatives in the performance of their duties, but shall extend every courtesy to the news media covering an incident at the scene. Media representatives will not be held back from an area accessible to the general public.
  4. Vehicles and equipment belonging to members of the media will not be permitted to interfere with police or fire/ rescue operations or the general flow of traffic.

**E. Using Social Media as a Media Platform**

1. The purpose of the Department's presence on social media sites is to broaden the reach of direct communication and engagement with the community. Social media sites to be used to accomplish this are Facebook and Twitter and any other Social media sites approved by the Chief of Police. No other GPD social media pages will be developed without approval from the Chief of Police.
2. The Department PIO will be the lead administrator who will serve as the contact person for the GPD social media pages. Officers with administrative rights will monitor and maintain the GPD social media pages, determine the frequency of postings, make official Department posts, adhere to guidelines set forth in this general order, and ensure the pages are regularly updated.
3. The PIO or any other officer specifically designated by the Chief

of Police will have administrative rights to the Department social media sites. A list of those authorized personnel will be provided to the City PIO, which will have “Manager” rights to all City Facebook pages. The Department social media sites will be monitored Monday through Friday 0800-2000 hours. No other City personnel are permitted to make official Department posts to any of the GPD social media sites without approval from the Chief of Police.

4. Message purpose and posting guidelines are as follows, but not limited to:
  - a) Public Safety Messages:
    1. Weather Alerts;
    2. Power Outages;
    3. Natural or Manmade Emergency Special Messages;
    4. Critical Missing Persons (to include Amber/Silver Alerts);
    5. Road Closures/Openings;
    6. Link to all news releases;
    7. Crime Summary.
  - b) Criminal Investigations:
    1. Crime Alerts;
    2. Suspect Photos/Composites;
    3. “Public Assistance” Messages (i.e. Crime Stoppers, etc).
  - c) Special Interest Stories:
    1. Officer Awards;
    2. High Profile Arrest;
  - d) Notification of Enforcement Campaigns:

1. Click-It-Or-Ticket/Smooth Operator;
  2. Holiday DUI Task Force;
  3. Prom Season Reminders;
  4. Bait Car.
- e) Recruitment Messages.
  - f) Interesting Public Relation Stories/Photos.
5. Information not to be posted:
    - a) Information about items in litigation, pending claims, or claims that could be brought against the City;
    - b) Non-public information of any kind;
    - c) Personnel, sensitive, or confidential information of any type;
    - d) Medical information that violates a person's Health Insurance Portability and Accountability Act (HIPPA) protection;
    - e) Personal addresses, phone numbers, or email addresses;
    - f) Copyrighted materials without consent;
    - g) Event and program information not related to the City;
    - h) Photos of Department personnel in covert operations; and
    - i) Personal opinions.
  6. All postings relating to on-going criminal investigations must be approved by the lead-investigator.
  7. All images, photos, or videos posted must be given proper credit if required. Postings depicting minors should be avoided unless parental permission is granted, or the minor is part of a group photo at a public event in which there is no reasonable expectation of privacy.
  8. Officers with administrative rights will refrain from using personal devices such as an iPhone or Droid when posting or conducting



official Department business on the GPD social media sites. Those officers will only use Department devices such as iPads, laptops, or station computers. Should any of those devices be lost, the Department PIO will be notified immediately and administrative rights to that page will be temporarily disabled.

9. By allowing comments on posts, the City creates a Limited Public Forum. If comments are inappropriately censored or removed, the City could be in violation of the First Amendment. While criticism is often hard to hear, a negative comment does not necessarily warrant the removal of the comment.
10. Below are the criteria that could constitute the removal of a comment or message:
  - a) Comments that are not topically related to the particular post being commented on;
  - b) Vulgar language or content;
  - c) Personal attacks of any kind;
  - d) Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation;
  - e) Sexual content or links to sexual content;
  - f) Spam or links to other sites;
  - g) Advocacy of illegal activity;
  - h) Promotion of particular services, products, or political candidates or organizations;
  - i) Content that violates a copyright, trademark, or other legal ownership interest of any other party;
  - j) Personally identifiable medical information;
  - k) Confidential financial information;
  - l) Accusations that a particular individual or party is guilty of any criminal conduct or immoral activity. Defamatory

material will not be permitted. If a person believes there is a legitimate basis for a complaint against the City, employee, or any third party, then appropriate alternative means of registering the complaint should be articulated to that individual; and

- m) Information that may compromise the safety, security, or proceedings of public systems or any criminal or civil investigation.
11. Comments that must be removed should be documented before deletion. A screenshot will be made of the message and officer with administrative rights removing the message will forward a memo with the screenshot and the reason for removal to the Chief of Police.

**F. Notification of the PIO**

1. Subject to certain criteria, the Department's PIO function is available for callout at any time to brief members of the media gathered at or near the scene of an incident.
2. An officer may request the PIO response to the scene if:
  - a) The incident is being handled exclusively by the City Police; and
  - b) An MCP or Montgomery County Department of Fire and Rescue Services (DFRS) Media Relations representative has not been requested, is not on the scene or is not en-route; and
  - c) There is a need for an on scene response.
3. If an MCP or DFRS Media Relations representative has requested the assistance of the Department's PIO, notification will be made and the PIO will respond, if available.
4. In the event an on scene response by the PIO is necessary, either the PSCC or a Department supervisor will contact the PIO and make the request.
5. Bureau commanders may be utilized as backup information officers if the PIO (Chief of Police) is otherwise unavailable.
6. Many incidents do not require an on scene response by the Department's PIO, but these incidents attract media interest

nonetheless.

- a) Whenever an officer handles an event which is likely to generate media interest, the event will be posted on the Department's Crime Summary Web Page and a command staff email notification sent.
- b) The command staff email notification will indicate what specific information should not be released (i.e., information that may jeopardize an ongoing investigation, next-of-kin not yet notified, etc.).

**G. Multi-Agency Operations or Incidents**

1. The agency having primary jurisdiction is responsible for releasing, or coordinating the release of information, in instances that involve more than one agency or jurisdiction.
2. If members are on the scene of an incident, and have had media inquiries directed to them, they will be referred to the media liaison from the agency having primary jurisdiction.
3. If this Department is handling an incident, and the Department's PIO is not on the scene, officers will refer media inquiries to the highest ranking member of this Department on the scene. When it has determined that the scene is secure, and it is appropriate to address media inquiries, the officer will establish a briefing area near the scene.
4. If the Department is involved in a joint program with another law enforcement agency, the PIO will coordinate releasable information with the other agency's media representative.

**H. Media Involvement in Policy Changes**

1. The Department will involve news media representatives in the development of changes in policy or procedure relating to the public information function.
2. Comments or input received will be incorporated in Department procedure, as appropriate.
3. Copies of any approved changes in media release policy or procedure will be provided to area media agencies for dissemination to their representatives.