



## Division 03

# Communication and Information Management/Technology

## Chapter 16 - Public Information

January 2009

### POLICY

Pursuant to the authority of the Maryland State government Code Ann. §10-611 et seq. (2007) (Public Information Act), a Departmental policy regarding the release of information contained in public records is hereby established. Applicable portions of Operational Procedure No. 2.00 dated April 12, 1971, are hereby contained in this Order.

### DEFINITIONS

**County Fire Chief** – The head of the Prince George’s County Fire/Emergency Medical Services (EMS) Department, or any person so designated by the County Fire Chief to carry out responsibilities on the Fire Chief’s behalf.

**Custodian of Records** – Individual appointed by the County Fire Chief who is responsible for the maintenance and distribution of all Departmental records.

**Public Records** – Any paper or electronic/digital correspondence, form book, photograph, e-mail, Photostat, film, microfilm, sound recording, map, drawing, or other written or electronic/digital document including all copies thereof, which have been made by any branch or instrumentality of the County government.

**Company** – Any County-owned fire station and/or volunteer corporation/entity receiving in whole, or in part, County funds.

**Public Information Officer** – Individual appointed by the County Fire Chief who is responsible for the distribution of all Departmental information to the media.

**Person in Interest** – A person requesting information through the Public Information act who is eligible to receive the information they are requesting.

**Safety Area** – An area out of harms way that allows better access than that of the general public. Ideally, members of the media should be escorted by a PIO when operating near the “hot zone.”

### PROCEDURES

#### 1. Custodian of Departmental Records

Except as noted below, all records of this Department are public records, and as such, are to be available for review, at reasonable times, by any person requesting to do so. The official custodian of Departmental records is designated as the Manager of the Office of Information Management (IMD). The Manager of IMD may have a designee as deemed appropriate.

The official custodian is responsible to see that the policies of this General Order and of the Public Information Act are carried out. As such, the custodian is responsible to obtain records and reports by all members of the Department having physical custody of records when they have been requested.



All members are responsible to provide Departmental records and reports when requested by the custodian of records.

The official custodian shall establish procedures for release of records that are requested. Any office, bureau, division, or company of the Department that receives a request from any person for access to or copies of records shall:

- Immediately contact the official custodian for guidance.
- Comply with this procedure for routine release.

The Custodian of Records will work in conjunction with the County's Office of Law.

The official custodian may deny access to certain records as provided by the Public Information Act. These include, but are not limited to, records which are privileged or confidential by law; those which deal with a criminal investigation; those whose disclosure would be contrary to the public interest; test questions, scoring keys, or other examination data pertaining to licensing, employment, or academic examinations, except that written promotional examinations and scores thereof shall be available for review, but not for copying by the person in interest (person who took the examination); medical records, including ambulance/rescue reports; personnel records, except to the person in interest and his/her supervisor(s) under all laws pertaining to the Health Insurance Portability and Accountability Act (HIPPA).

Whenever the official custodian receives a written request for information for Departmental records, he/she shall respond to the requester within ten (10) working days with one of the following:

- Provide the information as requested.
- The date and time the information will be available if it is not possible to provide it immediately.
- Notice that their request has been denied, citing the appropriate steps to take for an appeal to the denial. (Administrative review, judicial appeal, etc.).
- The proper custodian of records if they are not in the custody of the Fire/EMS Department records.
- A temporary denial of access, and the grounds that disclosure would be harmful to the public good. This temporary denial is subjective to review by the circuit court, and the official custodian must apply to the Circuit Court for review within ten (10) working days of the issuance of the denial.
- Notice that the Department is not in possession of the requested records.

## 2. Public Information Officer

Release of information to the news media shall be the responsibility of the Public Information Officer under the direction of the County Fire Chief or his/her designee.

The Public Information Officer is to be notified by the career and volunteer command officers in the event of major incidents when members of the media are on the scene, or expected to be on the scene.

Whenever an incident occurs that may be of interest to the news media, the Public Information Officer shall compile, or cause to be compiled, information from fireground commanders and fire investigative personnel in order to prepare news releases that provide timely information regarding Departmental activity.



In order to ensure continuity and conformance with Departmental policy, information from any member of the news media requesting information, shall be referred to the Public Information Officer. The Public Information Officer may discuss media requests by way of phone/radio and authorize on-scene Incident Commanders to provide basic incident information to the media.

Any unauthorized release of information to the public or news media is prohibited.

**REFERENCES**

N/A

**FORMS/ATTACHMENTS**

N/A

The Public Information Office shall be responsible for the on-scene management of the media. The Public Information Officer will work in conjunction with the Incident Commander to establish a safe area for the media.

In the absence of the Public Information Officer, the Duty Chief or the Incident Commander is responsible for the on-scene management of the media.

**3. Fire/EMS Department Operations Center**

The Fire/EMS Department Operations Center is authorized to provide to the media basic incident information to include non-specific incident location, type of incident, and current status. Patient information shall be limited to general age category, gender, general injury description, and non-specific hospital transport information.

**4. Control and Handling of Departmental Records**

All records, reports and documents that are required to be submitted electronically or by any other means, for reporting purposes shall remain in effect, as outlined in other policies and procedures. Those procedures are not affected by this General Order.