



HOWARD COUNTY DEPARTMENT OF POLICE

## **GENERAL ORDER ADM-04 COMMUNICATIONS, CORRESPONDENCE, AND CONFIDENTIALTY**

EFFECTIVE JUNE 7, 2017

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This General Order contains the following numbered sections:

- I. POLICY
- II. CONFIDENTIALITY
- III. AUTHORIZATION FOR EXTERNAL CORRESPONDENCE
- IV. PREPARING/RECEIVING CORRESPONDENCE
- V. ELECTRONIC CORRESPONDENCE
- VI. TELEPHONE AND ELECTRONIC COMMUNICATIONS
- VII. TELEPHONE CONTACTS
- VIII. COMPLIMENTARY CORRESPONDENCE FROM CITIZENS
- IX. VERBAL AND INTERDEPARTMENTAL COMPLIMENTS
- X. COMPLAINT CORRESPONDENCE
- XI. ADDRESSING DIGNITARIES
- XII. PREPARATION OF COUNTY EXECUTIVE CORRESPONDENCES
- XIII. RESPONSES TO ELECTED OFFICIALS
- XIV. CANCELLATION

### **I. POLICY**

The Howard County Department of Police (HCPD) shall promote timely, professional, and effective communication, both internally and externally, and ensure the confidentiality of all sensitive information. All external communication shall ensure proper representation of the HCPD and the Chief of Police. The HCPD shall ease the operation of functional components by authorizing direct communications as appropriate. Members of the public reporting information have a right to confidentiality except to the extent disclosure of information is required by law.

### **II. CONFIDENTIALITY**

- A. Safeguarding information about an individual or group that has been obtained in the course of law enforcement duties or an official investigation is a key obligation of all police employees. No information shall be maintained or transmitted to another about the private life of any individual except when disclosure is required by law, subpoena, or court order.
- B. Security and confidentiality of information shall be assured to all individuals who communicate with the HCPD except when disclosure is required by law. Such records shall be used only for official law enforcement purposes. Information regarding individuals shall not be processed or integrated with other record systems except to inform criminal justice agencies on matters pertaining to violations of law.
- C. Special consideration shall be given to safeguard any medical-related information obtained in the course of official duties. Consistent with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy regulations, any information obtained from health plans, pharmacies, hospitals, and other covered entities that may include a patient's personal medical information must be treated in the strictest of confidence, whether it is through written, electronic, video, or oral communication.
- D. Only those with a legitimate right shall have access to any official correspondence, police records, or criminal justice agency records or record system. Information contained in police records and other information ordinarily accessible only to employees, and names of informants, complainants, witnesses, and other persons known to the police, including information received from NCIC, are considered confidential.
- E. Whatever a member of this Department sees, hears, or learns through the course of their employment will be kept confidential unless the performance of duty or legal provision requires otherwise.

- F. Any unauthorized disclosure of information or breach of security will be considered misconduct and grounds for disciplinary action.

### **III. AUTHORIZATION FOR EXTERNAL CORRESPONDENCE**

- A. Official HCPD correspondence, including fax and email correspondence, is designed to enhance Departmental communication and to conduct Department-related business. No form of misuse or abuse will be permitted.
- B. External correspondence representative of the HCPD in any official capacity is generally sent by the Chief of Police or his designee.
- C. All matters stating the policy of the HCPD's position on any topic will be issued only under the signature of the Chief of Police or his designee.
- D. The following persons are authorized by the Chief of Police to use HCPD letterhead for external correspondence under their own signature:
  - 1. Deputy Chiefs;
  - 2. All Bureau and District Commanders;
  - 3. All Division Commanders;
  - 4. Any person acting in the capacity of any District, Bureau, or Division Commander; and
  - 5. Designated Civilian Supervisors.

The Chief of Police may extend or withdraw this privilege at any time, as he deems appropriate.

- E. External correspondence by members other than the Chief of Police shall be limited to the following, as it pertains to the component issuing the correspondence:
  - 1. Informational requests;
  - 2. Acknowledging information received;
  - 3. Appreciation for general or specific incidents;
  - 4. Coordination with a similar component within another law enforcement agency concerning matters of mutual concern (e.g. meeting invitations, DWI checkpoints, tactical matters, etc.);
  - 5. Acknowledging approval of special events permits;
  - 6. Any other letter in which the Chief of Police has approved the content; and
  - 7. Responses to complaints/inquiries and community issues.
- F. Members shall be held accountable for the content of their correspondence, including faxes and emails. Supervisors and Commanders are responsible for determining that all correspondence control procedures are being followed. Confidential and law enforcement sensitive documents shall not be disseminated.

**IV. PREPARING AND RECEIVING CORRESPONDENCE**

- A. Use of HCPD letterhead or email must be ethical, lawful, consistent with the HCPD's mission and goals, and must not compromise the integrity or security of the HCPD's information systems. Use for private personal gain, to make contacts for private personal gain, or for any illegal or unethical purpose, is strictly prohibited.
- B. Fraudulent, obscene, or harassing materials and messages are prohibited. This includes but is not limited to sexual harassment and intimidation or any other action prohibited by federal, state, or county law, or by policy.
- C. Only designated recipients and those authorized by the designated recipients may read HCPD correspondence, including email or fax messages, sent to or received by another member. All members are responsible for maintaining the confidentiality of all correspondence.
- D. The Records Section shall open any mail not clearly addressed to a specific component or individual and forward it to the appropriate person or component.
- E. Copies of all external correspondence shall be retained by the writer or in a folder within the Division/Bureau. The system by which members will retain both hard copies and electronic copies of correspondence shall be consistent with the County's retention schedule and HCPD administrative procedures established by Supervisors and Commanders.
- F. All external correspondence received shall be stamped indicating the date it is received. Electronic correspondence does not have to be date stamped.
- G. When preparing correspondence, the composer is to indicate his initials at the bottom of the document. This "identification line" shall contain the initials of the writer/composer/typist. The following guidelines are to be used:
  - 1. The writer and composer's initials shall be typed in upper case characters. The typist's initials shall be typed in lower case.
  - 2. The identification line for a letter should be two spaces after the signature and title line. For a memo, the identification line should be two spaces below the last paragraph.

Example:           For a document written for Chief Charles Smith's signature by Major David Brown and typed by Mary Williams: CS/DB/mw
- H. All response correspondence shall be complete, accurate, and done in a timely manner, generally within fourteen (14) calendar days.
- I. All correspondence prepared for authorized signature shall be completed using the official letterhead accessible through the HCPD computer network shared directory (see Appendices).
- J. Responses prepared for the Chief's signature will be submitted to the Chief through the respective member's Deputy Chief or the Chief of Staff.
- K. The address used on Departmental letterhead should represent the sender's appropriate departmental location (e.g. Northern District, Southern District, Automated Enforcement, and Animal Control). The appropriate District/Bureau shall be identified at the top of the letterhead. The address, phone and fax numbers, and email address shall also be changed as appropriate.
- L. Related documents (e.g. original letter prompting a response, etc.) will be submitted with the correspondence. All enclosures shall be noted, along with distribution.
- M. All correspondence shall be spell checked and proofread prior to release.

**V. ELECTRONIC CORRESPONDENCE**

- A. The Department encourages the use of electronic communications to speed responses and the dissemination of vital information. Under the Federal Electronic Communications Privacy Act of 1986, internet and email users have no expectation of privacy. Members will be mindful of the information they release via email.
- B. When corresponding in an electronic format (e.g. the Internet or email), the rules for authorization from Section III shall apply.
- C. No information on active criminal investigations or internal affairs matters may be sent via email without the express permission of the appropriate Commander.
- D. All correspondence, including files and documents produced, transmitted, or received on any Department owned electronic communication system, is the property of the HCPD.
- E. Patrol officers shall check their email a minimum of once during a tour of duty.
- F. Other members within the department shall check their email a minimum of twice during their shift, preferably in the beginning and towards the end of the shift. Exceptions may exist for training, meetings, and computer access limitations.
- G. All members shall reply promptly to email messages.
- H. Should a member choose to include a profile picture on their HCPD email, only the official Departmental photograph shall be used.
- I. Any emails sent to Howard County Police Officers' Association (HCPOA) members via the [HCPOA@howardcountymd.gov](mailto:HCPOA@howardcountymd.gov) address require the permission of the President of the HCPOA or his designee.
- J. Ultimately, the latest version of the Howard County Policy on communication shall supersede this order.

**VI. TELEPHONE AND ELECTRONIC COMMUNICATIONS**

- A. Electronic communications and data will be treated with the same degree of propriety, professionalism, and confidentiality as official written correspondence.
- B. Electronic communications are, to the extent possible, subject to the HCPD's retention schedule and any litigation hold, and may be disclosable in criminal and civil discovery or pursuant to subpoena, court order, or the Public Information Act (PIA), where applicable.
- C. Electronic Communications Devices/Wireless Communications Devices are issued to personnel whose assignments require them to be readily accessible or on-call.
  - 1. Unless authorized by the supervisor, personnel shall ensure that the communications device is on, is working properly, that it has a good battery, and that it is accessible.
  - 2. Members assigned a communications device that has voice mail shall set up an account and shall check the messages a minimum of twice per day. Responses to the messages will be prompt.
- D. The HCPD reserves the right to recall all county issued communications devices for inspection and monitor and record communication traffic at any time without notice to any member.
- E. When using Electronic Communications Devices/Wireless Communications Devices members should be cognizant that information relayed may be viewed by outside parties.

- F. Members are advised that they do not have any right to privacy in regards to any HCPD issued equipment or phone lines.
- G. Consistent with current County policy and within legal limitations, the HCPD reserves the right to monitor the operation and use of all county issued communications systems.
- H. Accessing or transmitting materials other than as required for criminal investigative purposes that involves the use of obscene language, images, sexually explicit materials, or messages that disparage any person, group, or classification of individuals is prohibited.
- I. All personnel shall check their voicemail a minimum of twice per shift, preferably in the beginning and towards the end of each shift. Patrol officers will make every effort to return phone messages in a timely manner.
- J. If the member's telephone is equipped with a voice mail notification light, the member shall promptly check the voicemail once the light is activated.
- K. If a member is unavailable to receive calls, he shall leave a recorded message on his voicemail with instructions on how to reach either the duty officer or the phone extension of another member who can assist the caller.
- L. During their days off or if the member will be out for any extended period of time, he shall change his recorded message to reflect the expected date of his return and a phone extension of a person the caller can contact in his absence. If the phone group allows "dial 0" to reach the designated office, this shall be included in the voicemail message.
- M. If a member will be off work for an extended period of time, he shall indicate his absence in an automated response message. The response message will indicate the estimated date of return and the name and contact number of the most appropriate alternative contact.
- N. Ultimately, the latest version of the Howard County Policy on use of communications systems shall supersede this order.

## VII. TELEPHONE CONTACTS

- A. External Phone Contacts
  - 1. When a member is making a citizen contact, the member will provide their name, ID, and assignment. Should the citizen wish to verify the member's identification, the member will provide the citizen the number to a HCPD Duty Officer.<sup>1</sup>
  - 2. Calls coming in from external non-HCPD telephone numbers should always be answered by identifying the Department, the answerer, and offering assistance. For example: "*Howard County Police Department, Patty Pleasant, how may I assist you?*"
- B. Internal Phone Contacts
  - 1. Calls coming in from a known, internal HCPD telephone number may be answered by identifying the Organizational Component and the answerer. For example, "*Property and Evidence, this is Mary.*"
  - 2. The goal of providing quality customer service and courtesy should always be evident. Appropriate variations may be approved by a District or Bureau Commander. For example, Animal Control may identify their Division in lieu of "Howard County Police".

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<sup>1</sup> CALEA 22.2.7c

3. All members are reminded that each telephone contact represents the entire agency and may form the first impression of our Department for the caller.

**VIII. COMPLIMENTARY CORRESPONDENCE FROM CITIZENS**

- A. When correspondence is received thanking, complimenting, or commending a member for performing tasks in a courteous, efficient, or expedient manner, an appropriate response will be prepared for the Chief's signature (see Appendices).
- B. Whenever complimentary correspondence is received directly by a member, he will forward it to his supervisor for review and appropriate response.
- C. Distribution of the correspondence and response shall be as follows:
  1. A copy for the member involved;
  2. A copy for the member's personnel file;
  3. A file copy at the Bureau level; and
  4. A copy for the member's supervisor.

**IX. VERBAL AND INTERDEPARTMENTAL COMPLIMENTS**

- A. Verbal compliments will be documented by the person receiving them and forwarded to the supervisor of the member being complimented.
- B. Verbal compliments received by telephone shall be documented. The person taking the call should explain to the caller that their compliment will be documented and forwarded to the affected member's supervisor.
- C. Whenever a supervisor wishes to commend or recognize a member for exemplary performance, he may issue the member a Memorandum of Recognition.
- D. Personnel are also encouraged to provide documented feedback to a supervisor when they observe noteworthy performance by other personnel.

**X. COMPLAINT CORRESPONDENCE**

All written responses to a complaint will be prepared for the Chief's signature in conjunction with the following guidelines:

- A. When responding to a specific inquiry or issue, restate the issue before stating the response.
- B. Responses will be courteous, respectful, and sensitive, regardless of the tone of the complainant's letter.
- C. Responses shall explain the reasoning behind any action or proposed action to be taken.
- D. All correspondence will be carefully reviewed for appropriate verbiage, conciseness, and proper grammar.



**XI. ADDRESSING DIGNITARIES**

All correspondence addressed to elected officials and dignitaries will use the following titles:

- A. County Executive, County Council Members, Judges:  
"The Honorable (County Executive, Council Member, or Judge's full name)"
- B. When addressing police or military officers, the officer's full rank and name shall be used (e.g. Captain John Smith, Commander, Criminal Investigations Bureau).

**XII. PREPARATION OF COUNTY EXECUTIVE CORRESPONDENCES**

- A. Upon request, the Department will draft letters of response for the County Executive related to police matters. A letter will be drafted on approved County Executive letterhead addressing all of the concerns and questions posed by the citizen.

- B. The following format will generally be used when preparing an initial response letter or memorandum for the Executive's signature:

"I am writing in response to (your letter, email, or memorandum to me dated \_\_\_\_\_) (your telephone call to me on \_\_\_\_\_) (our conversation on \_\_\_\_\_) concerning \_\_\_\_\_."

- C. When appropriate, the Chief of Police will respond directly to a correspondence sent to the County Executive. A copy of the Chief's response is then forwarded to the County Executive's office.

The opening paragraph shall include the words:

"The County Executive referred (your letter, email) dated \_\_\_\_\_ concerning \_\_\_\_\_ to me for response."

- D. All response correspondence to any County Council, state, or local delegate, or other officials and dignitaries, will include a "cc" line to the County Executive.

**XIII. RESPONSES TO ELECTED OFFICIALS**

- A. Requests from elected officials will be coordinated through the Office of the Chief of Police. Written responses to elected officials will be prepared on approved letterhead for the Chief's signature within fourteen (14) days of receipt and copied to the County Executive.
- B. Requests from elected officials for copies of HCPD policies shall be referred to the HCPD website. Release of any policy not on the website shall be approved by the Office of the Chief of Police.
- C. Requests for information and general inquiries from the County Auditor's Office to the HCPD should be made in writing and shall be assigned to the appropriate person within the Department.
  - 1. Once a response is drafted, copies shall be forwarded through the Chain of Command to the Chief of Police. Once approved, the Office of the Chief of Police will send it to the County Executive's Chief of Staff, the County's Internal Auditor, and the Chief Administrative Officer for Howard County.
  - 2. Upon their review and approval, it shall be sent to the County Auditor's Office by the Office of the Chief of Police.
  - 3. This same process will be followed for any subsequent inquiries made after the initial response has been submitted.

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D. At the discretion of the Chief of Police, informal responses may be completed via email.

**XIV. CANCELLATION**

This General Order will cancel and replace General Order ADM-04, Communications, Correspondence and Confidentiality, dated August 29, 2014.

Authority:

A handwritten signature in black ink, appearing to read "Gary L. Gardner", written over a horizontal line.

Gary L. Gardner  
Chief of Police