

CUMBERLAND COUNTY DISTRICT ATTORNEY'S OFFICE POLICY FOR LAW ENFORCEMENT OFFICERS – EXPECTATIONS OF TRUTHFULNESS AND DISCLOSURE OF INFORMATION

I. PURPOSE:

To establish rules and regulations consistent with the agency's high expectations of professional conduct and behavior by its law enforcement employees with the intention of enhancing the public's trust and confidence in the agency's ability and integrity.

II. POLICY:

It is the policy of the Cumberland County District Attorney's Office to maintain standards of professional conduct that are consistent with the proper functioning of a professional law enforcement organization. Officers must abide by this policy as it applies to all standards of the Maine Criminal Justice Academy Board of Trustees.

III. RULES / STANDARDS OF CONDUCT:

A. Truthfulness:

1. Officers are expected to be truthful at all times when they are acting in an official capacity and/or undertaking official duties.
2. Misrepresentation or untruthfulness includes speech and conduct, as well as falsifying written or oral communication in official reports, records, or interactions with anyone or any other agency or organization. This is in recognition that these outside individuals and groups may rely on the veracity of this information as it is coming from a law enforcement officer.
3. Misrepresentation and untruthfulness also includes inaction when there is a false statement made and the officer does not any action to correct the statement.
4. Misrepresentation and/or untruthfulness policies noted here do not apply to the use of misleading information during interviews, interrogations, or special investigations in order to elicit information while conducting official investigations and while following all other provisions and limits of state, federal, constitutional, and case law.
5. This policy prohibits disclosure, without proper authorization, of information that is considered to be confidential under law, agency policy, or Maine Criminal Justice Academy policy. This includes during multi-disciplinary team meetings and other community or public interactions.
6. Officers must assist the prosecuting attorney with their compliance to constitutional obligations set out under *Brady v. Maryland* 373 U.S. 83 (1963) and *Giglio v. United States*, 405 S. 150 (1972). This includes being responsive to the prosecuting attorney by email or phone, and also providing any documentation that is requested and/or held or known to be in existence in a timely way. Guidance shall come from the District Attorney's Office, the Maine Attorney General, and county legal counsel as appropriate.
7. Any violation of these policies will cause a report to the Maine Criminal Justice Academy regarding the officer's conduct and may result in action by the Maine Criminal Justice Academy Board of Trustees.
8. On a yearly basis and upon request, an officer will provide to the District Attorney's office any information related to misconduct either present or past.