



DODGE COUNTY SHERIFF'S OFFICE

Dale J Schmidt Sheriff Scott Mittelstadt Chief Deputy

Appropriate Timing for Release of Information

After many law enforcement investigations, there is information that is released to the public. After watching the news, reading comments on social media and hearing comments from citizens about what is released by law enforcement and when, I thought this would be a great topic for discussion.

As your sheriff, you know me to typically be very open and forthcoming with information. I feel it is important to be transparent and keep you informed about what is going on as we all need to work together to keep our communities safe.

However, there are times that information must be temporarily withheld such as when the name of a victim in a fatal incident is withheld for long periods of time. When a name is withheld longer than normal, there is always a good reason. Often this occurs because unfortunately the victim is unidentifiable by normal processes. Dental record comparison and DNA analysis is time consuming and will take days if not weeks to confirm positive identification. In the meantime, many try to find out the name so they can be the first to release it. I can tell you from experience that this is not fair to the family. If a name is released prior to positive identification and that preliminary identification is wrong, we make a difficult situation even worse. Imagine if you were told your loved one has died only to learn that it was never your loved one at all. I never want to put a family in that position. Furthermore, I have made it a policy that we will not release names of fatal victims for at least 24 hours following a fatal incident. This is done to allow families an opportunity to make proper notifications to all loved ones.

We must also be careful releasing details of an active investigation. While it certainly would be nice to refute the outrageous rumors that start via social media with actual facts, we will never release information in any open investigation that will compromise the integrity of that investigation. Once we release information, we lose a valuable investigative tool. Usually, only the actor in a crime knows the true details of a case. If we share those details, we lose the ability to use that information effectively in an interview to gain evidence that will stand up in court. The integrity of a case is of paramount importance when determining if information should be released.

Additionally, releasing video is no different. We have all heard demands that video be released immediately after an officer involved shooting or other major incident but we must again weigh if the release of that video will jeopardize effective investigation and prosecution. The release of these videos before an investigation is complete is inappropriate and the public's need to know is outweighed by the needs of the investigation. While our society has grown to expect answers immediately, that is not how investigations are completed fairly to those directly involved with the case.

The next time you ask, why aren't they releasing something, remember this column. All open record requests for information must be responded to and any decisions to withhold information must be able to withstand a challenge in a court of law. As much as everyone would like to know all the answers, remember it is best that investigators be allowed to do their jobs. Eventually the information will be made available when legally appropriate to do to ensure effective investigation as we work hard make Dodge County a safe place to live, work and visit.

Sheriff Dale J. Schmidt