PISCATAQUIS COUNTY SHERIFF'S DEPT.

GIGLIO INFORMATION
EXPECTATIONS OF TRUTHFULNESS AND
DISCLOSURE OF CREDIBILITY INFORMATION

Policy 16

Effective: 06/13/2014
Reviewed: 12/29/2020
Reviewed and Revised: 08/04/2026

DIVISION: All Personnel

I. PURPOSE

The purpose of this policy is to ensure that Piscataquis County Sheriff's Office [PCSO] appropriately assists criminal prosecutors in fulfilling the constitutional duty to affirmatively disclose specific information that may be favorable to the defense, including information that may be viewed as adverse to the credibility of law enforcement officers who may be material witnesses.

II. POLICY

The policy of PCSO is to uphold the highest standards of honesty and integrity. Officers shall conduct themselves truthfully in all aspects of their official duties, and any form of misrepresentation or untruthfulness is strictly prohibited. The agency shall also disclose to relevant criminal prosecutors any information that may be favorable to the defense or may adversely affect the credibility of officers who may be material witnesses in criminal prosecutions. This commitment ensures transparency, preserves the integrity of investigations, and maintains public trust in the criminal justice system.

III. DISCUSSION

In Brady v. Maryland[1] and Giglio v. United States[2], the United States Supreme Court established the mandatory disclosure requirements outlined in the purpose section of this policy. The duty is an affirmative one, i.e., if law enforcement officials know of evidence or information that may be favorable to the defense in a criminal prosecution, including information that may be viewed as adverse to the credibility of law enforcement officers who may be material witnesses, those officials must disclose the information to the prosecutor, whether or not the defense has requested the information.

IV. PROCEDURES – Officer Credibility

[1] 373 US 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963)

[2] 405 US 150, 92 S. Ct. 763, 31 L. Ed. 2d 104 (1972)

A. Deputies/officers shall act at all times with truthfulness and without bias. Any form of misrepresentation, untruthfulness, or bias is prohibited. This includes, but is not limited to, falsifying data or communications in official reports, records, or during interactions with others when it is reasonable to expect that the information may be relied upon due to the deputy's official position.

B. Officers may, when appropriate and lawful, use deception or employ misleading or untruthful information during interviews, interrogations, or special investigations, for eliciting information during an official investigation.

C. Officers are prohibited from disclosing any information that is confidential by law, PCSO policy, or Maine Criminal Justice Academy Board of Trustees rules, unless properly authorized. This includes any information the officer knew or reasonably should have known was confidential.

V. PROCEDURES for Law Enforcement Agency

A. On an annual basis, the Sheriff shall submit a Law Enforcement Agency Giglio Inquiry to the Office of the District Attorney and the Office of the Attorney General. (See Appendix 1.) The Office of the United States Attorney, as well as the Offices of the Attorney General and the District Attorney, may conduct a Giglio inquiry in connection with a specific investigation or prosecution. This constitutes a process separate from the procedure described in this policy to the extent it involves the submission of the Law Enforcement Agency Giglio Inquiry. PCSO has a continuing obligation to update the inquiry if relevant circumstances arise that would change its status. In addition to the matters addressed on the Giglio Inquiry form, PCSO should bring to the attention of the relevant prosecutor any other information regarding an officer that may reasonably be used to question the deputy's credibility.

B. Individual deputies have a continuing obligation to report to the agency any relevant circumstances that would change the status of the Giglio Inquiry.

C. PCSO shall, before reporting any potential Giglio information to a prosecutor, notify the respective deputy and provide the deputy with an opportunity to address the information further.

D. It is the duty of the prosecutor to determine whether the information is subject to further disclosure. PCSO may confer with the prosecutor and others, including the agency's legal counsel, to determine whether any potential impeachment information is so serious as to render the deputy unable to offer credible testimony in a court of law.

VI. PROCEDURES – Reports of conviction or misconduct by officer

A. If an officer of PCSO, or an individual under consideration for employment as a deputy, is convicted of a crime or violation or engages in conduct that could result in suspension or revocation of an officer's certificate pursuant to 25 M.R.S. § 2806-A, and the Sheriff employing the officer or considering the individual for employment has knowledge of the conviction or conduct, the Sheriff shall within 30 days notify the Director of the Maine Criminal Justice Academy with the name of the deputy or the individual being considered for employment as a deputy and a brief description of the conviction or conduct. 25 M.R.S. § 2807.

Sheriff Robert Young

Appendix #1

Law Enforcement Agency *Giglio* Inquiry

AGENCY NAME:_____

1.	**Has there been a sustained finding of misconduct by any officer that reflects adversely upon the officer's truthfulness or bias?**	**Yes No**
2.	**Has any officer ever been charged with a crime (regardless of outcome)?**	**Yes No**
3.	**Are you aware of any pending investigation of alleged misconduct by any officer that reflects adversely upon the officer's truthfulness or bias?**	**Yes No**
4.	**Has any allegation ever been made against any officer by a prosecutor, magistrate or judge that reflected adversely on the officer's truthfulness or bias?**	**Yes No**
5.	**Has there been a judicial finding, in the form of a decision, opinion or order, in which any officer was found to have been untruthful or biased?**	**Yes No**
6.	**Are you aware of any allegation made against any officer by any person that has been publicly aired that claimed that the officer was untruthful or biased?**	**Yes No**
7.	**Are you aware of any officer in your agency who resigned from another agency after having been accused of misconduct that adversely reflected upon the officer's truthfulness, bias, or commission of crimes?**	**Yes No**
8.	**You are reminded of your duty to update the prosecutor's office if there is any change in the status of any information declared in or sought by this questionnaire.**	**Check** ☐

Signature: _____ Position: _____