



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATION REGULATIONS AND OPERATING PROCEDURES

Subject: *Release of Information to the Media*

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106 – Release of Information to Media

10-14-2004

106-A - Release of Information to Media

02-05-2008

106-B - Release of Information to Media

08-26-2015

Approved By:

I. PURPOSE

This Media Relations Procedure establishes guidelines regarding media relations and the release of information to the public through the news media.

II. POLICY

The Myrtle Beach Police Department must have the support of the community to be successful. Establishing and maintaining an effective relationship with the news media is crucial to accomplishing this goal.

It is the policy of this agency to cooperate with the media and to maintain an atmosphere of open communication. A positive working relationship with the media is mutually beneficial. To this end, information will be released to the media in an impartial, accurate, and timely fashion. It is the responsibility of each employee to abide by this philosophy of cooperation.

No employee shall release any information that would jeopardize an active investigation, prejudice an accused's right to a fair trial, or violate any law.

III. PROCEDURE

A. The Myrtle Beach Police Department shall have a public information function that will provide the following:

1. Maintain awareness of the potential newsworthiness of daily activities within the Department.
2. Seek to provide all possible information and access when the media expresses an interest in Department operations.
3. Seek to provide all possible assistance to media personnel covering routine news stories and/or at the scene of an incident.
4. Prepare and distribute Department news releases pending review procedures.
5. Arrange for and assist at news conferences.
6. Coordinate the release of information about victims, witnesses, and suspects, subject to guidelines in this procedure and in consultation with the Command level and other officers.
7. Assist in crisis situations within the Department, as appropriate, after consultation and approval from the Chief of Police or designee.
8. Coordinate and authorize the release of information concerning confidential agency investigations and operations (subject to prohibitions contained in this procedure);
9. The public information officer, PIO, is responsible for assisting the media by conducting interviews him/herself or coordinating interviews with other qualified agency personnel. Employees contacted directly by the media shall notify the PIO of any interview requests. All conversations with members of the media should be considered "on the record" and subject to being quoted.
10. In joint operations with other agencies, the lead investigative agency is responsible for providing or coordinating the release of public information. The PIO or designee for the lead agency will share information with all involved agencies in advance of public dissemination.

B. RESPONSIBILITIES FOR PUBLIC INFORMATION

1. The Public Information Officer or designee is responsible for carrying out the public information function for the Department.
2. In the absence of the Public Information Officer or designee, a Division Lieutenant or on-duty supervisor will carry out the duties of the PIO.
3. All employees are strongly encouraged to notify the PIO of any potentially newsworthy incidents, arrests, positive citizen encounters, etc. In all such cases, the employee will provide the information in writing (UCR, booking report, etc.) and include all facts and circumstances. Timeliness and quick action are critical. A potential news story loses most interest by the media within twenty-four (24) hours of its occurrence.

C. PRESS RELEASES

The Myrtle Beach Police Department ensures equal access to all media. Note also that:

1. The PIO is responsible for determining the necessity for a press release in conjunction with the Division Captains and has responsibility for its content. Normally, any serious crime incident, fatal or potentially fatal accident, or "Act of God" incident within the City of Myrtle Beach, as well as interesting/outstanding Police Department or employee accomplishment(s), will become the subject of a press release distributed via social media. The PIO will maintain an updated media list of major newspapers, radio, and TV stations and will notify them by phone or e-mail. Note: No press release will be disseminated until the Chief of Police has reviewed the content and approved its release.
2. After normal business hours, the PIO will ensure the on-duty supervisor has an updated press release to use in responding to nighttime calls from the media, as required. On occasion, the PIO may attempt to update information from home. Under no circumstances will an officer tell the press that no information is available until morning unless directed by a Division Captain or the

Chief of Police. Ordinarily, the reading of the authorized press release will suffice at night; however, the PIO may be called at home in an emergency.

3. Copies of Uniform Crime Reports are available 24 hours a day, 7 days a week at <https://myrtlebeach.policetocitizen.com/Home>. Records will also be available at the Records Section during normal working hours (8 am-5 pm, Monday-Friday). When a media representative requires additional information beyond that contained in the report, they will be referred to the PIO, or in his/her absence, the individual most knowledgeable regarding the incident involved. Note: The Myrtle Beach Police Department will abide by all local, state, and federal laws governing the release of public records.

D. CREDENTIALS, ACCESS OF NEWS MEDIA, AND SCENE OF INCIDENT

1. The Myrtle Beach Police Department does not issue or revoke press credentials.
2. As time limits and priorities allow, the PIO will attend periodic media group meetings that are attended by media and police information employees for the purpose of reviewing misunderstandings and finding a solution for the prevention of future misunderstandings. The PIO will also make attempts to organize and schedule periodic Media training days in conjunction with our Training Section. This will be used to improve our relationship with the media and to give them a better understanding of the job that we do.
3. If and when an employee believes media coverage of the Myrtle Beach Police Department or incidents involving employees is grossly inaccurate or the behavior of media representatives is so inappropriate as to be obvious to most observers, the employee may address a written memorandum to the Chief of Police, via the PIO, documenting names, times, and circumstances. The employee will also submit a copy through his/her chain of command to the Division Captain. If necessary, after the investigation, a letter will be sent to the employer of the offending media employee.

4. Suspects in custody will not be posed deliberately for any photographs, telecasts, or interviews. A person in police custody will not be permitted to be interviewed by the media.

E. SCENE OF AN INCIDENT

Conflicts between police and media may arise at the scene of major crimes, emergencies, or disorder. To avoid as much conflict as possible, particularly in cases where large numbers of media have gathered, the PIO (if on the scene) and the officer in charge will cooperate to ensure that Police/Media activities are coordinated as follows:

1. To the extent possible without hampering operations or investigations, the media will be furnished with access to information and to locations from which to photograph or record. To maintain order, a media area (press line) can be established. This area should be located in a safe place that does not compromise the preservation of the crime scene. Every effort should be made to allow the press to view activity. Media representatives should be allowed to photograph freely, provided they do not jeopardize investigations or prosecutions.
2. The PIO, with approval of the scene commander, may grant closer access to media personnel and their equipment, to the degree that it does not interfere with law enforcement operations.
3. At critical incident scenes, members of the agency will work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the public.

F. AUTHORIZATION TO RELEASE INFORMATION

1. At the scene of an incident, the Supervisor on the scene is authorized to release information or appoint an officer on the scene to provide information to the media in the absence of or at the direction of the following:
 - a. Chief of Police,
 - b. Investigative Captain,

- c. Uniform Captain,
 - d. Division Lieutenant, or
 - e. Public Information Officer.
2. Information on an ongoing criminal investigation or incident may be released by one of the following, with applicable restrictions as noted in policy:
- a. Chief of Police,
 - b. Investigative Captain,
 - c. Uniform Captain,
 - d. Division Lieutenant,
 - e. Public Information Officer,
 - f. Investigating officer, Investigator, or Supervisor.

G. INFORMATION THAT MAY BE RELEASED TO THE MEDIA

The information is subject to restrictions placed by applicable local, state, and federal laws. Further, any information that would hamper the successful conclusion of an investigation or jeopardize the safety of affected people will not be released.

- 1. (Adult) arrests and all incident reports with applicable restrictions;
- 2. Name and assignment of arresting officer;
- 3. Facts and circumstances of an arrest or criminal investigation, so long as such disclosure would not be prejudicial;
- 4. Amount of bond, court dates, and location of detention

5. Information that may assist in an investigation, such as lookouts for persons and vehicles;
6. An adult victim's name, age, and injury, if it would not jeopardize the victim's life or property.
7. The existence (not contents) of suicide notes;
8. The existence of a suspect, without a name, if it will not interfere with the investigation;
9. Information contained in arrest affidavits after service and other applicable crime or incident reports.
10. After notification of next of kin (in a collision), all the facts and circumstances are released (unless the victim is a juvenile). Officers will promptly collect and give to the PIO all relevant facts in a fatal and potentially fatal collision, including at least;
 - a. Date, time, and location of the collision;
 - b. Number and kind of vehicles involved;
 - c. Detailed description of the collision;
 - d. Primary vehicle (driver's name, age, medical condition);
 - e. Other vehicle(s) (driver's name, age, medical condition);
 - f. Name of hospital(s);
 - g. Passengers in any vehicle (name, age, medical condition, and relation to the driver);
 - h. Name of officer in charge of the investigation;
 - i. Name of any other jurisdiction or officer involved;
 - j. Number of witnesses;

- k. Charges placed: after arrest, the exact offense charged and method of charge (warrant, indictment, etc.);
- l. Copy of mug shot;
- m. Other documents not protected under the Freedom of Information Act.

H. INFORMATION WHICH MAY NOT BE RELEASED TO THE MEDIA:

1. In a sex offense case, the name of the victim, address, or any information that would identify the victim of a sex offense.
2. Name, address, or race of any juvenile. Age may be released as governed by state law.
3. Name of parent or guardian that may be used to identify a juvenile.
4. Name of witness or potential witness if not part of the incident report.
5. Name of any seriously injured or deceased person before notification of next-of-kin.
6. Prior criminal record or information about the character or reputation of a defendant; violation is subject to criminal prosecution. The media may be referred to the Myrtle Beach Municipal Clerk of Court.
7. Existence or contents of any confession, admission, statement, or alibi given by the accused or failure to make the same.
8. Results of or failure of the defendant to submit to any test, such as a polygraph, etc.
9. Information received from other law enforcement agencies without their permission to release.
10. Credibility or character of any witness or potential witness.
11. Testimony or credibility of any victim.

12. Any opinion on innocence, guilt, quality of evidence, or merits of a case.
13. Possibility of guilty plea, plea-bargaining, or other case disposition.
14. Transcriptions, reports, or summaries of judicial proceedings where the public and press have been excluded by the courts.
15. Information that might interfere with an investigation or apprehension. Especially prohibited are premature disclosures of unchecked leads, unverified information, specific facts, an "MO", details known only to the suspect, and information that could cause the suspect to flee.
16. Home address and/or telephone numbers of any Department employees.
17. Exact dollar value of stolen property.
18. Any information regarding the Office of Professional Standards, except by permission of the Chief of Police.
19. Sensitive investigation/intelligence information and information on vice/narcotics, except by permission of the Chief of Police.
20. Names of informants and information provided by them.
21. Names of undercover personnel.
22. Active Internal investigations, as governed by state law;
23. Supplemental and investigative reports shall not be released until the case is closed or the lead investigator deems it permissible.

I. DENYING INFORMATION

Whenever a media request for information is denied, it will be supported by a courteous, logical, and complete explanation. Justification may involve privacy rights, court rulings, and/or the safety of a defendant, victim, or witness. Failure to adequately justify the denial of information can seriously damage the Department's efforts to build good media relations and cause the

media to be less than cooperative on future occasions when the Department may need its assistance.

J. NOTIFICATION REQUIRED

1. Employees are strongly encouraged to notify the PIO of potentially newsworthy incidents, arrests, etc. Note: Serious occurrences listed below require immediate notification of the appropriate Chain of Command. Serious occurrences are not limited to, but include at least:
 - a. Homicides, kidnapping, barricade situations, hostage situations, robberies of banks, and burglary/larceny in excess of \$50,000.
 - b. Natural or man-made disasters resulting in extensive property damage or loss of life, major commercial fires and explosions.
 - c. Any accident involving serious injury/death, including aircraft accidents and school bus/commercial bus accidents.
 - d. Any incident involving a major evacuation.
 - e. Bomb plants and/or bomb threats where a device is found or a major evacuation occurs.
 - f. Missing persons when foul play is suspected; manhunts when an extensive search is involved.
 - g. Raid, demonstrations, strikes, or disorders.
 - h. Shots fired when:
 - i. Weapons discharged at any person, residence, commercial establishment, or vehicle.
 - ii. Weapons discharged by an officer while making an arrest.
 - iii. Officer fired upon.

- i. Discriminatory incidents, such as desecration of building/property, cross-burning, etc.
 - j. Any serious on-duty injury to a Department employee;
 - k. Any incident involving individuals of interest to the media, especially elected officials of the City, County, State, or Federal Government. Any involvement of elected officials with any Police Officer.
2. When off duty, the Division Captain or designee shall be notified via telephone. The Division Captain or designee, in turn, will notify the Chief of Police or his/her designee.
3. Whenever possible, notifications shall be made by the on-duty Supervisor. Prior to notification, the Supervisor or designee will gather all possible facts and circumstances, including (in a serious accident) all information shown on Section G of this procedure, and will be prepared to offer judgment on the seriousness, potential danger, and possible manpower or other resources required to handle the incident(s).