



PAMBANSANG PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS
(National Headquarters Philippine Coast Guard)
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1018 Manila

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NHQ-PCG/CGPAO

STANDING OPERATING PROCEDURES
NUMBER 13-19

GUIDELINES FOR THE RELEASE OF INFORMATION
DURING MARITIME INCIDENTS AND LAW ENFORCEMENT ACTIVITIES

I. REFERENCES:

- A. Republic Act 10173, "Data Privacy Act of 2012"
- B. Executive Order Nr 02 (Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service and Providing Guidelines)
- C. HPCG Memorandum Circular Nr 09-14 dated 01 September 2014 (Policy Guidelines to Raise Security, Awareness, Consciousness and Discipline or the Use of Information of the PCG Personnel)
- D. US Department Homeland Security, US Coast Guard Public Affairs Manual, January 2008; COMDTINST M5728.2D; [http://ppgroup.uscgaux.info/manuals/USCG Public Affairs Manual.pdf](http://ppgroup.uscgaux.info/manuals/USCG%20Public%20Affairs%20Manual.pdf), dated January 2008

II. PURPOSE:

The Standing Operating Procedure (SOP) prescribes the guidelines and procedures for the releasing of information during critical incidents in the areas of search and rescue, oil spill, and maritime law enforcement to ensure proper and timely information is released to the general public.

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III. SCOPE:

This SOP applies to all District Commanders, Station Commanders, and Public Affairs Officers (PAOs) of the Philippine Coast Guard (PCG) and all designated spokespersons.

IV. GENERAL PROVISIONS:

For the Coast Guard, crisis is a routine. Every day, the Coast Guard handles dozens of crises: sinking, capsizing or missing boats and vessels, reports of marine pollution, human and drug trafficking among others. Because of all this activity, Coast Guard operations draw a lot of media attention.

Local contingency plans for accidents involving Coast Guardsmen or Coast Guard equipment should include quickly notifying the district public affairs staff. Notification can be through the district command center. Major accidents may also call for notifying the Commandant.

The public affairs objectives in a crisis or critical incident are:

1. **To release information concerning the crisis to satisfy the public's need to know.** Coast Guard operations are a matter of record, and only certain information can be withheld. As government employees, we work for the public. As members of the uniformed service, we have a duty to the public. We want to avoid any appearance that the Coast Guard is not accountable to the citizen.
2. **Demonstrate to the public that the Coast Guard and other agencies are responding to the crisis.** The public expects the government to handle certain crises. As an agency of the government, the Coast Guard must demonstrate its ability to serve the needs and protect the interests of the country.
3. **Direct the public if action is necessary.** The Coast Guard would use the media to help make certain that the evacuation is complete and orderly.
4. **Involve the public as necessary.** In some cases, it may be necessary to solicit information or assistance from the public. Using the media to spread the word reaches more people than any other method.
5. **Allay the public's fears and concerns.** People quickly become confused, frustrated and angry if they cannot get information affecting their

lives or if they believe no one is in control of a situation. The media can easily provide our information to a broad segment of the public.

6. **Express sympathy to those impacted by the incident.** As you speak to the media and affected families in your role as spokesperson, be sure to include a sincere expression of sympathy, such as "our hearts are with the families of those missing, and we're doing all we can to find their loved ones." However, such expressions of sympathy are inappropriate in news releases; a rare exception would be a direct quote from an official.

A. Guidelines during interview involving search and rescue (SAR) incidents:

This Coast Guard mission makes ideal news copy because it involves action, human interest, drama, adventure, urgency, people doing good things for other people.

The point of contact during interviews must make sure the media get accurate, timely information. Objective, fast reporting of facts is critical to slow the spread of rumors and misinformation; at the same time, make sure the case has developed enough so that you are sending out accurate information. If your information flow is good, reporters will not have to bother the people directing the case, or resort to newsgathering from people who do not have current, complete or correct information.

Although "maximum disclosure with minimum delay" is usually the rule, there will be times in a hectic search and rescue (SAR) case when you will have to use your judgment about what to release and what not to release.

The following are a few general guidelines to follow during a SAR case:

1. Release only confirmed, factual information. In a crisis, a lot of apparently factual information turns out to be incorrect. If you release incorrect information to the media, correct it as soon as possible. This involves publishing a corrected news release and directly contacting media outlets to advise them of the error.
2. Stick to the facts; avoid speculation or opinions;
3. Attribute information whenever possible;
4. Do not speculate on the cause of an accident or incident;

5. Do not release names of survivors until positive identification has been made and names of dead and injured have been released by local authorities;

6. The Coast Guard should release the names of individuals rescued by the Coast Guard before a case is closed – after that point requests for the names of individuals rescued must be submitted under the Freedom of Information and Data Privacy Act. Notwithstanding said policy, some individuals will request that their names not be released. Absent a compelling public interest in publishing the name, do not release the name. Media and other persons may submit a FOI request and a determination will be made as to whether the Coast Guard may lawfully release the person's name;

7. Inform the survivors that the media would like to interview them and allow them to make their own decision. Do not encourage them one way or the other. If survivors agree to answer questions from the media, you should caution them to speak only about what they actually saw and not to speculate;

8. Video and still photography of SAR cases should be made available to the media as soon as possible. However, the Coast Guard will not normally release video or photography that depicts dead or mutilated bodies. Each unit commander has authority to make the determination of whether the material should be released;

9. Describe SAR in common terms. Remember that search and rescue is something in which very few members of the public get involved, so they won't know very many terms or acronyms that we commonly use. Whenever you speak to the media, you might also try to translate events into terms people will better understand. Use terms relevant to your audience;

10. If a case extends over several days, you can use your daily releases to inform the public on different aspects of Coast Guard SAR capabilities. SAR cases are excellent opportunity to send a safety message to the public via the media's coverage of hard news. A well-crafted safety message may help prevent future loss of life at sea, but be careful not to moralize or point fingers during a tragedy;

11. If you are asked a question you can't answer, simply say, **"I don't know, but I will find out."** But never say, **"No comment"**, **"Missing and presumed dead."** A court, not the Coast Guard, makes the determination

of presumed death, "**A 90% probability of detection...**" This suggests the Coast Guard puts a numerical value on life. Just avoid the topic;

12. Chances are whatever follows will be speculation. Just state the facts as you know them and use the popular refrain, "**The cause of the accident is under investigation.**"

13. "**If they're out there, we'll find them.**" Don't make promises;

14. "**The captain abandoned ship.**" Do not describe the circumstances unless you have witness verification. "Abandoning ship" can have an extremely negative connotation if it implies the captain left his crew behind;

15. Suspending a search is difficult for the media to accept because they want an end to the story they have been covering, perhaps for several days. They will want to conclude the story, and a reporter may attempt to put words in your mouth in order to do that. Avoid the problem by sticking with the tried and true stock answers: "**We have conducted an exhaustive search of the area based on the best information we have. We are suspending our active search pending the development of new information. The cause of the accident will be investigated by (the Coast Guard or whoever has jurisdiction.)**" Do not be pressured or bullied into saying anything that you don't want to say beyond that;

16. A reporter may ask if the missing people are now presumed dead. Explain that the Coast Guard does not make that determination, only a court can do that. You may also be asked what new information may restart a suspended search. You should discuss the possibilities with your unit commander in advance; and

17. In such cases, you should coordinate an appropriate answer with the unit commander or even the PAO.

18. Avoid the term "casualty," which is ambiguous and can be misunderstood. Instead, use: dead or deceased, wounded or injured (seriously, slightly), missing. If known, indicate the type of injuries.

B. Guidelines during interview involving Maritime Pollution (MARPOL) Incidents.

The goals of all public information efforts in pollution response are to keep the community informed of potential threats to people or the environment, to inform the status of cleanup operations, and to replace rumor with facts. These goals

must be met by avoiding speculation, release of inaccurate information, or other actions which could jeopardize the rights of any party involved in the spill (the suspected polluter, persons affected by the spill, the government, etc.).

The key to successful public affairs in pollution response is advance planning and rapid implementation. District/Station Commanders or respective PAOs should ensure that specific public affairs policies and procedures are developed in coordination with the district and Marine Environmental Protection Command (MEPCOM) and Marine Environmental Protection Unit (MEPU) and that such guidance is contained in regional and local response plans.

Such plans should address:

1. Release procedures to be followed by the public affairs personnel:

- Prepare periodic comprehensive news release updates for approval; Respond factually to all media inquiries as they are received; and
- Conduct media and community relations programs.

2. Guidelines for unit personnel when dealing with reporters on scene:

- All hands should understand that they will be perceived as official spokespersons;
- Individuals may explain to reporters what their own jobs are; and
- Media questions which do not pertain to an individual's job should be referred to the MEPCOM or authorized spokesperson.

3. Release procedures/relationships between District/Station Commander, PAO and Commander, MEPCOM/MEPU.

- Procedures must be established to ensure that all information released pertaining to the cleanup is approved by the NOSCP regardless of the geographic location of the person making the release.

4. Coordination with other agencies.

- Official Coast Guard spokespersons are generally authorized to speak on behalf of the Coast Guard command to which they are assigned, and on behalf of the MEPCOM/MEPU.

C. Guidelines during interview involving Maritime Law Enforcement (MARLEN) Incidents.

The Coast Guard's involvement in law enforcement is wide ranging and includes many activities in addition to counter-narcotics. The legal aspects of law enforcement naturally put limits on the timing and content of information released to the media. The PCG must (a) guard against releasing information which will help people break the law or avoid prosecution and punishment; (b) protect the innocent and safeguard our sources of intelligence information (c) remember that law enforcement includes not only ongoing law enforcement actions but also post-incident evaluation and to what extent prosecution is appropriate, and make no statement that presupposes an outcome.

In all cases, local considerations may require modification to the guidance below. While a law enforcement action is in progress, the PCG will not normally release any information — even confirmation that an operation is underway. If an operation is significant in scope you can confirm, in general terms, that an operation is in progress, since the news media will gather such information from private sources. In general, however, your best response to the media about law enforcement operations is **“As a matter of Coast Guard policy, I am not at liberty to discuss ongoing law enforcement operations or judicial proceedings.”**

The applicable Coast Guard District Commander/ Station Commander or Public Affairs Officer will coordinate appropriate releases of information in cases where the Coast Guard is the lead agency. The lead agency will assure that coordination/approval has been achieved with all concerned agencies.

Commanding Officers should coordinate with the District and Headquarters Public Affairs Officers any requests to put news reporters on Coast Guard. Commanding Officers are authorized direct approval of reporters on other law enforcement patrols, e.g., fisheries enforcement, subject to operational, security and safety considerations. Do not make special demonstration patrols with media unless doing so is clearly in the public interest. In no case should reporters be placed in danger, such as on actual boardings.

The following public affairs guidance is provided to assist units in conducting public affairs activities related to maritime law enforcement operations:

1. Maritime law enforcement operations are inherently sensitive and involve risks that may be heightened by the release of information to the public. These risks can be minimized through comprehensive

coordination with all participating agencies before any information is released to the public. These risks include:

- Risks to the personal safety and operational security of law enforcement personnel involved in investigations, seizures, arrests and other related activities.
- The risk of jeopardizing follow-on activities.
- The risk of jeopardizing the prosecution of people arrested for law enforcement offenses.
- Risks to intelligence systems and sources.

2. Most law enforcement etc. may be the result of cooperation between the Coast Guard and other law enforcement agencies. Operations involving law enforcement or military agencies of foreign nations require notification of Commandant, PCG.

3. The announcement of an investigation, seizure or arrest normally will be made by the agency that actually conducted the investigation and/or actually made the seizure or arrest. The Coast Guard will discuss its efforts in said operations but should indicate that the operation was a "coordinated joint effort" and list all the participating agencies.

Such announcements normally will include the following:

- a) That a seizure/arrest has been made.
- b) Name and homeport of seizing vessel.
- c) Name, flag and description of seized vessel or aircraft.
- d) Date, time and general location of the boarding and seizure.
- e) List of all agencies and organizations participating in the seizure including combined operations with other nations or state and local law enforcement agencies.
- f) Whether resistance or pursuit was involved.
- g) Number and nationality of prisoners.
- h) Type and estimated amount of seized narcotics.
- i) Destination and ETA for seized vessel and escort.
- j) Future plans (Who will take custody of prisoners, narcotics and vessel/aircraft).

k) Video should be forwarded to district PAOs for determination of releasability and clearance with Coast Guard Legal Officer handling the case.

The following types of information may not be released:

- a) Any statements made by the accused or the fact the accused made or refused to make a statement.
- b) Any indication of the prospective witnesses in the case.
- c) Any comment on the credibility or testimony of anyone involved in the case.
- d) Any information involving the possibility of a guilty plea, the accused's guilt or innocence or the merits of the charges or defense in the case.
- e) Whether or not intelligence led to this seizure (the only exception is if the agency that provided the intelligence decides the information may be released).

The Media will be cautioned to avoid reporting on the following:

- a) Course, speed, location and other similar information about vessels and aircraft on patrol.
- b) Sensitive equipment and/or capabilities that they might observe or come in contact with.
- c) Future operations of forces assigned.
- d) Tactics (in use or planned) to avoid various threats of lawless elements.
- e) Specific locations of ships, aircraft or ground forces. Instead, media should use "On board the BRP (Name) in the (general name of location).

V. DUTIES AND RESPONSIBILITIES:

A. District and Station Commanders shall:

- 1. Act as primary spokesperson to the media on all activities of the command/unit.



2. Handle all media inquiries into unit operations, and answer questions about the Coast Guard's response in a particular case.
3. Release news of activities of their commands. When the information falls within the purview of the Commandant, District and Station Commanders should coordinate with the Commandant, PCG for guidance or assistance.
4. Use release authority judiciously. Units should develop a written plan using the guidelines for handling media inquiries within the command, covering both on- and off-duty hours. Guidance should cover how to release information, photos and video to the news media and how to arrange media interviews.
5. Encourages commands to embark news media personnel to cover missions. Requests are subject to approval of the applicable District Commander on a case-by-case basis. Requests should be submitted to the District PAO at least two weeks prior to departure to allow time for necessary inter-agency coordination.
6. In the event of fast-breaking operations that warrant media coverage, the district commander may consider an exception to this policy.

Requests will include the following information:

- Name and affiliation of news media representatives.
- Proposed date of travel (or time frame if exact date is not known or cannot be disclosed because of operational security considerations).
- Justification: Is travel an integral part of the story? What will be the resulting benefit to the service for the effort expended?
- Measures taken to protect operational security, identities, etc.
- Coordination accomplished with any other law enforcement agencies involved.

- Organization point of contact for travel request.

B. Public Affairs Officers shall:

1. Provide public affairs support to Station or District Commanders within the geographic boundaries of the Area or District;
2. Serve as spokespersons for the Area or District;
3. Conduct media, internal and community relations programs at the Area and District level;
4. Participate in the many meetings and discussions that take place daily in Coast Guard station or district office.
5. Should ensure they seek concurrence as needed with their operations and legal offices. However, the PAO's opinion on the release of information should carry equal weight with these other offices, except when the law precludes release. When PAOs believe information is being withheld or bottlenecked, they should seek assistance from their unit commander or the headquarters public affairs office.
6. Maintain regular contact with the units within their area of responsibility. Maintain a contact list for use in maintaining liaison with regional and state leaders of national organizations including service-related. That contact will be the basis of good working relationships during any response to a crisis or critical incident in which the units are involved.
7. Keep copies of all news releases issued by the area. Releases about significant operations or issues on a timely basis and also shared with other District and Station PAOs as warranted. News releases shall be made readily available to the media and public as current news or background information.
8. Compile a print and video news clip file of stories about the Coast Guard gathered from local media. The clips should be read or viewed by everyone assigned to the public affairs office, routed to key staff officers, and filed in the appropriate unit file or video library.

VI. ADMINISTRATIVE SANCTION:

Any violation of the provisions of the guidelines shall constitute misconduct and it is punishable by suspension without pay of one (1) month and one (1) day to six (6) months for the first offense and dismissal without honor from the service for the second offense pursuant to sub-paragraph C of Title IX of Guidance and Procedures on Disposition of Violations of the Code of Conduct and Discipline for PCG Uniformed Personnel dated 30 August 2016.

VII. RESCISSION:

All existing rules, regulations and policies in conflict with these guidelines are hereby rescinded or modified accordingly.

VIII. EFFECTIVITY

This SOP shall take effect upon publication.

BY COMMAND OF ADMIRAL HERMOGINO:

OFFICIAL:

EDUARDO D FABRICANTE
COMMO **PCG**
Chief of Coast Guard Staff


LIEZEL B BAUTISTA
CDR **PCG**
Coast Guard Adjutant

27/09/19/16