

1977 WL 36973 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 21, 1977

\*1 Mr. Robert E. Elmore, Jr.,  
Executive Officer  
Greenville County Sheriff's Department  
4 McGee Street  
Greenville, SC 29601

Dear Bob:

Recently you have requested an opinion from this Office concerning whether or not a proposed public information system under consideration by the Greenville County Sheriff's Office is in accord with the State's Freedom of Information Act.

Your proposed system is designed to protect raw investigative data, contained in incident and supplemental reports. Based on a previous opinion from this Office, you have determined that such reports do not constitute public records because the disclosure of such information is clearly against the best public interest.

In essence your procedure is designed to harmonize the public's right to information with the concomitant public interest in efficient and professional law enforcement and the safety of witnesses and victims.

Your system would require the keeping of a daily log for public inspection for every 24 hour period. This log will include a summary of each incident or supplemental report received during the period, and will exclude only information which may hamper an ongoing investigation or prosecution, or endanger the safety of a witness or a victim of a crime.

Additionally, the Public Information Officer will continue to issue statements concerning developments in any case, to keep the public informed on fast breaking events. This Officer will also receive requests for a specific Incident or Supplemental Report and determine if the document continues to be in the best public interest by non-disclosure. If the public interest is not so served, the document will be considered a public record and made available accordingly.

The policy you have initiated, as I have described it in this letter, meets the requisites of the State Freedom of Information Act. This letter should be read simultaneously with, and as a supplement to, my Opinion to you dated June 16, 1977.

I enjoyed meeting with you and the other individuals present at the Criminal Justice Academy last week.

Sincerely,

George C. Beighley  
Assistant Attorney General

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