



YARMOUTH POLICE DEPARTMENT SOCIAL MEDIA POLICY AND PROCEDURE 2018-02

Issue Date: 2/5/2018

Review Date :

Revised:

Issuing Authority:

Chief Frank G. Frederickson

Certification Standards:

Accreditation Standards:

Optional Accreditation Standards:

PURPOSE

The department endorses the secure use of technology and social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this department's position on the utility and management of social media and technology. The policy also provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of technology or social media; rather social media in general, as advances in technology will occur and new tools will emerge.

POLICY

Technology and Social media provides a valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of technology and social media can have bearing on departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on their use by department personnel.

DEFINITIONS

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the

**ON-THE-JOB
USE**

act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, LinkedIn), microblogging sites (Twitter, Snapchat, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Technology: Computers, programs, software, cell phones, emerging technologies, WAN and LAN networks, and any other town provided equipment that allows access to the internet.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page(s) that can be edited collaboratively.

A. Department-Sanctioned Presence

1. Determine strategy

- a. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
- b. Where possible, the page(s) should link to the department's official website.

2. Procedures

- a. All department social media sites or pages shall be approved by the chief executive or his or her designee and shall be administered by the departmental information services section or as otherwise determined.
- b. Where possible, social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed.
- c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.

(1) Content is subject to public records laws.

Relevant records retention schedules apply to social media content. (What are the record retention rules for this?)

(2) Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.

- d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.

(1) Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks.

(2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

3. Department-Sanctioned Use

- a. Department personnel representing the department via social media outlets shall do the following:

(1) Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.

(2) Identify themselves as a member of the department.

(3) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express written permission.

(4) Not conduct political activities or private business.

- b. The use of department computers by department personnel to access social media is prohibited without authorization.
- c. Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is

- prohibited without express written permission.
- d. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
- e. When possible, department personnel who are clearly depicted and personally identified in an image or video should give prior approval.

B. Potential Uses

1. Social media is a valuable investigative tool when seeking evidence or information about
 - a. missing persons
 - b. wanted persons
 - c. gang participation
 - d. crimes perpetrated online (i.e., cyberbullying, cyberstalking); and
 - e. photos or videos of a crime posted by a participant or observer.
2. Social media can be used for community outreach and engagement by
 - a. providing crime prevention tips
 - b. offering online-reporting opportunities
 - c. sharing crime maps and data
 - d. soliciting tips about unsolved crimes
 - e. Posting press releases and sharing of information regarding crime
3. Social media can be used to make time-sensitive notifications related to
 - a. road closures
 - b. special community events
 - c. weather emergencies
 - d. missing or endangered persons
4. Social media can be a valuable recruitment mechanism.
5. This department has an obligation to include Internet-based content when conducting background investigations of job candidates. If possible, searches should be conducted by a non-decision maker. Information pertaining to protected classes shall be filtered out prior to sharing any information found online with decision makers. Persons authorized to search Internet-based content should be deemed as holding a sensitive position. Search methods shall not involve techniques that are a violation of existing law. Vetting techniques shall be applied uniformly to all candidates. Every effort must be made to validate Internet-based information considered during the hiring process.

PERSONAL USE

A. Precautions

1. While off duty Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.
2. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department.
3. Department personnel put themselves at risk if they do the following:
 - a. Display department logos, uniforms, or similar identifying items on personal web pages.
 - b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department.
 - c. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain.
4. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings.
5. Department personnel should be aware that they may be subject to civil litigation or other sanctions for:
 - a. Knowingly publishing or posting false information that harms the reputation of another person, group, or organization (defamation)
 - b. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - c. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose
 - d. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner
6. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and

they should never assume that personal information posted on such sites is protected.

7. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.
8. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, sex, religion, or any protected class of individuals are areas that commonly are the focus of litigation, civil liability, prosecutions and violations of department rules and regulations.

B. Prohibitions

1. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.
2. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief or his or her designee.
3. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
4. Adherence to the department's code of conduct is required in the personal use of social media.
5. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
6. As public employees, department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee's professional duties and responsibilities—is

not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.

7. Any employee who finds offense to a posting or of any website or web page by a department employee should notify his or her supervisor immediately for follow-up action.

Each department employee is also obligated to abide by the Town of Yarmouth Social Media policy issued by the Town Administrator's Office