



Social Media – Personal Use Guideline - Draft Only

Special Note:

This is a simple guideline to incorporate into your *Social Media* policy when addressing personal use. We urge each public service agency to continue to update and expand their social media policies each year as social media platforms continue to evolve. RITE Academy suggest that your agency reach out to other public service agencies in your area to see what their current social media policy is in regard to personal use guidelines.

PURPOSE: The purpose of this policy is to establish guidelines for the use of social media, by the _____ Public Service Agency and its members, both on-duty and off-duty when engaged in personal use.

DISCUSSION: The agency endorses the secure use of 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 provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

The agency also recognizes that use of covert electronic devices and Internet resources are vital tools to detect and prevent criminal activity, as well as for other legitimate public service agency purposes. All use of social media sites and platforms by on-duty members utilizing _____ Public Service Agency resources will be for a valid agency purpose only.

While social media is a valuable resource for Public Service Agency, _____ members must adhere to policies and procedures to protect individuals' privacy, civil rights and liberties and to prevent misconduct.

POLICY: Social media provides a new and potentially valuable means of assisting the _____ Public Service Agency and its personnel in meeting community outreach, problem-solving, investigations, 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 _____ Public Service Agency also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of 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 the use of social media by department personnel when engaged for personal use only.



PERSONAL USE GUIDELINE

Precautions and Prohibitions: Barring state law or binding employment contracts to the contrary, department personnel shall abide by the following when using social media

Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not:

1. Impair working relationships of the _____ Public Service Agency for which loyalty and confidentiality are important;
2. Impede the performance of duties;
3. Impair discipline and harmony among coworkers; or
4. Negatively affect the public perception of the department.
5. As public employees, department personnel are cautioned that speech on or off-duty, made pursuant to their official duties, that which 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.
6. 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 of Police or their designee.
7. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission. As such, department personnel are cautioned not to 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.
8. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
9. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:
 - a. 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, any religion, or any protected class of individuals; or
 - b. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
10. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
11. Department personnel may not:
 - a. Divulge information gained by reason of their authority
 - b. Make any statements, speeches, appearances, or endorsements in an official capacity or representing the Department;



- c. Publish materials that could reasonably be considered to represent the views or positions of this department without expressed authorization.
12. Department personnel should be aware that they may be subject to civil litigation for:
 - a. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation); and/or
 - b. Publishing or posting private facts and personal information about someone without their permission that:
 - 1) Has not been previously revealed to the public;
 - 2) Is not of legitimate public concern; and
 - 3) 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; or
 - d. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
13. 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.
14. 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.
15. Reporting Violations: Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify their supervisor immediately for follow-up action.