

**71.1 PURPOSE AND POLICY**

- .1 The Hagerstown Police Department endorses the 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 use and management of social media and provides guidance on its management, administration, and oversight. This policy is meant to address social media in general, with the understanding that advances in technology will occur and new tools will emerge.
- .2 Social media provides a potentially 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 as deemed reasonable. The Department 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.

**71.2 DEFINITIONS**

- .1 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."
- .2 Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- .3 Post: Content an individual shares on a social media site or the act of publishing content on a site.
- .4 Profile: Information that a user provides about himself or herself on a social networking site.
- .5 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 (e.g. Facebook, MySpace), microblogging sites (e.g. Twitter, Nixle), photo- and video-sharing sites (e.g. Flickr, YouTube), wikis (e.g. Wikipedia), blogs, and news sites (e.g. Digg, Reddit).
- .6 Social Networks: Online platforms (e.g. LinkedIn) where users can create profiles, share information, and socialize with others using a range of technologies.
- .7 Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- .8 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.
- .9 Wiki: Web page(s) that can be edited collaboratively.

**71.3 DEPARTMENT PRESENCE ON AND USE OF SOCIAL MEDIA**

- .1. All Department social media sites or pages shall be approved by the Chief of Police or his or her designee and shall be administered only by designated personnel referred to as the Social Media Team.
- .2 Where possible, each social media page shall include the following:
  - An introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
  - A link to the Department's official website.
  - A clear indication that they are maintained by the Department and shall have Department contact information prominently displayed.
  - A statement that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.

- A clear indication that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, and personal attacks.
  - A clear indication that any content posted or submitted for posting is subject to public disclosure.
- .3 Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
- .4 Content is subject to public records laws. Relevant records retention schedules apply to social media content. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
- .5 Department personnel representing the Department via social media outlets shall:
- .1 conduct themselves at all times as representatives of the Department and, accordingly, shall adhere to all Department standards of conduct.
  - .2 have the option to either identify themselves as a member of the Department or to post content as an official Departmental spokesperson.
  - .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 from the Chief of Police or his or her designee.
  - .4 not conduct political activities or private business.
- .6 Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

#### 71.4 POTENTIAL USES FOR SOCIAL MEDIA

- .1 Social media is a valuable investigative tool when seeking evidence or information about
- missing persons;
  - wanted persons;
  - gang participation;
  - crimes perpetrated online (i.e., cyberbullying, cyberstalking); and
  - photos or videos of a crime posted by a participant or observer.
- .2 Social media can be used for community outreach and engagement by
- providing crime prevention tips;
  - offering online-reporting opportunities;
  - sharing crime maps and data; and
  - soliciting tips about unsolved crimes (i.e., Crimestoppers, text-a-tip).
- .3 Social media can be used to make time-sensitive notifications related to
- road closures,
  - special events,
  - weather emergencies, and
  - missing or endangered persons.
- .4 Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism.

#### 71.5 PERSONAL USE OF SOCIAL MEDIA BY DEPARTMENT PERSONNEL

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

- .1 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 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.
- .3 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 his or her designee. *(Also refer to Rules and Regulations section 3.10.5)*
- .4 For safety and security reasons, Department personnel should be aware that information related to their employment with this Department is not secure once posted on social media sites. Privacy settings on social media sites are constantly in flux. Members should never assume that personal information posted on such sites is protected. They should be cautious when posting information pertaining to any other member's employment with the Department without their permission. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification. Some examples of information that members should consider include:
  - Display of Department logos, uniforms, or similar identifying items on personal web pages.
  - Personal photographs or similar means of personal recognition that may cause them to be identified as a police officer of this Department.
- .5 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:
  - .1 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.
  - .2 Speech involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
- .6 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.
- .7 Unless they have express authorization from the Chief of Police, 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.
- .8 Department personnel should be aware that they may be subject to civil litigation for
  - publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
  - 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;
  - using someone else's name, likeness, or other personal attributes for an exploitative purpose without that person's permission; or
  - publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- .9 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.

- .10 Reporting violations—Any employee becoming aware of or having knowledge of any posting, website, or web page that violates the provision of this policy shall notify his or her supervisor immediately for follow-up action.