

	<h1>Garner Police Department</h1> <h2>Written Directive</h2>	
	Chapter: 200 - Administration	
	Directive: 210.08 - Social Media	
Authorized by: Chief Brandon Zuidema		Effective Date: October 1, 2015
CALEA Standards: 1.1.2, 26.1.3		Last Revision: January 1, 2015

210.8.1 – Purpose

To provide guidelines for Department employees concerning the release of information to social media sites in order to ensure the protection of the property, images, and reputation of the Garner Police Department and its employees. This directive is not meant to address one particular form of social media, but rather social media in general, as advances in technology will occur and new tools will emerge.

210.8.2 – Policy

The Department recognizes that the use of web-based social networking sites is a popular activity that can enhance communication, collaboration, and information exchange; however, employees must be mindful that inappropriate postings regarding the Garner Police Department will have a negative impact upon its relationship with the community. This directive addresses the impact that these sites can have for the Department and identifies the type of activities that are prohibited by our employees. Department personnel are subject to discipline up to and including termination for violating the provisions of this directive.

210.8.3 – Definitions

- A. **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.”
- B. **Page:** The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- C. **Post:** Content an individual shares on a social media site or the act of publishing content on a site.
- D. **Profile:** Information that a user provides about himself or herself on a social networking site.
- E. **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, MySpace), micro blogging sites (Twitter, Nixle), photo and video sharing sites (Flickr, YouTube), wikis (Wikipedia, Wiki How, and Wiki Answers), dating sites, blogs, and news sites (Digg, Reddit).
- F. **Social Networks:** Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- G. **Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

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

210.8.4 – Procedure (1.1.2, 26.1.3)

- A. 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, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.
- B. 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. Engaging in prohibited speech noted herein may provide grounds for undermining or impeaching an officer's testimony in criminal or civil proceedings.
- C. 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 policies related to 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 other protected class of individuals.
 - 2. Speech involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
 - 3. Speech which could bring the Department into disrepute or which impairs the mission of the Department and/or the ability of Department personnel to perform their duties.
- D. It is recommended that employees who have personal web pages, memberships with social networking web sites or other types of internet postings which can be accessed by the public, not identify themselves directly or indirectly as an employee of the Garner Police Department. Doing so could have a direct effect upon officer safety, especially for those working in undercover assignments.
- E. Department personnel shall not post, transmit, or otherwise disseminate from any Department-issued or personal electronic device any information to which they have access as a result of their employment without written permission from the Chief of Police or designee. Examples include, but are not limited to, releasing or using:
 - 1. Photographs or other depictions of Department uniforms, badges, patches, marked patrol cars, or any other item or material which is identifiable to the Garner Police Department;
 - 2. Confidential, sensitive, or copyrighted information to which you have access due to your employment with the Town;
 - 3. Data from criminal or administrative investigations including photographs, videos, or audio recordings;
 - 4. Photographs of suspects, arrestees or evidence; and/or

5. Personal statements about any investigation that are not included in an official police report including comments related to pending investigations and/or prosecutions.
- F. Employees should be aware that they may be subject to civil litigation for:
1. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
 2. 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;
 3. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 4. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- G. Employees are responsible for immediately notifying their chain-of-command when they become aware of or have knowledge of a posting or any website or web page that violates the provisions of this directive, or any situation where information, pictures, or data representing the Garner Police Department is posted to an unapproved site.
- H. Employees will not allow the use or maintenance of approved websites to interfere with their job duties and responsibilities.
- I. Employees are prohibited from using Town email addresses to register for or respond to social media sites unless they have prior permission from the Chief of Police or his designee and are doing so for a work-related purpose.
- J. Employees may establish covert or "under cover" social media accounts or e-mail addresses under assumed names for the purpose of conducting a criminal investigation or for the purpose of gathering intelligence only after receiving approval to do so from the Chief of Police or his designee.
1. Any employee approved to maintain such an account or address shall forward the account information, including any password(s), to the Special Investigations Sergeant so that it can be maintained in the department's intelligence files.
 2. A sealed copy of the above information shall also be sent to the Administrative Captain.