



Atlantic County OFFICE OF THE SHERIFF



4997 Unami Boulevard
Mays Landing, NJ 08330
(609) 909-7200 FAX (609) 909-7292

EMAIL ONLY TO
opra+request-9426-1fda1290@requests.opramachine.com

December 9, 2020

Anonymous

<opra+request-9426-1fda1290@requests.opramachine.com>

RE: 2020-011-02

Preferred Delivery: Email

Documents Requested:

- 1. A copy of policies and/or procedures regulating the Atlantic County Sheriff's Office AND Sheriff Scheffler's public facebook and instagram pages, any and all Atlantic County Sheriff's Office AND Sheriff Scheffler's policies regarding the maintenance and/or content retention of agency maintained social media forums.*
- 2. List(s) of names of people who are/were hidden, blocked, banned from the Atlantic County Sheriff's Office AND Sheriff Scheffler public facebook and instagram pages.*
- 3. List(s) of any deleted, hidden, blocked, banned comments that were on the Atlantic County Sheriff's Office AND Sheriff Scheffler public facebook and instagram pages for the time period of July 1, 2019 to February 6, 2020*
- 4. List(s) of the authors' names of any deleted, hidden, blocked, banned comments that were on the Atlantic County Sheriff's Office AND Sheriff Scheffler public facebook and instagram pages for the time period of July 1, 2019 to February 6, 2020*
- 5. Copies of all messages and author's names sent via the Atlantic County Sheriff's Office AND Sheriff Scheffler facebook and instagram messenger and responses for the time period of July 1, 2019 to February 6, 2020.*
- 6. Name and rank and/or position title of the Atlantic County Sheriff's Office AND Sheriff Scheffler employee(s) responsible for maintaining any and all Atlantic County Sheriff's Office AND Sheriff Scheffler social media forums.*
- 7. Any emails sent to/from the employee(s) in question regarding the deleting/removing of content, or the limiting of access to content on any and all social media forums for the time period of July 1, 2019 to February 6, 2020.*

Note: This request is valid under the case law established by Larkin v. Glen Rock, since the facebook and instagram account information requested 1) clearly identifies the subject as an elected official 2) is separate and distinct from his personal, friends, and/or family social media accounts 3) the accounts are used for the sole purposes relating to the government officials position and office 4) posts contain shared ideas, answered questions, and interactions with constituents.

Response:

- 1. Attached you will find the Atlantic County Sheriff's Office policy for social media. The social media policy was not previously provided due to the focus being on employee personal accounts. There is not currently a policy regarding social media for the agency. The Sheriff and the staff that serve at the will of the Sheriff post with the Sheriff's consent. Chief Warrant Officer Reed is an at will employee.**
- 2. Atlantic County Sheriff's Office does not have any documents responsive to your request.**
- 3. Atlantic County Sheriff's Office does not have any documents responsive to your request.**
- 4. Atlantic County Sheriff's Office does not have any documents responsive to your request.**
- 5. Atlantic County Sheriff's Office does not have any documents responsive to your request**
- 6. Chief Warrant Officer Timothy Reed is responsible for maintaining social media.**
- 7. Atlantic County Sheriff's Office does not have any records responsive to your request.**

**Pam Hoerter
OPRA Custodian
Atlantic County Sheriff's Office**

 ATLANTIC COUNTY OFFICE OF THE SHERIFF DIRECTIVE	Date Issued: May 23, 2012	
	Date Effective: Immediately	
Directive: General Order	Directive # 12-032	Chapter # 12
Subject: Social Media Web Sites		

I. PURPOSE:

Social Media Web sites can create opportunities for Internet users to disclose proprietary information, personal opinions, and make inaccurate or potential damaging statements about the organization, or otherwise create a liability for the Sheriff's Office and the County. The purpose of this policy is to provide guidance to the employees of the Atlantic County Sheriff's Office concerning their personal web pages and websites.

II. DEFINITIONS:

- A. Social Media - forms of electronic communication (as Web sites for social networking) through which users create online communities to share information, ideas, personal messages, and other content
- B. Social Network - an online community of people with a common interest who use a Web site, smart phone or other technologies to communicate with each other and share information, resources, etc.
- C. Blog - means the content of information posted on an Internet web log, journal, or any other social media Internet site such YouTube, Twitter, Facebook, MySpace, Linked In, bulletin boards, chat rooms, etc.

IV. POLICY:

While employees have a right to maintain personal web pages and websites, their status as a member of the Atlantic County Sheriff's Office requires that the content of those web pages and websites not be in violation of existing agency policy or directives.

V. PROCEDURES:

- A. Social Media, Social Networking, & Personal Web Pages

General Order # 12-032
Issued 05/23/12
By order of Sheriff Frank Balles

Social Media Web Sites
Page 1 of 3

**** NOT FOR PUBLIC DISSEMINATION ****

1. Social Media, Social Networking, personal web pages or websites include, but are not limited to YouTube, Twitter, Facebook, MySpace, LinkedIn, bulletin boards, chat rooms, etc.
2. You are personally responsible for the content you publish on-line, whether in a blog, social networking site or any other form of user-generated media. Be mindful that what you publish will be public for a long time. Protect your privacy and take care to understand a site's terms of service.
3. Social networking sites require that users, when they sign up, agree to abide by a terms of service (TOS) document. Office employees are responsible for reading, knowing, and complying with the TOS of the sites they use.
4. Employees may identify themselves as members of the Office. However, if they do their actions are reflective of the Office and may be subject to further restriction or, if in violation of Office policy, discipline.
5. If the employee identifies their employment with the Office on any Social Networking site, they take on the responsibility for representing the Office in a professional manner from that period forward while still employed by the Office.
6. If the employee identifies their employment with the Office on a Social Networking site, the employee shall post a disclaimer that makes it clear that the opinions expressed are solely those of the employee and do not represent the views of the agency. An example of a disclosure to use in these circumstances is: "The posts on this site, including but not limited to images, links, and comments left by readers, are my own and don't necessarily represent my employer's positions, strategies or opinions."
7. Employees shall not express personal opinion as official agency policy or position. Employees have the potential to be called as a witness in court proceedings related to their employment as a member of this Office. Credibility and character is subject to challenge and potential impeachment based upon the nature of postings on Social Media, Social Networks, personal web pages or websites from any time, past or present.
8. Employees must be cognizant of the potential adverse consequences of social media and/or other Internet postings such as their credibility during cross-examination in court, future employment, and possible embarrassment in the media.
9. Conduct both on and off duty is subject to the rules and regulations of this office. Any activity that brings discredit to Sheriff's Office and of an employee's status as a member of this agency is prohibited.
10. Employees must take proper care not to purposefully or inadvertently disclose any information that is confidential or law enforcement sensitive. Employees will also honor the privacy rights of our current employees by

seeking their permission before writing about or displaying anything that might be considered a breach of their privacy and confidentiality.

11. Employees may not criticize any member of the Office on any Social Media, Social Network, personal web pages or websites in a manner which is defamatory, obscene, unlawful, and disrespectful or which tends to impair the reputation of Atlantic County Sheriff's Office.
12. Employees may not comment on anything related to legal matters, litigation or any parties to litigation involving the Office.
13. Superior officers or supervisors should not send "friend" requests to subordinates while on or off duty.
14. Office sanctioned property shall not be used or depicted as Social Media or on any Social Network, or personal Internet posting without the express written permission of the Sheriff. These items, objects, or materials include, but are not limited to: photographs, images, reproductions or other depiction of agency uniforms, badges, patches, equipment, weapons, reports, evidence, etc.
15. All employees must promptly report any information they may have concerning any violation of this order.

B. Approval Process

1. An employee seeking approval to use any item, object, or material described above on a personal webpage or site shall:
 - a. Submit a written request for approval.
 - b. Describe the proposed reference to the office and purpose.
 - c. Provide a list of media to be used on the web page.
 - d. Provide a printed layout of the material that is the subject of the request.
2. The Sheriff will approve or deny the request based upon its compliance with existing agency policy or directives.



Frank X. Balles
Atlantic County Sheriff