

**Borough of Red Bank
POLICE DEPARTMENT
DEPARTMENTAL POLICIES AND PROCEDURES**

LOCATION	REFERENCE		SPECIAL INSTRUCTIONS	
SUBJECT Social Media	NUMBER S-9		DISTRIBUTION All Personnel	
EFFECTIVE 03/16/2015	REVISED	REVISED	REVISED	PAGES 6

I. PURPOSE

The department 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.

II. POLICY

Social media provides a new and 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 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 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.

III. 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 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, MySpace, Instagram, Snapchat), Microblogging sites (Twitter, 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.

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.

IV. ON-THE-JOB USE

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.
- c. Social media page(s) shall be designed for target audience(s) such as youth or potential police recruits.

2. Procedures

- a. All department social media sites or pages shall be approved by the Chief of Police and shall be administered by the department’s public information officer or other personnel as determined by the Chief of Police.
- 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.

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

- d. If the social media site permits comments by the public, 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.
- e. Pages shall clearly indicate that any content posted or submitted for posting does not express the views of the Department or its personnel and that such postings are 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. 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 authorization with the exception of the public information officer
- c. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
- d. Nothing in this policy shall prohibit members conducting a lawful, bonafide investigation from utilizing social media sites to gain pertinent information in an acceptable manner. This may include covertly obtaining information by not identifying oneself as a member of the law enforcement community. Such activities may be conducted on department computers but should be under the direction of a supervising officer.

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., cyber-bullying, cyber-stalking)
 - 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; and
 - d. Soliciting tips about unsolved crimes (i.e., Crime stoppers, text-a-tip).
 3. Social media can be used to make time-sensitive notifications related to:
 - a. Road closures
 - b. Special events
 - c. Weather emergencies
 - d. 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.
 5. This department has an obligation to include Internet-based content when conducting background investigations of candidates for employment.
 - a. Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
 - b. Search methods shall not involve techniques that are a violation of existing law.
 - c. Vetting techniques shall be applied uniformly to all candidates.
 - d. Every effort must be made to validate internet based information considered during the hiring process.

V. PERSONAL USE

A. Precautions and Prohibitions

Barring state law 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. Posting on the Internet non-public items (e.g., crime scene photographs, videos, witness statements, etc.) is strictly prohibited.
4. Department personnel are also discouraged from the following:
 - a. For safety and security reasons, department personnel are discouraged from disclosing their employment as a police officer nor shall they post information pertaining to any other member of the department, without their permission. This includes, but is not limited to posting, "tagging" and or "sharing" pictures of members of the department.
 - b. Display of department logos, uniforms, marked/unmarked vehicles or similar identifying items on personal web pages, and internet sites. Members of the department will ensure that any photographs posted on social media sites comply with the regulations set forth in subsection "4a".
 - c. Posting of personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
 - d. Engaging in any type of social media contact (e.g., "friending," "following," "messaging," etc.) with persons they interact with in the course of their duties. Such communication may be deemed inappropriate and create an appearance of impropriety.
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:
 - 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.
 - b. 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. 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.
8. 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);
 - 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; or
 - d. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
9. 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.
10. 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.
11. The use of department computers by department personnel to access social media is prohibited without authorization, with the exception of the public information officer
12. The use of department computers by department personnel to access social media is prohibited without authorization.
13. Social media posts made by members on personal pages or sites prior to the issuance of this policy that would violate this policy should be removed by the member to the extent possible.
14. 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 his or her supervisor immediately for follow-up action.