

BERGENFIELD POLICE DEPARTMENT

POLICY AND PROCEDURE

GENERAL ORDER: CA-135	VOLUME 1 Command & Administration	PAGE 1 of 6	REVISION DATE AND INITIALS	PAGE NO. REVISED
SUBJECT: Social Networking				
DATE ISSUED: 07/24/2013		ISSUING AUTHORITY: CHIEF CATHY MADALONE SIGNATURE		
POLICY SOURCE: IACP Model Policy State V. Mason NJSA 4A:2-2.3(a)6 San Diego V Roe 543 U.S. 77 "Cathy's Law", Bill S199		ACCREDITATION STANDARDS:		

PURPOSE

The Bergenfield Police Department endorses the secure use of social networking to enhance communication, collaboration, information exchange, to streamline processes and foster productivity. This policy establishes the department's position on the utility and management of social networking and provides guidance on the appropriate use of social networking or media sites so as to not impact police operations or prosecutions. This policy is not meant to address one particular form of social networking but rather social networking in general, since advances in technology will occur and new tools will emerge.

POLICY

Social networking provides a new and potentially valuable means of assisting the Bergenfield Police Department 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 Bergenfield Police Department also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of social networking 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 networking by department personnel.

THIS POLICY SHALL APPLY TO ALL SWORN, CIVILIAN, PAID AND VOLUNTEER EMPLOYEES OF THE BERGENFIELD POLICE DEPARTMENT.

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.”

“Friend”: Anyone whom the member has selected and granted certain privacy privileges regarding access to their social networking accounts.

Page: The specific portion of a social networking website where content is displayed and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social networking 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*), micro blogging sites (*Twitter, Nixle*), photo- and video sharing sites (*Flickr, YouTube, Instagram, Pinterest, Tumblr*), wikis (web applications) *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, video, 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 networking.

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

OFFICIAL USE

The Bergenfield Police Department maintains a Web site in order to facilitate effective and efficient communication with the residents of Bergenfield. The Bergenfield Police Department also maintains a *Facebook* profile page as well as a *Twitter* account. It is the responsibility of the Public Information/Media Relations Officer, or his/her designee to ensure that the Web site, profile page and account listed above is in compliance with all Federal and State law as well as local Ordinance and Department Policy.

Information shared or disseminated on the Bergenfield Police Department Web site, profile page or account shall only be done with the approval of the Chief of Police, the Public Information Officer or his/her designee.

The creation of any other Social Media profile, page, site, post, blog, etc., claiming to be “official” is not sanctioned or condoned, without the approval of the Chief of Police.

Current official/sanctioned Social networks:

Web	http://bergenfieldpd.org/
Facebook	https://www.facebook.com/bergenfieldpd
Twitter	Twitter@bergenfieldnjpgd
Instagram	bergenfieldpd

POTENTIAL DEPARTMENTAL USES

Social networking using social media platforms is a valuable tool when seeking evidence or information about:

- a. missing persons
- b. wanted persons
- c. gang participation
- d. crimes perpetrated online (cyber bullying, cyber stalking)
- e. photos or videos of a crime posted by a participant or observer

Social networking using social media platforms is a valuable tool for community outreach and engagement by:

- a. providing crime prevention tips
- b. offering online-reporting opportunities
- c. sharing crime maps and data
- d. soliciting tips about unsolved crimes

Social networking using social media platforms can be used to make time-sensitive notifications related to:

- a. road closures
- b. special events
- c. weather emergencies
- d. missing/endangered persons

USING DEPARTMENT SOCIAL NETWORKING / MEDIA

1. Department personnel representing the department via our social networking shall:
 - a. Conduct themselves as representatives of the department, adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
 - b. Identify themselves as a member of the department unless detrimental to an official police department investigation.
 - c. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, or post, transmit, or otherwise disseminate, confidential

information including photographs or videos related to department training, activities, or work-related assignments, without the express permission of the Chief of Police or his/her designee.

- d. Not conduct political activities or private business.
- 2. Employees are prohibited from using department or personally owned computers, cell phones or other electronic devices to access social media or a social networking platform while on duty without authorization by a supervisor for investigative or public information purposes.
- 3. Applicants seeking employment with this department shall divulge all social media and social networking platforms in which they participate. The applicant shall grant the background investigator access to all accounts to verify compatibility with department standards.

PERSONAL USE

- 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 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.
- 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 networking sites will reflect upon their office and this department.
- C. 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/her designee. This includes but is not limited to the following:
 - 1. Display department logos, uniforms, or similar identifying items on personal web pages.
 - 2. Post 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 or who may reasonably be expected to work in undercover operations, **shall not** post any form of visual or personal identification.
 - 3. Any text, photographs, audio, video or any other multimedia file related to any action, investigation or occurrences of this department, both current and past.
- D. 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.

- E. Employees who choose to maintain or participate in social media or social networking platforms while off duty shall be mindful that their speech becomes part of the worldwide web and shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the department or its mission. In the course of operating or participation in such venues, 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, disparage, or otherwise express bias against any race, religion, or protected class of individuals.
 2. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
- F. Department personnel may be called as a witness in court proceedings related to their employment with the police department. Department personnel are reminded that credibility and character are subject to challenge and potential impeachment based upon the nature of postings on personal web pages and other employee electronic social networking sites from any time, past or present.
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.
- G. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances and/or endorsements, or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.
- H. Department personnel 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.
- I. 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.

- J. 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.
- K. 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.

Department personnel are also encouraged to review their existing social networking pages, profiles, sites, feeds etc., to ensure that they are in compliance with this Policy and ascertain if their “privacy” settings are adequate. (Bear in mind, even if you have the utmost privacy on said accounts, anything you share with “friends” may be re-posted or shared with others who are not “friends”).

VIOLATIONS OF THIS POLICY

- A. Employees are subject to an internal investigation related to their performance, functionality or duties as an employee of this department and may be ordered to provide the investigator with access to the social media and social networking platforms of which they participate or maintain and are relevant to the investigation.
- B. Any employee becoming aware of or having knowledge of a posting, or of any website or web page in violation of the provisions of this policy, shall notify a supervisor or tour commander immediately.
- C. Violators of this policy are subject to discipline ranging from reprimand to dismissal.