

BEACHWOOD POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

ELECTRONIC SOCIAL NETWORKING

BY THE ORDER OF:
Chief Robert Tapp

OF PAGES:
8



EFFECTIVE DATE:
10-12-2015

ACCREDITATION STANDARDS: N/A

PURPOSE The purpose of this standard operating procedure is to provide guidance to the employees of the Beachwood Police Department concerning their personal web pages, websites, and other electronic social networking sites. A further purpose is to regulate this department's procedures concerning its social media/networking site(s).

POLICY While employees have a right to maintain personal web pages and websites, their status as members of the Beachwood Police Department requires that the content of those web pages and websites are not in violation of existing agency rules, regulations, policies, procedures, SOPs or create a potential conflict of interest. The Chief of Police reserves the right to restrict an employee's involvement in electronic social networking sites for the good of the agency.

It is further the policy of the Beachwood Police Department to utilize electronic social media to advise the public on matters of concern, foster community outreach efforts, investigate crimes, and to provide a mechanism for citizen feedback while safeguarding the Beachwood Police Department's professionalism.

PROCEDURES

I. GENERAL

A. Definitions:

1. Avatar – A computer user's representation of himself/herself, or an alter ego.
2. Blog – A series of electronic entries, diary or commentary, written by one or more persons in an on-line journal that may permit visitors to post responses, reactions or comments. The term is an abbreviated version of 'web-log'.
3. Comments – Responses to a blog post, news article, social media entry or other social networking post.
4. Commenting – The act of creating and posting a response to a blog post, news article, social media entry or other social networking post. Commenting can also entail the act of posting an original composition to an unrelated post or article.
5. Forum – An online discussion site.
6. Beachwood police personnel – Includes all sworn and non-sworn personnel.
7. Identity – An online identity, Internet identity or Internet persona that a social networking user establishes. This can be a real name, an alias, a pseudonym or a creative description.
8. Mobile social networking – Social networking using a mobile phone or other cellular based device.
9. Page – The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
10. Post – The content a person shares on a social media site or blog; an entry to any type of computerized bulletin board; the act of publishing content on a social media site.
11. Posting – The act of creating, uploading, editing or adding to any social media outlet. This includes text, photographs, audio, video or any other multimedia file.
12. Profile – Information that a user provides about himself or herself on a social networking site.

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- b. Where possible, the page(s) should link to the Beachwood Police Department's official website.
- c. Social media page(s) shall be designed for targeted Borough residents such as youth or potential police recruits.

2. Procedures

- a. All Beachwood Police Department social media sites or pages shall be approved by the Chief of Police or his/her designee and shall be administered by the Chief's designee.
- b. Where possible, social media pages shall clearly indicate they are maintained by the Beachwood Police Department and shall have Beachwood Police 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.
- d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Beachwood Police Department.
- e. Pages shall clearly indicate that posted comments will be monitored and that the Beachwood Police Department reserves the right to remove obscenities, off-topic comments, personal attacks, and any posts that may identify juvenile offenders, endanger victims, or jeopardize an active investigation.

3. Sanctioned Use

- a. Beachwood Police Department personnel representing the Beachwood Police Department via social media outlets shall:
 - 1) Except where officially sanctioned by the Chief of Police (department managed sites), identify themselves as a member of the Beachwood Police Department and shall adhere to all existing federal, state, and local laws policies, standards of conduct, and procedures of the Beachwood and the Beachwood Police Department, laws regarding public information on arrests, investigations, and personnel data, and shall observe conventionally accepted protocols and proper decorum.
 - 2) Under no circumstances, make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions.

- 3) Not post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to Beachwood Police Department training, activities, or work-related assignments without the permission of the Chief of Police or his/her designee.
 - 4) Not conduct political activities or private business.
 - 5) Not endorse any product or service without the prior written permission of the Chief of Police or his/her designee.
- b. The Chief of Police shall designate personnel to manage the department's social media. The designee is authorized to access such media from personally owned devices.
 - c. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

III. PERSONAL USE

- A. Barring state law or binding employment contracts to the contrary, Beachwood Police Department personnel shall abide by the following when using social media while off duty and using privately owned property.
 1. Beachwood Police Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair any working relationships within the Beachwood Police 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 Beachwood Police Department.
 2. As public employees, Beachwood Police Department personnel are cautioned that speech, dealing in matters of public concern, 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 Beachwood Police Department. Beachwood Police Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and the Beachwood Police Department.
 3. Employees are prohibited from using Beachwood Police Department computers or cell phones / MDC's or any other devices for any unauthorized purpose, including participation in social media or social networking.
 4. This prohibition shall include the use of departmental computers for bidding, buying and / or selling of personal items on such sites as E-Bay or similar activities that shall instead be conducted on an employee's personal computer.

5. Employees are prohibited from updating / posting to any social media or social networking platform from a department-owned device while on duty, (except while on an approved break or meal period, but not using a department-owned device) unless written permission is granted for investigative or public information purposes.
6. Beachwood Police Department personnel shall not post any information concerning their employment with the Beachwood Police Department that would be deemed inappropriate, offensive, or in violation of any rule, regulation or SOP of the Beachwood Police Department, nor shall they post information pertaining to any other member of the Beachwood Police Department without that employee's permission. As such, Beachwood Police Department personnel shall not:
 - a. Post personal photographs or provide similar means of personal recognition that would cause them to be identified as a police officer of the Beachwood Police Department that would be deemed inappropriate, offensive, or in violation of any rule, regulation or SOP of the Beachwood Police Department. Some exceptions to this shall be the announcements of appointment, promotions, honors, graduations, retirements, or other such professional recognitions.
 - b. Post false or improper personal or professional information (e.g., college degree when one was not earned, training certification when one was not earned, etc.)
 - c. Unless granted explicit permission, employees of the Beachwood Police Department are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:
 - 1) Any text, photograph, audio, video, or any other multimedia file related to any investigation (criminal, quasi-criminal, or administrative), both current and past, of the Beachwood Police Department.
 - 2) Any text, photograph, audio, video, or any other multimedia file related to any past or current action of the Beachwood Police Department, either in homage or critique.
 - 3) Logos, badges, seals, uniforms, vehicles, equipment or any item or symbol that is affiliated with the Beachwood Police in an inappropriate or offensive manner or in a way that is in violation of any rule or regulation or SOP of the Beachwood Police Department.
 - 4) Any item, symbol, wording, number, likeness or material that is identifiable to the Beachwood Police Department in an inappropriate or offensive manner or in a way that is in violation of any rule or regulation or SOP of the Beachwood Police Department.

- 5) Any text, photograph, audio, video, or any other multimedia file that is related to any occurrence within the Beachwood Police in an inappropriate or offensive manner or in a way that is in violation of any rule or regulation or SOP of the Beachwood Police Department.
 - 6) Weaponry, owned by this department and/or owned personally or privately, shall not be displayed or referenced to, in any multimedia format, on social media or social networking sites if such displays or depictions promote or glorify violence.
 - 7) Any text, photograph, audio, video or any other multimedia file included on a social media or social networking site that infers, implies, states, opines or otherwise expresses the officer's views on the public shall not be detrimental to the department's mission, nor shall it in any way undermine the public's trust or confidence in this department.
7. When using social media, Beachwood Police Department personnel should be mindful that their postings becomes part of the worldwide electronic domain. Therefore, adherence to the Beachwood Police Department's code of conduct is required in the personal use of social media. In particular, Beachwood Police Department personnel are prohibited from the following:
- a. Postings 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. Postings involving themselves or other Beachwood Police Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
8. Engaging in prohibited postings noted herein may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Beachwood Police Department personnel thus sanctioned are subject to discipline up to and including termination of office.
9. Beachwood 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 Beachwood Police Department without expressed written authorization.
10. Beachwood Police Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the Beachwood Police Department at any time without prior notice.

- B. Employees have the potential to be called as a witness in court proceedings related to their employment as a member of this agency. Credibility and character are subject to challenge and potential impeachment based upon the nature of postings on personal web pages, websites and other electronic social networking sites from any time, past or present and the person(s) or organization(s) with whom the employee networks.
- C. Employees shall not network with judges, attorneys, court personnel, or other members of the judiciary or defense attorneys as it may result in adverse consequences to the operation of the police department or the Prosecutor's Office when prosecuting or attempting to prosecute criminal and civil matters. Examples of such consequences include, but are not limited to:
 - 1. Having to change prosecution venues if a conflict of interest is alleged;
 - 2. Rendering testimony of investigative personnel inadmissible or impeachable due to alleged conflicts of interest due electronic personal relationships;
 - 3. An increase in successful appeals due to perceived conflicts of interest.

IV. REPORTING VIOLATIONS

- A. 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 SOP shall notify his or her supervisor immediately for follow-up action.

V. APPROVAL PROCESS

- A. Any employee seeking approval to use any item, object, or material described in subsection III.A.6 on a personal webpage or site shall submit a written request through the chain of command to the Chief of Police.
 - 1. Describe the proposed reference to the agency and purpose.
 - 2. Provide a list of media to be used on the web page.
 - 3. Provide a printed layout of the material that is the subject of the request.
- B. The Chief of Police will approve or deny the request based upon the merits of the request and its compliance with existing agency policy or SOPs.