

Stowe Police Department

General Order: 1.20	Related General Orders:
Social Media	
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Vermont Statutes:	
Date Implemented: 06/11/2012	Date Revised:

I. PURPOSE:

1. The purpose of this policy is to direct the employees of the Stowe Police Department with respect to the use of the internet, the world-wide web, and social networking as a medium of communication impacting this Department.

II. POLICY:

1. The internet, blogs, Twitter, the worldwide web, social networking sites and any other medium of electronic communication shall not be used in a manner which is detrimental to the mission and function of this Department.

2. It is essential for every employee of this Department to recognize that the proper functioning of any law enforcement agency relies upon the public's confidence and trust in the individual officers and this agency to carry out the law enforcement function. Therefore, any matter which brings individual employees or the Department into disrepute has the corresponding effect of reducing public confidence and trust in our agency, thus, impeding our ability to work with and serve the public. Professionalism is the most significant factor in high level performance which in turns builds the public confidence and trust. While employees have the right to use personal/social networking pages or sites, as employees of this Department, they are public servants who are held to a higher standard than the general public with regard to standards of conduct and ethics. As such, the policy of this Department is to maintain a level of professionalism in both on-duty and off-duty conduct that fulfills the mission of our agency. Any publication, through any medium which is potentially adverse to the operation, morale, or efficiency of this agency will be deemed a violation of this policy.

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), 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. PROCEDURE:

DEPARTMENT USE

1. All Department social media sites or pages shall be approved by the Chief of Police or his or her designee.
2. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have department contact information prominently displayed.
3. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
 - A. Content is subject to public records laws. Relevant records retention schedules apply to social media content.
 - B. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
4. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.

- A. 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.
 - B. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
5. Department personnel representing the Department via social media outlets shall do the following:
- A. 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.
 - B. Identify themselves as a member of the Department.
 - C. 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 written permission from the Chief of Police.
 - D. Not conduct political activities or private business.
6. The use of Department computers by Department personnel to access social media is authorized. The computer use should be minimized, so that it does not interfere with job performance.
7. 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 permission from the Chief of Police.
8. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
9. Potential Uses
- A. 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., cyberbullying, cyberstalking); and
 - e. photos or videos of a crime posted by a participant or observer.
- B. 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., Crimestoppers, text-a-tip).
- C. Social media can be used to make time-sensitive notifications related to:
- a. road closures,
 - b. special events,
 - c. weather emergencies, and
 - d. missing or endangered persons.
- D. Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism.
- E. This Department has an obligation to include Internet-based content when conducting background investigations of job candidates.
- F. Search methods shall not involve techniques that are a violation of existing law.
- G. Vetting techniques shall be applied uniformly to all candidates.
- H. Every effort must be made to validate Internet-based information considered during the hiring process.

PERSONAL USE

1. Precautions and Prohibitions. Barring state law or binding employment contracts to the contrary, Department personnel shall abide by the following when using social media for personal purposes.
 - 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 media 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 permission from the Chief of Police or his or her designee.
- D. For safety and security reasons, Department personnel shall not post information pertaining to any other member of the Department without their permission.
- E. Department personnel shall not do the following:
 - a. Display Department logos, uniforms, or similar identifying items on personal web pages.
 - b. Post personal photographs or provide similar means of personal recognition that would cause them to embarrass or bring discredit to this Department.
 - c. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
- F. 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. Obscene or sexually explicit 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.
- G. 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.
- H. 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.

- I. 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.

- J. 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.

- K. 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.

- L. 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.

V. DISCIPLINE:

Any violation of this policy may be grounds for disciplinary action consistent with any applicable collective bargaining agreement, statute, Department policy or Town policy.

Issued by: _____

Donald Hull
Chief of Police