



WRITTEN DIRECTIVE	No. PD17-0407	Page: 1 of 8
Subject: SOCIAL MEDIA USAGE	Effective Date:	01-31-17
	Supersedes/ Amends:	PD14-0407
	Reference:	



I. Purpose

The department endorses the secure use of social media to enhance communication, collaboration, and information exchange; to streamline work processes; and to 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 any single form of social media, but rather to address use of social media in general terms.

II. Policy

Social media provides a potentially valuable means of assisting the department and its employees 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 employees.
- The personal use of social media can have bearing on departmental employees in their official capacity: this policy therefore provides information of a precautionary nature as well as prohibitions on the use of social media by department employees.

III. Procedure

A. GENERAL

1. For the purposes of this directive, the following definitions will apply:
 - a. *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.”

- b. *Page* - The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- c. *Post* - Content an individual shares on a social media site or the act of publishing content on a site.
- d. *Profile* - Information that a user provides about himself or herself on a social networking site.
- e. *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).
- f. *Social Networks* - Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- g. *Speech* - Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- h. *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.
- i. *Wiki* - Web page(s) that can be edited collaboratively.

2. Potential Department Uses of Social Media

- a. Social media is a valuable investigative tool when seeking evidence or information related to:
 - 1) missing persons;
 - 2) wanted persons;
 - 3) gang participation;
 - 4) crimes perpetrated online (i.e. cyberbullying, cyber stalking);
 - 5) photos or videos of a crime posted by a participant or observer;
 - 6) employment or volunteer applicants

- a) The department has an obligation to include Internet-based content when conducting background investigations of job or volunteer candidates.
 - b) Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
 - c) Search methods shall not involve techniques that are a violation of existing law.
 - d) Vetting techniques shall be applied uniformly to all candidates.
 - e) Every effort must be made to validate Internet-based information considered during the hiring process.
 - f) Searches should be conducted by a non-decision maker. Information pertaining to protected classes shall be filtered out prior to sharing any information online with decision makers
- b. Social media can be used for community outreach and engagement by:
- 1) providing crime prevention tips;
 - 2) offering online-reporting opportunities;
 - 3) sharing crime maps and data; and
 - 4) soliciting tips about unsolved crimes (i.e. Crimestoppers, text-a-tip).
- c. Social media can be used to make time-sensitive notifications related to
- 1) road closures,
 - 2) special events,
 - 3) weather emergencies
 - 4) missing or endangered persons, and
 - 5) active community threat situations.
- d. Social media can be used as a mechanism to identify and recruit persons seeking employment or seeking to provide volunteer services.

B. DEPARTMENT USED SOCIAL MEDIA

1. Department employees representing the department via social media outlets shall adhere to the following:
 - a. Employees will conduct themselves at all times as representatives of the department and, accordingly, adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
 - b. Employees will identify themselves as a member of the department.
 - c. Employees will 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.
 - d. Employees will not publicly comment on City or department policies, procedures, activities or employees in any unlawful, slanderous or libelous manner.
 - e. Posting of any photographs, facsimiles or other depictions of LPD uniforms, badges, patches, police vehicles/equipment or anything else representing the agency will be done in a manner that will not tend to bring discredit to the agency or any employee.
 - f. Not conduct political activities or private business.
 - g. Department employee use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.
 - h. Employees shall observe and abide by all copyright, trademark, and services mark restrictions in posting materials to electronic media.
2. Department Social Media Site / Page Design
 - 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) will be designed for the intended target audience(s) – general public, youth, potential police recruits, etc.

3. Page Content

- a. All department social media sites or pages shall be approved by the Chief of Police or his designee, and shall be administered by the Community Action Team or a trained designee or as otherwise determined.
- 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 City and Police Department 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 and e-discovery laws and 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 department.
 - 1) 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.
 - 2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

C. EMPLOYEE PERSONAL USE OF SOCIAL MEDIA

1. Department employees 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, speech made pursuant to your official duties—that is, that owes its existence to the employee's professional duties and responsibilities—is protected speech under the First Amendment so long as the comments do not disrupt the workplace, interfere with important working relationships or efficient work flow, undermine public confidence in an employee, or create anxiety or unrest within the community. Department employees should assume that their speech and related

activity on social media sites will reflect upon their office and this department.

3. While employees generally enjoy constitutional rights to free speech, such rights are subject to certain necessary limitations due to the scope and nature of the law enforcement profession.
 - a. Employees will be responsible for complying with department policies and directives governing interpersonal, broadcast, written and electronic communications, both on and off duty.
 - b. Employees must consider the possible adverse consequences of any personal internet postings or comments (i.e. Facebook, Twitter, Instagram or any other web page). Police department employees enjoy free speech rights, but such rights are subject to certain limitations due to the nature of law enforcement work.
 - c. Any Major may order the removal of any Internet material posted by an LPD employee when deeming that the material:
 - 1) Would disrupt the workplace, interfere with important working relationships or efficient work flow, undermine public confidence in an employee, or create anxiety or unrest within the community.
 - 2) Is not appropriate for public viewing (e.g, content that promotes illegal activity, violates the rights of any other person or entity, threatens the safety of any other person or entity, etc.)
 - 3) Is deemed to be in violation of this policy or any ordinance/statute
 - 4) Failure to remove any posting of inappropriate internet material may subject the employee to disciplinary actions as outlined in directive PD-0212 Disciplinary System.
 - d. Department employees 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 designee.
 - e. For safety and security reasons, department employees 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. As such, department employees will not be authorized to do 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 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 employees should be mindful that their speech becomes part of the worldwide electronic domain and will be difficult or impossible to later withdraw or delete. 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:
- 1) 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.
 - 2) Speech involving themselves or other department personnel reflecting behavior that might reasonably be considered prejudiced, reckless, irresponsible or extremist.
 - 3) 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 employees 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.
- h) Department employees should be aware that they may be subject to civil litigation and may be ordered to remove any Internet material posted that:
- 1) is false information that harms the reputation of another person, group, or organization (defamation);
 - 2) includes private facts and personal information about someone published or posted 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) uses someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or

- 4) is the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

- i. Department employees 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 employees 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. Any employee who becomes aware of any posting or of any website or web page that appears to be in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

- l. The use of department computers by department employees to access social media is prohibited without prior supervisory authorization.

Original Signed

Raul M. Diaz
Chief of Police

January 31, 2017

Date