



# ERIE POLICE DEPARTMENT



## Written Directives

Number: 260.000

<b>Title: Social Media</b>		<b>Pages: 5</b>
<b>Effective Date: 07/15/14</b>	<b>Review Date: 06/01/20</b>	<b>Amended Date: 06/28/19</b>

### **POLICY:**

The use of internet social media is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings regarding the Department and Department employees. To prevent conduct which could be detrimental to the efficient operation of the Department, this directive is intended to place reasonable restrictions on the conduct and appearance of social media sites whether they are maintained by employees in the course of official Department business or personally maintained while off-duty. It is the policy of this Department to ensure the activities of Department employees involving the use of social media or other mediums do not bring discredit upon the Erie Police Department.

### **DEFINITIONS:**

**SOCIAL MEDIA/NETWORKING WEBSITES:** include, but are not limited to Facebook, MySpace, YouTube, Twitter, LinkedIn, SnapChat, blogs, forums or other social networking sites, etc.

### **PROCEDURES:**

#### **I. PROHIBITIONS**

A. The following types of criminal justice information may not be posted to any personal social media/networking sites or shared through other forms of electronic media, such as electronic mail. In addition, any of the information below posted to an official Department social media website must have the approval of the Chief of Police or designee:

1. Confidential, sensitive, or copyrighted information to which the employee has access in the scope and course of employment with the Town of Erie Police Department;
2. Information from any criminal or administrative investigation including, but not limited to photographs, videos and/or audio recordings;
3. Images of suspects, arrestees, crime scenes or evidence;
4. Personal statements about an on-duty use of force incident; and
5. Comments related to past or pending prosecutions.

B. Employees will not post content which can be construed as condoning the violation of any person's civil rights.

**CACP STANDARD 260.15**

- C. Employees will not post content that, if used in the workplace, would constitute a violation of an employee's equal employment opportunity rights, e.g. racial intolerance or sexual harassment.
- D. Employees will not post, transmit, and/or disseminate any pictures or videos of official Department training, activities, work-related assignments, or any other situations occurring on or off duty in which the subject matter can be linked to the Department, without the approval of the Chief of Police or his/her designee.
- E. Employees will not post content which violates federal, state or local laws.

## **II. USE FOR OFFICIAL DEPARTMENT BUSINESS**

### **CACP STANDARD 260.1**

- A. The Department may use Social Media as an investigative tool to request or receive evidence or information about:
  - 1. Unsolved crimes;
  - 2. Missing persons;
  - 3. Wanted persons;
  - 4. Wanted or stolen vehicles;
  - 5. Gang members;
  - 6. Cybercrimes; and
  - 7. Other cases as necessary.
- B. The Department may use Social Media to provide community outreach by:
  - 1. Providing crime prevention tips;
  - 2. Sharing crime maps and crime data;
  - 3. Recruiting for available commissioned and civilian positions; or
  - 4. Other needs which would be beneficial to the department.
- C. The Department may use Social Media as a tool for timely notifications related to:
  - 1. Special events;
  - 2. Weather emergencies;
  - 3. Road closures;
  - 4. Missing or endangered persons; and
  - 5. Other necessary postings.

## **III. MANAGEMENT OF DEPARTMENT SOCIAL MEDIA**

- A. Social media accounts for official Department business will be established only with the authorization of the Chief of Police.

### **CACP STANDARD 260.2**

- B. All social media sites or pages used by the Department will be approved by the Chief of Police or designee and will be administered by the Public Information Officer.

### **CACP STANDARD 260.4**

C. Social media pages will clearly indicate they are maintained by the Department and have Department contact information prominently displayed.

**CACP STANDARD 260.3**

D. Social media content shall adhere to applicable laws, regulations, and procedures, including all computer usage policies.

**CACP STANDARD 260.5**

E. Social media pages will note the opinions expressed by visitors to the page(s) do not necessarily reflect the opinion(s) of the Department.

F. Social media pages will clearly indicate posted comments will be monitored and the Department reserves the right to remove obscenities, off-topic comments, personal attacks and/or any other content deemed inappropriate.

G. Social media pages will clearly indicate any content posted or submitted for posting is subject to public disclosure.

H. The Department reserves the right to use photographic images of employees acting in the course of their duties on official Department social media pages. Photos of officers who are working in an undercover or covert capacity will not be utilized.

I. When representing the Department via social media outlets, the employee will:

1. Have the approval of the Chief of Police or his/her designee;

**CACP STANDARD 260.6**

2. Conduct himself/herself at all times as a representative of the Department and adhere to all Department standards of conduct;

3. Identify himself/herself as an employee of the Department;

**CACP STANDARD 260.7**

4. Refrain from making statements concerning the guilt or innocence of any suspect or arrestee or pending prosecutions;

**CACP STANDARD 260.7**

5. Refrain from posting, transmitting, or otherwise disseminating confidential information, to include but not limited to photographs/videos related to Department training, activities, or work-related assignments without the approval of the Chief of Police; and

**CACP STANDARD 260.8**

6. Abstain from conducting political activities or personal/private business.

J. If possible, each social media page should include an introductory statement which clearly specifies the purpose and scope of the agency's presence on the website.

K. If possible, the page(s) should link to the Department's official website.

**CACP STANDARD 260.9**

L. Employees shall adhere to all copyright, trademark and service mark restrictions in posting materials to electronic social media.

#### **IV. PERSONAL USE**

##### **CACP STANDARD 260.10**

- A. Employees are free to express themselves as private citizens on social media sites on matters of public concern to the degree his/her speech does not disrupt the workforce, interfere with important working relationships or efficient workflow, impede the performance of duties, impair discipline and harmony among coworkers, undermine public confidence in an employee, or negatively affect the public perception of the Department.

##### **CACP STANDARD 260.12**

- B. Employees must remember speech on or off duty, made pursuant to their official duties as an Erie Police Department employee, is not protected speech under the First Amendment. The employee may be subject to discipline if the behavior is deemed detrimental to the Department.

##### **CACP STANDARD 260.12**

- C. Employees shall be mindful their speech and related activity on social media sites will reflect upon their position and the Department.

##### **CACP STANDARD 260.11 & 260.18**

- D. Employees will not post, transmit, or otherwise disseminate any information gained in the course and scope of employment without the approval of the Chief of Police or designee.

- E. Employees will not disclose any information pertaining to other employees of the Department without the permission of the other employee(s). This type of information includes, but is not limited to, personal photographs or similar means of personal recognition which may cause any person to be identified as a police officer or employee of this Department.

- F. Employees are cautioned against, but not prohibited from, identifying themselves as members of the Department on personal social media sites. However, those who identify themselves as Department employees must be clear they are expressing their own views and not speaking or acting on behalf of the Town of Erie Police Department.

##### **CACP STANDARD 260.14**

- G. Officers who are, or who may reasonably be expected to work in undercover operations, will not post any form of visual or personal identification.

##### **CACP STANDARD 260.13**

- H. Employees will not post any images, graphics, video, or documents which depict or represent any Department patch, badge, logo, uniform, vehicle markings, or other object which is particular to the Department.

##### **CACP STANDARD 260.17**

- I. Employees are strongly discouraged from posting information regarding off-duty activity which may tend to bring their reputation into question, even if taken out of context. Opposing attorneys and others have begun scrutinizing social networking sites in order to locate information that can be used for impeachment purposes.

##### **CACP STANDARD 260.15 & 260.16**

- J. Employees must recognize they are legally liable for anything they write or present online. Employees can be disciplined for negative commentary, content, or images which are defamatory, pornographic, proprietary, harassing, libelous, or could create a hostile work environment.

##### **CACP STANDARD 260.19**

- K. Employees should be aware they may be subject to civil litigation for:

1. Publishing or posting false information which harms the reputation of another person, group, or organization (defamation);
2. Publishing or posting private facts and personal information about someone 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 the 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.

**CACP STANDARD 260.20**

L. Employees should be aware privacy settings and social media sites are constantly in flux and they should never assume personal information posted on such sites is protected.

**CACP STANDARD 260.21**

M. Employees should be aware 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.

**CACP STANDARD 260.22**

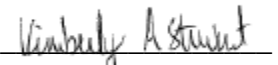
N. Any employee becoming aware of, or having knowledge of, a posting or of any website or web page in violation of the provisions of this directive, shall notify his or her supervisor as soon as practical.

**RULES:**

NONE

**REFERENCES:**

Lakewood Police department PP10-69  
Chesapeake PD Policy 13.4.1

  
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Kimberly A. Stewart  
Chief of Police