

 <b>NORFOLK</b> Department of Police	<b>Administrative General Order - 135: Social Media</b>		
	Office of Preparation: Strategic Management Division (mcb)		
	<b>CALEA:</b>	None	
	<b>VLEPSC:</b>	None	
LEGAL REVIEW DATE:	6-09-14	PRESCRIBED DATE:	6/18/14
City Attorney:	<i>Jack E. Cloud</i>	City Manager/Director of Public Safety:	<i>M. Mancini</i>
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		<i>[Signature]</i>	

**Purpose**

This order establishes policy and procedures on the utility and management of social media for departmental and personal use.

**Policy**

The Norfolk Department of Police acknowledges the advantages of using social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. Therefore, departmental use of social media by commands is authorized as a tool to achieve set law enforcement objectives by conducting community outreach to assist in investigations, providing crime prevention tips, making public announcements, and related objectives. The department also recognizes the roles that these tools play in the personal lives of some department personnel. The personal use of social media can have bearing on departmental personnel in their official capacity. As such, this order provides prohibitions on the professional and personal use of social media by department personnel.

**Supersedes:**

1. G.O. ADM-135, dated (February 29, 2012)
2. Any previously issued directive conflicting with this order

**Order Contents:**

- I. Department Use of Social Media
- II. Personal Use of Social Media

I. Department Use of Social Media

A. Department Sanctioned Presence

1. Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the department's presence on the website.
2. All social media sites shall link to the appropriate city or department's official website.
3. Social media page(s) or articles shall be designed for targeted audiences such as home owners, traffic commuters, youth, and potential police recruits.

B. Procedures

1. All department social media sites or pages shall be approved by the Chief of Police and shall be administered by the appropriate Division.
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 the Virginia Records Retention Schedule. All postings and removals shall be documented to include content, approval, date and time, by the method of retention designated by the Department's Technology Support Unit (TSU).
  - b. Records must be managed, stored, and retrieved by TSU to comply with open records laws and e-discovery laws and policies.
4. Social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Norfolk Department of Police.
  - 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.

C. Department Sanctioned Use

1. Department of Police personnel representing the department via social media outlets will 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 protocols.
  - b. Identify themselves as a member of the department, as Social Media Administrators designated by the Assistant to the Chief of Police.

- c. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions or civil litigations, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without the express written permission of the Chief of Police
  - d. Not conduct political activities or private business.
2. The use of department computers by personnel to access social media is prohibited without expressed written authorization.
  3. 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 express written permission of the Chief of Police.
  4. Department shall provide computer instrumentation/equipment to Social Media administrators to monitor the departments' social media sites, on-call or outside normal business hours.
  5. Personnel must observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
  6. Any and all departmental postings submitted by employees shall be approved by the Assistant to the Chief of Police.

D. Uses of Social Media

1. Social media can be a valuable investigative tool when seeking evidence or information including but not limited to the following:
  - a. Missing persons
  - b. Wanted persons
  - c. Gang participation
  - d. Crimes perpetrated online (i.e., cyber stalking)
  - e. Photos or videos of a crime posted by a participant or observer
2. Promote 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 (i.e. crime line, etc.)
3. Announce time-sensitive notifications related to:
  - a. Road closures
  - b. Special events
  - c. Weather emergencies
  - d. Missing or endangered persons
  - e. Recruitment campaigns
4. To direct citizens to the appropriate City or department website, such as providing an electronic link to the Human Resources Department for persons seeking employment and volunteer positions.

## II. Personal Use of Social Media

### A. Precautions

1. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that any information, to include personal information, posted on such sites is protected.
2. As public employees, department personnel are cautioned that speech on or off duty, relating to their official duties and responsibilities, is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department.
3. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be addressed by the department at any time without prior notice.
4. For safety and security reasons, department personnel will not disclose their employment with the department or any of the following information:
  - a. Display department logos (i.e., badge, unit patches, or other insignia), uniforms, or similar identifying items.
  - b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer, or police personnel, to include the posting of other officers and civilians, by way of "tagging" them in photographs, or images.
  - c. The listing of telephone numbers, email and home addresses on any social media site.

### B. Prohibitions

Subject to State and federal law, department personnel will abide by the following when using social media:

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech, in the opinion of the Department, does not impair working relationships of the Norfolk Department of Police for which loyalty and confidentiality are important, impede the performance of duties, impede the opportunity for promotion or transfer, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.
2. Department personnel shall not post, transmit, or otherwise disseminate any information, data, or photographs in any format, electronic or otherwise, to which they have access as a result of their employment without written permission from the Chief of Police.
3. Department personnel shall not post information pertaining to any other member of the department without their permission.
4. Officers who work, or who may be expected to work in undercover operations, shall not post any form of visual or personal identification.

5. 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. 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, color, religion, sex, national origin, handicap, age, marital status, sexual orientation, lawful employee organization activities or any protected class of individuals by law.
  - b. Speech involving themselves or other department personnel reflecting behavior that would be considered reckless or negligent.
6. Engaging in prohibited speech 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.
7. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could be considered to represent the views or positions of this department without authorization of the Chief of Police.

#### C. Reporting Violations

Any employee becoming aware of, or having knowledge of a posting or any website or webpage in violation of this policy, shall notify his/her supervisor immediately. Supervisors or other appropriate officials will immediately investigate and deal with any act of harassment in accordance with City policy regarding such behavior and apply disciplinary action, in consultation with the Department of Human Resources and the Department of Law, as appropriate.

#### D. Civil Litigation

Department personnel should be aware that they can be subject to civil litigation for content posted on social media sites.

#### Definitions

Social Media: Multiple Internet-based resources that integrate user-generated content and user participation, to include but not limited to social networking sites such as Facebook, MySpace, Twitter, Pinterest, Instagram, Snapchat, Google+, FourSquare, as well as photo and video sharing sites such as Flickr and YouTube, news sites and blogs.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Related Documents:

1. Police Officer's Manual
2. G.O. ADM-130: News Media Policy
3. City of Norfolk Administrative Policies Manual