

Waltham Police Department

SOCIAL MEDIA

CHAPTER 11

General Order #: GO-04 2021

Effective Date: 04/2021

Accreditation Standard #: 54.1.2

PURPOSE:

The Waltham Police Department endorses the secure and professional use of social media to enhance communication, collaboration, information exchange, streamline processes and foster productivity. This policy establishes the Waltham Police 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 one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

POLICY:

Social media provides a new and potentially valuable means of assisting the Department and its personnel 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 the Department. The Department also recognizes the role that these tools play in the personal lives of some Department personnel. The personal use of social media can have a bearing on Departmental personnel in their official capacity. An employee's actions must never bring the Department into disrepute, nor should conduct be detrimental to the Department's efficient operation. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department personnel, both sworn and civilian.

1. DEFINITIONS:

- 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. **USE OF SOCIAL MEDIA FOR THE DEPARTMENT:**

a. **PURPOSE:**

- 1. 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.
- 2. Where possible, the page(s) should link to the Department's official website.
- 3. Social media page(s) shall be designed for the target audience(s) such as youth or potential police recruits.

b. **DEVELOPMENT OF SOCIAL MEDIA CONTENT AND ACCOUNTS:**

- 1. All Department social media sites or pages shall be approved by the Chief of Police or his/ her designee and shall be administered by the Department's social media Team.
- 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.
4. Terms of Use will be posted on applicable Department pages to provide users with guidelines regarding prohibited conduct and content.
 - a. 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.
 - b. 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.

c. DEPARTMENT SANCTIONED USE:

1. 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 the express permission from the Chief of Police or his or her designee.
 - d. Not conduct political activities or private business.
2. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

d. POTENTIAL USES – EMPLOYMENT RELATED: [54.1.2 a]

1. 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).
 - e. photos or videos of a crime posted by a participant or observer.
- 2. Social media can be used for community outreach and engagement by:
 - a. Providing crime prevention tips.
 - b. Sharing crime maps and data.
 - c. Soliciting tips about unsolved crimes.
- 3. Social media can be used to make time-sensitive notifications related to:
 - a. Road closures.
 - b. Special events.
 - c. Weather emergencies.
 - d. Missing or endangered persons.
 - e. Community outreach and programs.

3. **PERSONAL USE OF SOCIAL MEDIA – PRECAUTIONS AND PROHIBITIONS:**
[54.1.2b]

Department personnel shall abide by the following when using social media on their private or personal accounts which are not connected to Department social media:

- a. Department personnel are free to express themselves as private citizens on social media sites, however they must remain mindful that off-duty use of personal social media is subject to Department policies and procedures governing off-duty conduct. Therefore, the Department may reasonably inquire into an officer's use of social media that is related to the officer's performance of duty, or if it affects the member's fitness or ability to perform his/her duties, or if such social media use would reflect unfavorably upon himself/herself or the Waltham Police 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 corrective action 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, share, transmit, or otherwise disseminate any information or images to which they have access as a result of their employment on their personal social media accounts without the express written permission from the Chief of Police or his or her designee. Department personnel also shall not post information while on or off duty that relates to their work with this agency, to include:

 - 1. Duty status and work-related assignments.
 - 2. Presence at a call for service.
 - 3. Information and photographs about victims, offenders and other persons encountered.
 - 4. Information about training.
 - 5. Information about criminal or civil violations.
 - 6. Information that is confidential or proprietary about the Department. This includes information about our services, finances, employees, strategy, tactics and any other information that has not been publicly released by the Department. These are only examples, if there is a question regarding the public release of Department data, consult the public information officer prior to any action; and
 - 7. The only exceptions to this policy are portraits, photographs, or any video recordings taken during Department-sanctioned official ceremonies such as police academy graduations, promotional ceremonies, etc. These photographs and/or recordings shall not disgrace or disparage employees or the Department in any manner, nor shall said items be placed on any web page or other electronic media or in hard copied media that in any way brings discredit to the Department or the profession.
- d.** For safety and security reasons, Department personnel are cautioned as follows:

Not to:

1. Display Department logos, uniforms, or similar identifying items on personal web pages, except those taken during Department-sanctioned events.
 2. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
- e. 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.
1. Members and employees shall conduct their private and professional lives in such a manner as to avoid bringing the Department into disrespect. (Department Rules & Regulations 200.28 (Standard of Conduct)).
- f. Employees are reminded that posting, sharing, transmitting or disseminating material that could reasonably be perceived as sexually harassing, illegally discriminatory, threatening, disparaging or derogatory based on an individual's or group's membership in category protected under the law will likely impact their personal reputation and future employment. (See Waltham Police Department Policy Manual Chapter 36 – Anti-Harassment/Sexual Harassment for further information.)
- g. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel engaging in such conduct are subject to discipline, up to and including termination.
- 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 from the Chief of Police. Personnel are not authorized to speak on behalf of the Department, or represent that you do, without express authorization from the Chief of Police.
- i. Department personnel should be aware that they may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization (defamation). The following are examples:

1. 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;
 2. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 3. 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. Although users have the ability to activate privacy settings on many social media sites, it is worth noting that some users have hundreds of contacts. When Department personnel share messages with large numbers of contacts, even with privacy settings activated, they must understand their messages are likely to be shared with unintended audiences.
- 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. Department personnel may not use Department email addresses to register on social networks, blogs or other online tools for personal use. Personnel are not permitted to use Department equipment to conduct personal blogging or social networking activities.