

	SECTION:	SERVICES	SER-303
	CHAPTER:	EQUIPMENT-PROCEDURES	
	DIRECTIVE:	SOCIAL WEBSITE ACCESS AND USE	

303.01 SUMMARY

This Directive is intended to establish procedures for the use of social media for community outreach, problem-solving, investigative, crime prevention, and related objectives. It is also to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the needs of the Department.

Nothing in this Directive is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. All social media content shall adhere to applicable laws, regulations, and policies, including all information technology, copyright, trademarks, service marks and records management policies. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

303.02 APPLICABILITY

This policy applies to all forms of communication including, but not limited to film, video, print media or public speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites. Any use of these types of media shall be approved by the Chief of Police or designee.

303.03 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression.

Agency personnel representing the agency via social media outlets shall not make statements about the guilt or innocence

POLICY (con't)

of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to agency training, activities, or work-related assignments without express written permission.

To achieve its mission and efficiently provide service to the public, the Grand Junction Police Department will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over employee speech and expression.

303.04 SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Grand Junction Police Department employees. Examples such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, an employee's family or associates.

Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

303.5 USE OF SOCIAL MEDIA FOR DEPARTMENT PURPOSES

SOCIAL MEDIA AS AN INVESTIGATIVE TOOL - The prevalence of social media in modern society lends itself to being a strong investigative tool for the Grand Junction Police Department. Whether identifying suspects, witnesses, or associates social networking sites will often contain information about criminals and their activities. Therefore, it is appropriate that some GJPD staff have access to social media sites for this purpose. This access will be limited to officers and PST's assigned to Investigations, staff assigned to the Professional Standards Unit, supervisory staff in Patrol and Comm Center employees upon Supervisory approval.

In the event an employee needs access to social media sites temporarily during a specific criminal investigation, Commanders may request that access through the Services

USE OF SOCIAL MEDIA FOR DEPARTMENT PURPOSES (con't)

Division Commander. The Services Division Commander will work with City IT to allow temporary access and to rescind the access when the investigation is complete.

SOCIAL MEDIA AS AN INFORMATION AND COMMUNITY OUTREACH TOOL - Department social media sites will be managed and maintained by the PIO with the authority granted by the Chief of Police. The PIO may select or designate other employees who will be authorized to post information to department social media sites.

It is the policy of this Department to provide accurate, timely and useful information to the public. Therefore, employees who have been given permission to post information on Department sanctioned social networking sites must maintain a high regard for public interest, and ensure that all information is accurate, does not jeopardize active investigations, does not undermine or impeach an officer's testimony in criminal proceedings and provides the public with a true representation of the work being done by department employees. Personnel thus sanctioned are subject to disciplinary action.

Those posting information on department sites will identify themselves accurately and refrain from using false screen names or pseudonyms. Employees will use his/her department email and photo in online profiles.

All information released through department sanctioned sites shall follow the directives for Public Information and News Media Relations (OPR-293). Employees should also consider that any information they publish on department sponsored social media sites or the internet is subject to the Colorado Open Records Act, as well as copyright, trademark, service mark and privacy laws.

Each social media page created by Department personnel shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.

Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the agency

303.06 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

**PROHIBITED SPEECH,
EXPRESSION AND
CONDUCT (con't)**

- Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Grand Junction Police Department or its employees.
- Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the Grand Junction Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Grand Junction Police Department or its employees.
- Using personal social media posting speech and/or behavior, that would reasonably be considered reckless or irresponsible including personal photographs or provide similar means of personal recognition that will reflect poorly on themselves or their agency and thereby bring disrepute to the agency.
- Statements that indicate disregard for the law or the state or U.S. Constitution; expression that demonstrates support for criminal activity; participating in sexually explicit photographs or videos for compensation or distribution.
- Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.
- Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
- Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics and Code of Conduct as adopted by the Grand Junction Police Department. Personnel shall not use 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.

**PROHIBITED SPEECH,
EXPRESSION AND
CONDUCT (con't)**

- Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial gain, or data classified as confidential by state or federal law, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Grand Junction Police Department on any personal or social networking or other website or web page without the express authorization of the Chief of Police or his designee.
- Divulging 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 the agency without express written authorization.
- Accessing websites for unauthorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 1. When brief personal communications may be warranted by the circumstances (e.g., informing family of extended hours).
 2. During authorized breaks; such usage should be limited as much as practicable to areas out of the sight and sound of the public and shall not be disruptive to the work environment.
- In addition, an employee is required to take reasonable and prompt action to remove any content that is in violation of this policy, whether posted by the employee and/or others, from any web page or website maintained by the employee (e.g., social or personal website).

**303.07 UNAUTHORIZED
ENDORSEMENTS
AND
ADVERTISEMENTS**

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Grand Junction Police Department or identify themselves in any way that could be reasonably perceived as representing the Grand Junction Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- Endorse, support, oppose or contradict any political campaign or initiative or conduct personal business.
- Endorse, support, oppose or contradict any social issue, cause or religion
- Endorse, support, or oppose any product, service, company or other commercial entity
- Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group) is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Grand Junction Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty.

However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

**303.08 PRIVACY
EXPECTATION**

Department personnel should be made 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.

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any Department technology system.

The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the Department e-mail system, computer network, radio or other communication system or medium or any information placed into storage on any department system or device.

This includes records of all key strokes or web-browsing history made at any department computer or over any Department network. The fact that access to a database, service or website requires a user name or password does not create an expectation of privacy if it is accessed through Department computers or networks.

303.09 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this Directive, personnel 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 designee. The factors that the Chief of Police or authorized designee will consider include:

- Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- Whether the speech or conduct would reflect unfavorably upon the Department.
- Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- Whether similar speech or conduct has been previously

CONSIDERATIONS (cont'd)

authorized.

- Whether the speech or conduct may be protected and outweighs any interest of the Department.

303.10 POTENTIAL CIVIL CONCERNS

Department personnel should be made 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);
- 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;
- Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose, or;
- Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

303.11 TRAINING

Subject to available resources, the Department will provide training regarding employee speech and the use of social networking to all members of the Department.

303.12 REPORTING VIOLATIONS

Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of this Directive and/or the Department's Code of Conduct Directive (ADM-131) are required to notify his or her supervisor as soon as practical. Violation of this Directive are subject to disciplinary action.

