



**CHEVY CHASE
VILLAGE
POLICE
DEPARTMENT**

Police Chief: John Fitzgerald

GENERAL ORDER: 4-28; SOCIAL NETWORKING AND ELECTRONIC MEDIA

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CALEA:

I. PURPOSE

The purpose of this general order is to give employees guidance regarding appropriate content on personal electronic communication, social networking websites, web pages, and other electronically transmitted or hard copy material with respect to the use of Departmental images, material, logos, or references to the Department. This general order is not meant to address one particular form of social networking, rather social networking in general, as advances in technology will occur and new methods of communication will emerge.

II. DEFINITIONS

- A. **BLOG:** A contraction of the term "weblog", is a type of website, usually maintained by an individual with regular entries of commentary, descriptions of events, or other material such as graphics or video. "Blog" can also be used as a verb, meaning to maintain or add content to a blog.
- B. **CONFIDENTIAL INFORMATION:** Digital photographs, video, audio, or other digital media depicting the Department, its employees, crime scenes, internal videos, daily work activity, information sensitive to law enforcement; or information which could be considered personal or private or could potentially expose the Department to liability.
- C. **ELECTRONIC COMMUNICATION:** Any kind of communication, created by, represented by, sent to, or stored by a user of any electronic communication system, including all information, data, and attachments to the communication.
- D. **ELECTRONIC MEDIA:** Digital photos, audio recordings, videos, or digital information.
- E. **PERSONAL INFORMATION:** Any type of information that might lead to the identification of any individual. Examples may include social security numbers, dates of birth, addresses, phone numbers, e-mail addresses, photographs, drivers' license or other state identification numbers.
- F. **POST OR POSTING:** Text or digital information

that is placed on the internet in any manner. Message(s) sent to a news group.

- G. **PROFILE:** Information that a user provides about himself/herself on a social networking site.
- H. **SOCIAL NETWORKING WEBSITE:** An internet website that provides a virtual community for people interested in a particular subject or in communicating with each other. Members can create their own online profile with biographical data, pictures, likes, dislikes and any other information they choose to post. Users communicate with each other by voice, chat, instant message, video conference and blogs, and the service may provide a way for members to contact "friends" of other members.

* Current examples of Social Networking websites are: Facebook, Twitter, Instagram, LinkedIn, etc. The absence of, or lack of explicit reference to, a specific site does not limit the extent of the application of this policy.

- I. **WORK PRODUCT:** Anything created or obtained by an employee during or arising from the employee's performance of his/her duties that is considered the property of the Department. Examples may include, but are not limited to: reports, photos, videos, audio recordings, blog entries, electronic or paper files or documents depicting the Department, its employees, crime scenes, crime victims or witnesses, internal videos, daily work activity, information sensitive to law enforcement.

III. POLICY

The Department recognizes the role social networking plays in the personal lives of some employees. The personal use of social networking can have a bearing on departmental employees in their official capacity. The integrity of the Department must be above reproach. As such, all employees must avoid any conduct that would compromise this integrity and thus, undermine the public confidence in the Department and the law enforcement profession. Therefore, the Department reserves the right to monitor employee electronic media to assure that a positive image of the Department is maintained and that

Department representation is depicted in a professional manner consistent with the expectations of the public and community.

IV. FIRST AMENDMENT CONSIDERATIONS

- A. Employees are free to express themselves as private citizens on social media sites to the degree that their speech does not:
 - 1. Impair working relationships of the Department for which loyalty and confidentiality are important; or
 - 2. Impede any Department employee's performance of duties; or
 - 3. Impair discipline and/or harmony among coworkers; or
 - 4. Negatively affect the public perception of the Department.
- B. As public servants, employees are cautioned that speech on-duty or off-duty, made in their capacity as, or when it can be determined that they are Chevy Chase Village police employees, is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Such speech is that which owes its existence to the employees' professional duties and responsibilities. Employees should assume that their speech and related activity on social media sites will reflect upon their official position and the Department.

V. PROHIBITIONS

- A. Employees are prohibited from posting, transmitting, and/or disseminating in any manner, any confidential information or work product without the express permission of the Chief of Police.
- B. Employees are prohibited from posting, transmitting or otherwise disseminating likenesses or images of Department logos, emblems, uniforms and other material that specifically identifies the Department on any personal electronic communication, social networking websites, web pages and other electronically-transmitted or hard copy material without the permission of the Chief of Police.
- C. Employees are prohibited from using Department titles, logos, emblems, uniforms and other material to create personal business cards, letterheads, electronic signatures, or similar material

without the express permission of the Chief of Police.

- D. Employees shall assure their social networking use does not compromise the mission of the Department nor create a safety issue for themselves or co-workers.
- E. Employees are prohibited from posting any offensive or unethical content. 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, any sexual preference or any protected class of individuals is strictly prohibited.
- F. Employees shall not represent that they are speaking or acting on behalf of the Department, or that they are representing or presenting the interests of the Department without the express permission of the Chief of Police.
- G. 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/her designee.
- H. Employees are prohibited from using social networking sites to harass or attack others, including those who work for the Department.

VI. GUIDELINES

- A. Employees should exercise caution and good judgment when social networking online. Employees should be aware that the content of these social networking sites can be subpoenaed and used in criminal and civil trials to impeach an employee's testimony.
- B. Employees have no reasonable expectation of privacy when social networking online, and are subject to all pertinent Chevy Chase Village policies, Department policies, local, state, and federal laws regarding public information on arrests, investigations, and personnel data. It is recommended that employees not divulge their employment with the Department while utilizing social network sites.
- C. Employees should be aware that they may be subject to civil litigation or criminal penalties for:
 - 1. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
 - 2. 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;

3. Using someone else's name, likeness, or other personal attributes without that 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;
 5. Violations of the federal Stored Communications Act of 1986, 18 U.S.C. §2701, et seq.
- D. 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.
- E. 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.

VII.REPORTING VIOLATIONS

Any employee becoming aware of or having knowledge of a posting or of any website, web page or e-mail in violation of the provision of this Policy shall notify his/her supervisor immediately.