
	<b>GAITHERSBURG POLICE DEPARTMENT</b>		
	<b>Social Media</b>		
	<b>GENERAL ORDER</b>	<b>1202.1</b>	
<b>Effective Date</b>	<b>05/17/2011</b>		
<b>Authorized by:</b>	<b>Mark P. Sroka</b> CHIEF OF POLICE	SIGNATURE	DATE

**I. PURPOSE**

The Gaithersburg Police Department endorses the secure use of social media to enhance communication, collaboration, and information exchange, streamline processes, and foster productivity. This policy establishes the Department’s position on the utility and management of social media and provides guidance on its 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.

**II. 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 administrative and supervisory personnel. 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 bearing on Departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on certain specific private use of social media by Department personnel.

**III. DEFINITIONS**

**A. Blog**

Within the context of this directive, the term “blog” refers to 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**

Within the context of this directive, the term “page” refers to the specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

**C. Post**

Within the context of this directive, the term “post” refers to content an individual shares on a social media site or the act of publishing content on the Internet.

**D. Profile**

Within the context of this directive, the term “profile” refers to information that a user provides about himself or herself on a social networking site.

**E. Social Media**

Within the context of this directive, the term “social media” refers to 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**

Within the context of this directive, the term “social networks” refers to online platforms where users can create profiles, share information and socialize with others using a range of technologies.

**G. Speech**

Within the context of this directive, the term “speech” refers to expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video or related forms of communication.

**H. Web 2.0**

Within the context of this directive, the term “Web 2.0” refers to 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**

Within the context of this directive, the term “Wiki” refers to web page(s) that can be edited collaboratively.

#### **IV. PROCEDURE**

##### **A. Department-Sanctioned Presence**

1. Strategy
  - a) Where possible, each Department social media page shall include an introductory statement that clearly specifies the purpose and scope of the Gaithersburg Police Department's presence on the website.
  - b) Where possible, the page(s) should link to the Department's official website.
  - c) Social media page(s) shall be designed for target audience(s) such as youth or potential police recruits.
2. Procedures
  - a) All Department social media sites or pages shall be approved by the Chief of Police or his designee and shall be administered by the Administrative Bureau.
  - b) Where possible, Department social media pages shall clearly indicate they are maintained by the Gaithersburg Police Department and shall have Department contact information prominently displayed.
  - c) Social media content shall adhere to applicable laws, regulations and policies, including all information technology and records management policies.
    - 1) Content is subject to public records laws; relevant records retention schedules apply to social media content.
    - 2) Content must be managed, stored and retrieved to comply with open records laws and e-discovery laws and policies.
  - d) Where possible, Department social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.
    - 1) 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.

- 2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
3. Department-Sanctioned Use
    - a) Department personnel representing the Gaithersburg Police Department via social media outlets shall do the following:
      - 1) 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.
      - 2) Identify themselves as a member of the Department.
      - 3) 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 express written permission.
      - 4) Not conduct political activities or private business.
    - b) The use of Department computers by Department personnel to access or modify the Department's social media presence is prohibited without authorization.
    - c) Use of personally owned devices to manage the Department's social media activities is prohibited without the express written permission of the Chief of Police or designee.
    - d) Employees shall observe and abide by all copyright, trademark and service mark restrictions in posting materials to electronic media.

**B. Potential Uses**

1. Social media can be a valuable investigative tool when seeking evidence or information about:
  - a) Missing persons;
  - b) Wanted persons;

- c) Gang participation;
  - d) Crimes perpetrated online (cyberbullying, cyberstalking); and
  - 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) Offering online-reporting opportunities;
  - c) Sharing crime maps and data; and
  - d) Soliciting tips about unsolved crimes (i.e., Crime Stoppers, text-a-tip).
3. Social media can be used to make time-sensitive notifications related to:
- a) Road closures;
  - b) Special events;
  - c) Weather emergencies; and
  - d) Missing or endangered persons.
4. Persons seeking employment and volunteer positions use the Internet to search for opportunities and social media can be a valuable recruitment mechanism.
- a) The Department has an obligation to include Internet-based content when conducting background investigations of job candidates.
  - b) Searches should be conducted by personnel who are not involved in making hiring decisions and information pertaining to protected classes shall be filtered out prior to sharing any information found online with decision makers.
  - c) Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
  - d) Search methods shall not involve techniques that are a violation of existing law.

- e) Vetting techniques shall be applied uniformly to all candidates.
- f) Every effort must be made to validate Internet-based information considered during the hiring process.

**C. Personal Use Precautions and Prohibitions**

1. Barring state law or binding employment contracts to the contrary, personnel shall abide by Department policy concerning the personal use of social media.
2. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair the working relationships of this Department in which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers or negatively affect the public perception of the Department.
3. As public employees, Department personnel are cautioned that speech on-duty or off-duty, made pursuant to official duties (that is, that owes its existence to employees' professional duties and responsibilities) is not deemed protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Gaithersburg Police Department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this Department.
4. Department 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.
5. For safety and security reasons, Department personnel are cautioned not to disclose their employment with this Department nor shall they post information pertaining to any other member of the Department without his or her permission. As such, Department personnel are cautioned not to do the following:
  - a) Display Department logos, uniforms or similar identifying items on personal web pages or content uploaded to personal social networking accounts.
  - b) Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this Department (officers who are, or

who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification).

6. Personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to Gaithersburg Police Department's code of conduct is required in personal use of social media. Department personnel are strictly prohibited from posting 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, any religion, or any protected class of individuals.
  - b) Speech involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
7. Engaging in prohibited speech noted herein, 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 of employment.
8. 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 written authorization from the Chief of Police or designee.
9. Department personnel should be aware that they may be subject to civil litigation for:
  - a) Publishing or posting false information that harms the reputation of another person, group or organization (defamation);
  - b) Publishing or posting private facts and personal information about someone without his or her permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
  - c) Using someone else's name, likeness or other personal

attributes without that person's permission for an exploitative purpose; or

- d) Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- 10. Department personnel should be aware that privacy settings and social media sites are constantly in flux and should never assume that personal information posted on the internet is protected.
- 11. 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.
- 12. Any employee becoming aware or having knowledge of a posting or any website or web page in violation of the provisions of this policy shall notify his or her supervisor immediately. It is the responsibility of the supervisor notified to complete a Complaint against Personnel Report and forward it, via chain of command, to the Chief of Police.