



Tulsa Police Department

This policy statement and the procedures thereunder are intended for Police Department use only. The policies, procedures, and regulations are for internal Police Department administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Police Department policies, procedures, regulations, or rules form the basis for disciplinary action by the Police Department. Violations of law form the basis for civil and/or criminal sanctions to be determined in a proper judicial setting, not through the administrative procedures of the Police Department.

Policy # 324

Effective Date 06/27/2012

Policy Name Social Media and Networking

Approved Date 06/21/2012

Approved by *Wendell Franklin, Chief of Police*

Previous Date NEW

PURPOSE OF CHANGE:

To update policy format.

POLICY:

Social media provides a robust 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 and appropriate by administrative and supervisory personnel. The department also recognizes the role social media tools play in the personal lives of some department personnel. The personal use of social media can impact the department and its personnel in their official capacity. As such, this policy provides precautionary guidelines and outlines certain prohibitions on the use of social media by department personnel.

Professionalism, ethics, and integrity are of paramount importance to the department and to the law enforcement community in general. To achieve and maintain the public's highest level of confidence in and respect for the department and its personnel, the department believes it is necessary to identify and establish reasonable guidelines for the use of social media by department personnel whether on or off duty. An employee's use of social media should never cause harm or embarrassment to the department, nor should use of social media be detrimental to the department's efficient operation. Department personnel are strongly discouraged against posting any personal information on social networking sites that may call into question an officer's credibility or reputation.

SUMMARY: Procedures for the involvement and use of social networking.

APPLIES TO: All police personnel

DEFINITIONS:

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 a web log.

FORUM – a bulletin or message board in which users send, read and reply to messages to facilitate an online discussion.

PAGE – the specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.

POST – content an individual shares on a social media site or the act of publishing content on a site.

PROFILE – information that a user provides about himself or herself on a social networking site.

SOCIAL MEDIA – a category of Internet based resources that integrate user generated content and user participation. These include, but are 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).

SOCIAL NETWORKS – online platforms where users create profiles, share information, and socialize with others using a range of technologies.

SPEECH – expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

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.

WIKI – Web page(s) that can be edited collaboratively.

PROCEDURES:

A. DEPARTMENT-SANCTIONED PRESENCE

1. All department social media sites or pages shall be approved by the Chief, or their designee, and shall be administered by the departmental Public Affairs section or as otherwise determined.
2. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
3. Department personnel representing the department via social media outlets shall conduct themselves according to all department policies and procedures.

B. DEPARTMENT SANCTIONED POTENTIAL USES

1. Social media is a valuable investigative tool when seeking evidence or information about any committed crime, potential crime or other law enforcement purpose.
2. Social media can be used for community outreach and engagement by providing crime information and prevention tips or facilitating two-way communication with community members.
3. Social media can be used to make time sensitive notifications related to emergencies or special events.
4. Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment tool.

C. PERSONAL USE PRECAUTIONS AND PROHIBITIONS

Barring state law or binding employment contracts to the contrary, department personnel shall abide by the following when using social media:

1. Department personnel are free to choose who they elect to include in their social network and any decision granting or denying inclusion will not be used against them. No personnel shall be required to use any form of social media unless it is required as part of their job duties or responsibilities.
2. While department personnel are free to express themselves as private citizens on social media sites and to participate in social networking, they should assume any content they share publicly on social media may be read and scrutinized by administrative and supervisory personnel. Personnel are expected to use common sense and decorum when using social media to ensure their social network activities do not impair working relationships of the department for which loyalty and confidentiality are important, impede efficient department operations, interfere with the performance of duties, impair discipline and harmony among coworkers, negatively affect or tend to discredit or reflect unfavorably upon the department or its personnel, or violate Rules 8 and 10.

3. Department personnel are public employees and are reminded that speech made by them, on or off duty, about their official duties or responsibilities may not be protected speech under the First Amendment. Department personnel should assume their social media speech and related activities reflect upon their office and the department.
4. Department personnel shall not post, transmit, or otherwise disseminate on any social media any confidential, private, or privileged information acquired by them as a result of their employment with the department without written permission from the Chief, or their designee.
5. For safety and security reasons, department personnel are cautioned not to disclose their employment with the department on any social media. Department personnel shall not post on social media confidential, private or privileged information pertaining to the duties or responsibilities of any other member of the department without their permission. Counter intelligence is a viable threat to officer safety and department personnel are cautioned not to do the following:
 - a. Display department logos, uniforms, or similar identifying items on personal social media pages.
 - b. Post personal photographs or otherwise identify themselves or any co-worker as a police officer of this department. Officers who are, or who may reasonably be expected to work in undercover operations, should not post any form of visual or personal identification on any social media unless done in pursuance of their job activities.
6. Department personnel should be mindful that their speech, when using social media, is public and 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 posting speech containing obscene or sexually explicit language, images, acts, and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, religion, or protected class of individuals.
7. Engaging in prohibited speech identified herein may undermine or negatively impact an officer's reputation or credibility and may unnecessarily provide information that can be used in criminal proceedings to impeach the officer.
8. Department personnel shall not, without express authorization from the Chief, or their designee, make any statements, speeches, appearances, or endorsements on any social media, nor post, publish or upload materials on any social media that could reasonably be interpreted by readers to represent the official view or position of the department.
9. The posting of speech, documents, photographs, or information to any social media site by personnel without prior approval shall be considered as done outside the scope of employment if prior approval before posting is required within this policy.
10. Department personnel should be aware they may be subject to civil litigation for:
 - a. publishing or posting false information that harms the reputation of another person, group or organization;
 - b. publishing or posting private facts and personal information about someone without permission if the information 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.
11. Department personnel should be aware that privacy settings and social media sites are constantly in flux and they should never assume personal information posted on such sites is protected.

12. Department personnel should expect any information created, transmitted, downloaded, uploaded, exchanged, shared, or discussed in any social media or public online forum may be read and scrutinized by the department.
13. Any work product (e.g., photographs, documents and narrative statements) generated by an employee while on duty is the property of the Tulsa Police Department and is subject to chain of custody, discovery, subpoena, and open records laws.
14. Department personnel who, after investigation, are determined to have violated this policy, may be disciplined up to and including termination.

REGULATIONS:

1. Except in the performance of an authorized duty, employee use of City computers to access social media or social networking sites is strictly prohibited.
2. Employees shall give their full and complete attention to their duties during work hours. Use of social media sites or any Internet site during working hours is discouraged and shall not distract an employee from their official duties. On duty officers shall take appropriate action when any situation requiring police activity is brought to their attention.
3. Except in the performance of an authorized duty, employees shall not use social media to post, transmit, reproduce, and/or disseminate information (text, pictures, video, audio, etc.) to the internet or any other forum (public or private) that would impair working relationships for which loyalty and confidence are important, impede the performance of public duties, impair discipline and harmony among coworkers, negatively affect or tend to discredit or reflect unfavorably upon the department or its personnel.
4. Posting the following types of criminal justice information to social networking sites is strictly prohibited:
 - a. Confidential, private, privileged, sensitive, or copyrighted information to which personnel have access because of employment with the department.
 - b. Data from an ongoing criminal or administrative investigation including photographs, videos, or audio recordings.
 - c. Photographs of suspects, arrestees or evidence.
 - d. Personal statements about an on duty use of force incident.
 - e. Comments related to pending prosecutions or investigations.
5. Personnel shall not post content to social media that is inconsistent with their duties and obligations as a Tulsa Police officer (e.g., racist or sexist comments or comments insulting groups on the basis of national origin, ethnicity, or religious affiliation). Posting content on social media that which can reasonably be interpreted to undermine the public trust and confidence in the department or its personnel is prohibited.
6. Employees are prohibited from posting, transmitting, and/or disseminating on social media any pictures or videos of official department training, activities, or work-related assignments without the express written permission of the Chief, or their designee.
7. If you identify yourself as a Tulsa Police employee on social media, you must make clear you are expressing your own views and not those of the City of Tulsa or the department. Personnel should never suggest or give the appearance they are speaking or acting on behalf of the City of Tulsa or the department.
8. Employees shall not publish or post any content on any social media that is defamatory, obscene, or unlawful, that may impair or impede the efficient operation of the department, that interferes with the ability of supervisors to maintain discipline or is made with reckless disregard for truth or falsity.
9. Employees shall consider and treat all official business of the department as confidential, private and privileged.

Employees shall not post or reveal any such information on any social media, except to those for whom it is intended, as directed by policy and procedure or as prescribed by law.

REFERENCES:

*City of Tulsa Personnel Policy and Procedure, Section 81, Internet/Intranet Policy
318, Use of Departmental Computer Systems
Rules and Regulations*