

# OGDEN CITY POLICE

## Office of the Chief

### Policy No: 54

Subject Social Media	Effective Date March 2018
Department Police	Replaces Policy Dated March 2013
Division All Police Personnel	Review Date March 2024
Authorized Signature 	

**NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in a non-judicial administrative setting.**

#### I. PURPOSE

The purpose of this policy is to establish guidelines for Ogden City Police Department (OPD) employees on the use of social media in both Department-Sanctioned Use and Personal Use. Social Media provides a new and potentially valuable means of assisting the Ogden City Police Department and its personnel in meeting community outreach needs, community-based problem-solving, criminal investigations, crime prevention, and other related objectives. The personal use of social media can also have bearing on Ogden City Police Department personnel in their official capacity; and as such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel. 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

##### Department-Sanctioned Use

- A. The OPD social media sites, or pages, shall be approved by the Chief of Police, or his designee, and shall be administered by the OPD Public Information Officer or his designee.
  - a. Where possible, social media pages shall clearly indicate they are maintained by OPD and shall have all OPD contact

information prominently displayed. They shall also clearly state OPD does not back-up or retain, in any way, content published to any OPD-managed social media sites and any request for information from social media sites must be directed to the hosting company (i.e. a request for YouTube comment history must be sent to YouTube) and are subject to the hosting company's record retention policy.

- b. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not necessarily reflect the opinions of the Ogden City Police Department.
  - i. Social media pages shall clearly indicate that posted comments will be monitored and that OPD reserves the right to delete comments or submissions that contain:
    1. Vulgar language;
    2. Personal attacks of any kind;
    3. Comments, or content, that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or intellectual disability, or sexual orientation;
    4. Spam or links to other sites;
    5. Comments or content that are clearly off topic;
    6. Advocate illegal activity;
    7. Promote particular services, products, or political organizations;
    8. Infringe on copyrights or trademarks;
    9. Personally identifiable medical information; and
    10. Information that may compromise the safety, security, or proceedings of public systems or any criminal or civil investigations.
  - ii. OPD pages shall clearly indicate that any content posted, or submitted for posting, is subject to public disclosure.
- c. OPD employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

#### Personal Social Media Use

- A. Employees of the Ogden City Police Department (OPD) are reminded that their conduct both on and off duty must meet a high standard. This

includes, but is not limited to, conduct related to materials posted on the internet or disseminated electronically. Employees should note that anytime they engage in social media, they are representing the Ogden City Police Department and therefore should not do anything that will discredit themselves or OPD. As such, no employee will allow or permit any information to be posted to the internet that:

1. Could reasonably be interpreted to express the opinions of the Ogden Police Department. An employee may comment on a subject of general interest and of value and concern to the public provided that, in doing so, the employee does not suggest or imply that the views expressed are those of OPD.
2. Has both a reference to the employee being affiliated with OPD and which contains content that is unprofessional, unbecoming, or illegal, such as:
  - a. Speech containing obscene or sexually explicit language, images, or acts;
  - b. 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.
  - c. Excessive alcohol consumption;
  - d. Speech, or images involving themselves or other OPD personnel which displays behavior that would reasonably be considered reckless or irresponsible.

Employees are reminded that courts may scrutinize the credibility of a witness from unintentional sources like the internet.

3. Could be reasonably interpreted as having an adverse effect upon agency morale, discipline, operation of the agency, safety of staff or perception of the public.
4. Contains any recording, including images, obtained while engaged in the performance of enforcement activities, tactical situations, or any department assignment that may have an adverse effect upon the agency. Posting digital images of certain activities such as shop with a cop, promotion ceremonies, etc., may be permissible, upon approval by the public information officer or his designee. Clarification on appropriate postings, if needed, will be directed to the Chief of Police.

B. For safety and security reasons, OPD personnel are cautioned not to disclose their employment with the Ogden City Police Department, nor shall they post information pertaining to any other member of the department without their permission. As such, OPD personnel are cautioned not to do the following:

- a. Display OPD logos, uniforms, or similar identifying items on personal web pages.

- b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as an officer of OPD.
- C. Ogden City Police Department personnel are free to express themselves as private citizens on social media sites to the degree their speech does not impair working relationships of the Ogden City Police Department for which loyalty and confidentiality are important, impede the performance of duties, impair the discipline and harmony among coworkers, or negatively affect the public perception of the department.
- D. As public employees, OPD personnel are cautioned that speech, on or off-duty, made pursuant to their official duties is not protected speech under the First Amendment, and may be the basis for discipline if deemed detrimental to the department.
- E. OPD 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.
- F. OPD personnel should be aware that privacy settings and social media sites are constantly changing, and they should never assume that their personal information posted on any social media site is protected.
- G. Reporting Violations: Any employee becoming aware of, or having knowledge of, a posting or of any website/webpage in violation of this policy shall notify his or her supervisor immediately for follow-up action.
- H. An employee of the Ogden City Police Department may not be held accountable for any third party social media postings in violation of this policy.

This policy is not intended to supersede but is intended to supplement applicable federal, state, and local laws and regulations; Ogden City policies; Civil Service Rules; and Ogden Police Department policies found elsewhere in this manual.