

# TEXARKANA POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

<b>SUBJECT</b>	<b>Social Media</b>		
<b>NUMBER</b>	<b>1109.04</b>	<b>EFFECTIVE DATE</b>	<b>February 01, 2011</b>
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<b>APPROVED BY</b>		<b>(Reserved for Expansion)</b>	

### I. Scope and Purpose

- A. The Texarkana Police Department's effectiveness is directly related to the members of the Agency and their ability to function as professionals. With the advent of the information era, computers and the information available on the World Wide Web is becoming increasingly popular every day. To that end, the Department understands many of the social media websites made popular are often utilized by the members of the Agency. The personal use of these social media websites can have a direct bearing on Departmental personnel and can adversely affect their professionalism as it applies to their official capacity. This policy addresses the utilization of such social media websites by the members of this Agency.

### II. Policy

- A. The Texarkana Police Department has an obligation to ensure the professional integrity of its employees does not fall into disrepute. It is the policy of the Texarkana Police Department to establish, manage and disseminate guidelines that further address the issues that surround the utilization of such websites by its employees. The policy shall provide information of a precautionary nature as well as establishing prohibitions on the use of social media websites by personnel of the Department. All members of the Agency will recognize and adhere to the guidelines established by this policy.

### III. Definitions

- A. **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 "Web log".
- B. **Page:** The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- C. **Post:** Content an individual shares on a social media site or the act of publishing content on a site.
- D. **Profile:** Information that a user provides about himself or herself on a social networking site.
- E. **Social Media:** 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).

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- F. **Social Networks:** Online platforms where users can create profiles, share information and socialize with others using a range of technologies.
- G. **Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- H. **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.
- I. **Wiki:** Web page(s) that can be edited collaboratively.

**IV. Procedures**

- A. Unless protected by existing law, all Department personnel shall adhere to the following guidelines when utilizing social media.
  - 1. Personnel employed with the Texarkana Police Department are free to express themselves as private citizens on social media sites and related networks to the degree the speech utilized during such activity does not impair the employee’s working relationship with the Department for which loyalty and confidentiality is required, impede the performance of one’s duties, impair or hinder the good order of discipline and harmony among coworkers or negatively affect the public’s perception of the Agency.
    - a. Employees of the Texarkana Police Department shall not submit or cause to be submitted any comments or postings on the Police Department’s Facebook account that reflects negatively upon the Police Department.
    - b. Employees shall also avoid posting comments that represent the employee’s personal viewpoint, opinion or political stance. Employees shall also avoid posting comments or other material onto the Police Department’s Facebook account which are in conflict with the department’s mission, ideology, views or the good order of discipline.
  - 2. As employees of a public agency, Department personnel are cautioned that speech on or off-duty communicated pursuant to their official duties—which is defined as speech that owes its existence to the employee’s professional duties and responsibilities—is not protected speech under the First Amendment of the United States Constitution. Employees of the Agency are reminded that any such speech of this form may form the basis for discipline should the speech be deemed detrimental to the Department.
    - a. Department personnel should always assume their speech and related activity on social media sites and related networks will reflect upon their office and this Agency.
  - 3. Department personnel shall not pose, transmit or otherwise disseminate any information or speech to which they have access as a result of their employment with the Agency absent written permission from the Chief of Police within any social media platform other than the official Texarkana Police Department Facebook account.
    - a. All postings or comments placed within the Texarkana Police Department Facebook account must conform to the requirements contained within Paragraph 1, subparagraphs a-c above as well as the requirements contained within *General Order 1102.15---Public Information and Media Relations*.
  - 4. For issues aligned with safety and security, notwithstanding the Police Department’s Facebook account, Department personnel are cautioned to avoid disclosing their employment relationship with the Agency on individual social media accounts. Employees shall not post information or speech pertaining to any other member of the Police Department without first obtaining

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permission from the affected member. In accordance with this section, Department personnel are prohibited from engaging in the following conduct in conjunction with privately maintained social media accounts:

- a. Displaying Department logos, uniforms or similar items on social media sites, social networking sites, Wiki pages, network sites connected to Web 2.0 or any other related web page.
  - b. Posting personal photographs or providing a similar means of personal recognition that may cause them to be identified as a police officer affiliated with this Agency. Officers who remain in sensitive, undercover positions, or those officers who expect to be transferred to such a position shall avoid posting any form of visual or personal identification.
  - c. All postings or comments placed within the Texarkana Police Department Facebook account must conform to the requirements contained within Paragraph 1, subparagraphs a-c above as well as the requirements contained within *General Order 1102.15---Public Information and Media Relations*.
5. When utilizing social media, Department personnel shall remain mindful their speech becomes integrated into and made a part of the worldwide electronic information domain; therefore, adherence to the Department's Rules of Professional of Conduct and Standards of Conduct is required during any employee's personal use of social media sites, social networking sites, Wiki pages, network sites connected to Web 2.0 or any other related web page. Of particular attention, employees of the Department are strictly prohibited from engaging in the following actions:
- a. Any speech containing obscene or sexually explicit language, images or acts, statements and any other form of speech that in anyway ridicules, maligns, disparages or otherwise expresses bias towards any race, religion or protected class of individuals.
  - b. Any speech involving themselves or other Department personnel reflecting a behavior that is reasonably considered reckless or irresponsible.
6. Engaging in prohibited speech as noted herein may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel who become affected in this manner are subject to discipline up to and including termination of employment.
7. Notwithstanding the Police Department's Facebook account, Department personnel are prohibited from divulging information gained by reason of their authority or making any statements, speeches, appearances or endorsements that are reasonably considered to represent the views or positions of this Agency without receiving permission from the Chief of Police.
- a. All postings or comments placed within the Texarkana Police Department Facebook account must conform to the requirements contained within Paragraph 1, subparagraphs a-c above as well as the requirements contained within *General Order 1102.15---Public Information and Media Relations*.
8. Department personnel are reminded they may subject themselves to civil litigation when engaging in the following acts:
- a. Posting or publishing false information that harms the reputation of another person, group or organization. Such activity is often referred to defamation.
  - b. Posting or publishing private facts and personal information of another person not previously revealed to the public or facts and information that serve no legitimate public concern and deemed offensive to a reasonable person unless the subject of such information has provided permission for the release of such information.

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- c. Utilizing the name of another, the likeness of another or personal attributes of another in the furtherance of exploitation without that person's permission.
  - d. Publishing the creative work of another, trademarks or certain business information deemed confidential without the permission from the owner.
9. Department personnel should remain aware of the fact the privacy settings associated with all social media sites are constantly changing and personnel should never assume the information posted on such web pages is protected in any manner.
  10. The Texarkana Police Department reserves the right to access any information or speech which has been posted, created, transmitted, downloaded, exchanged or discussed within a public forum at any time without prior notice.
  11. Any Department employee having knowledge of any violations set forth by this policy shall notify his/her immediate supervisor of such violation as soon as possible.

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