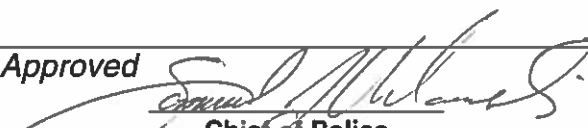


**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

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|---|--|---|--|---|--|
| Effective Date September 9, 2015 | | Amended Date | | Directive 7.25.1 | |
| Subject Social Media | | | | | |
| Reference | | | Approved  Chief of Police | | |
| Distribution All Personnel City Manager City Attorney | | TPCA Best Practices Recognition Program Reference None | | Review Date December 12, 2017 | |
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This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

This directive provides the Police Department members clear guidelines regarding acceptable and unacceptable conduct related to the usage of social media and social networking.

SECTION 2 POLICY

Barring any law to the contrary, Police Department members must abide by the provisions in this directive.

The provisions discussed in the City of Lancaster Pride Playbook, Directive S-2, "Social Media Policy" are applicable to this directive. If a member's act constitutes a violation of this or other department or City of Lancaster directive, the member may be held liable under each of the directives.

The personal use of social media can impact Police Department members in their official capacity. Therefore, this directive provides precautionary information and prohibits certain conduct by Police Department members.

When using social media, Police Department members should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to this directive and the department's code of conduct is required in the personal use of social media.

SECTION 3 DEFINITIONS

- A. **Blog:** is a self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments; entries of commentary, descriptions of events, or other material such as graphics or video.
- B. **Business network:** such as LinkedIn®, is a network or process that is established to build mutually beneficial relationships with other business people and potential clients and/or customers. A business network can also serve as an alliance of like-minded individuals with a common problem or interest. For the purposes of this directive, an approved business network is not considered a social network.

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- C. **Computer resource:** refers to the City's and Police Department computer networks. Computer resources include, but are not limited to, host computers, file servers, fax servers, web servers, workstations, stand-alone computers, laptops, software, data files, and all internal and external computer and communications networks (i.e. Internet, computer online services, value-added networks and e-mail systems) that may be accessed directly or indirectly from or through the City's computer network.
- D. **Content:** includes word(s), statement(s), or information; photograph(s), video(s), or other image(s); or hyperlink(s) to another site.
- E. **Email system (electronic mail facility):** such as Listserv®, refers to electronic mailing list software applications, allowing a sender to send one email to the list, and then transparently sending it on to the addresses of the subscribers to the list.
- F. **Page:** is the specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- G. **Police Department member (or department member):** includes any paid employee, volunteer, and intern, of the Police Department, and any contractor performing work or providing a service for the Police Department.
- H. **Post:** is content an individual shares on a social media site; or, the act of publishing content on a site. For the purposes of this directive, a post includes a blog.
- I. **Profile:** is information that a user provides about oneself on a social media or social networking site.
- J. **Social media:** is a category of Internet-based resources that integrate user-generated content and user participation. These include, but are not limited to:
1. social networking sites (i.e., Facebook®, MySpace®, Google® and Yahoo® user groups — for business-related user groups);
 2. microblogging sites (i.e., Twitter®, Nixle®);
 3. photo and video sharing sites (i.e., Flickr®, YouTube®);
 4. blogs; and
 5. news sites (i.e., Digg®, Reddit®).
- K. **Social networking:** is the practice of expanding one's business and/or social contacts by making connections through clubs, organizations, phone contacts, written correspondence or through web-based applications.
- L. **Social Networks:** are online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

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- M. **Speech:** is an expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- N. **User group:** is an organization that focuses on the use and improvement of particular techvide opportunities for learning from the shared experiences of its members and may provide other resources and functions such as newsletters, group purchasing opportunities, tours of facilities, or speakers at group meetings. For the purposes of this directive, an approved, business- related user group is not considered a social network.

SECTION 4 PROCEDURES

A. PRECAUTIONS FOR PERSONAL USE OF SOCIAL MEDIA

1. Department members are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for 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.
2. As public employees, department members are cautioned that speech on- or off-duty, made pursuant to their official duties is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department members should assume that their speech and related activity on social media sites will reflect upon their office and this department.
3. Engaging in speech that is proscribed by this directive may provide grounds for undermining or impeaching an officer's testimony in criminal or other legal proceedings.
4. Department members 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.
5. Department members should expect that any information created, transmitted, posted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.
6. Department members who engage in conduct that is proscribed by this directive are exposed to potential legal liabilities.

B. PROHIBITED CONDUCT

1. Department members may not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment or association with this department without written permission from the Chief of Police.
2. For safety and security reasons, Police Department members may not disclose their employment or association with this department nor post information pertaining to any other member of this department.
3. Department members may not post:

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- a. department logos, uniforms, or similar identifying items;
- b. 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;
- c. any content that:
 - i. contains obscene or sexually explicit language, images, or acts; or
 - ii. ridicules, maligns, disparages, or otherwise expresses bias against any race, any religion, or any protected class of individuals
4. Department members may not use speech involving themselves or other department members that reflects behavior that would reasonably be considered reckless or irresponsible. Department members may not 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 the Chief of Police's authorization.
5. Department members may not use a fictitious account, alias, or animated character to convey any message or content that is proscribed by this directive.
6. Department members may not use social media while on duty, except during a bona fide break, and when doing so does not impede or hinder the performance of their duties.

C. MONITORING SOCIAL MEDIA BY SUPERVISORS

1. Supervisors may make random investigations into the posts made by Police Department members — for purposes of protecting the integrity and reputation of the department, protecting the integrity of investigations, and ensuring privacy and security of department records and information.
2. Any Police Department member becoming aware of or having knowledge of any content of any posting or of any website or web page being in violation of this directive must immediately notify a supervisor for follow-up action.

D. EMAIL SYSTEMS, USER GROUPS, AND BUSINESS NETWORKS

1. For the purposes of this directive, approved email systems, user groups, and business network sites are not considered "social networks." Their targeted audiences are those in common professions or with common business interests. Their intended purpose is to share information among its subscribers or members to help resolve business-related issues and questions.
2. Use of an email system — such as Listserv® — that is directly related to a member's duty assignment is authorized.

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3. Membership to a user group that is directly related to a member's duty assignment is authorized. If an approved user group uses an email system as its means to facilitate communication among its subscribers, then the email system must be approved.
4. Membership to a business networking site —such as LinkedIn@ — is authorized.
5. Except for identifying oneself as a member of the department, members must be mindful of the precautions that are discussed in this directive and comply with the provisions of this directive.

E. CIVIL / CRIMINAL LITIGATION

1. The department may pursue civil and/or criminal action against a Police Department member whose post violates the law.
2. The department may seek an injunction against a Police Department member whose post violates the law, or would, or does hinder or interfere with a pending or on-going investigation.
3. Department members 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 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;
 - c. using someone else's name, likeness, or other personal attributes for an exploitative purpose without that person's permission; or
 - d. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner

F. SCOPE OF RESPONSIBILITY

1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.