

NEW CANAAN POLICE DEPARTMENT

SUBJECT: SOCIAL NETWORKING/IMAGING & RECORDING

General Order Number: 13-01-116

File: Auxiliary & Technical

I PURPOSE/POLICY

The purpose of this general order is to establish policies and procedures governing the use of social networking sites by employees of the New Canaan Police Department, and to control the use of Police Department related photos, images and recordings. This order is not meant to be limited to existing forms of social media, but rather social media in general as advances in technology will emerge and new methods of internet based or online social contacts are developed.

The New Canaan Police Department acknowledges the right of employees to utilize personal web pages, blogs and other types of communications media. The Department also understands that the functions of the Police Department and the conduct of its employees have a major impact upon the Town of New Canaan. As such, the New Canaan Police Department is obligated to impose restrictions and oversight when direct and/or indirect reference to the Department or its employees is made within these forums. The Police Department will also impose regulations to promote the responsible use of work related photos, images and recordings. Any publication through any medium made by an employee that is potentially adverse to the operation, reputation, morale or efficiency of the Department and is not a matter of public concern may be deemed a violation of this policy and if so, would fall under applicable sections of the Manual of Conduct and Discipline, Rules and Regulations.

It is important that all employees abide by this for the better of the department.

II RESPONSIBILITY

It is the responsibility of all Department personnel to adhere to the procedures set forth in this general order. It is the additional responsibility of the supervisory staff to insure its compliance. Any employee that becomes aware of or having knowledge of a posting or of any website, web page, image or recording violation of this policy shall promptly notify their supervisor of the violation as prompt reporting may mitigate any potential damage to the affected Department employee(s) and/or the Department.

III DEFINITIONS

- A. Social Media** – A variety of online sources that allow people to communicate, share information, share photos, share audio and exchange text and other multimedia files with others via some form of online or cellular network platform.
- B. Social Networking** – Using internet or mobile formats including Facebook, Twitter, MySpace, LinkedIn, Foursquare, Usenet groups, online forums, message boards or bulletin boards, blogs and any other similarly developed formats, to communicate with others using the same groups while also networking with others based upon similar interests, geographical location, skills, occupation, ideology or beliefs.
- C. Internet** – A computer network consisting of a collection of internet sites that offer text, graphics, sound and animation resources through the hypertext transfer protocol (http).

- D. **Web Blog** – A series of entries, written by either one person or a group of people, in an online journal, usually posted in a chronological order, like a diary. Blogs may or may not allow for comments on entries.
- E. **Post** – An item inserted to a blog or an entry to any type of computerized bulletin board or forum.
- F. **WIKI** – Web page(s) that can be edited collaboratively.

IV **PROCEDURES (SOCIAL NETWORKING)**

- A. Unless granted explicit permission from the Chief of Police or designee, employees are prohibited from posting, placing or having posted or placed by a third party, any information relating to their duties or any information that they have learned as a result of their duties as an employee of the New Canaan Police Department on any social networking platform, either on their own sites, the sites of others, news media pages or other informational forums.
- B. Unless granted explicit permission from the Chief of Police or designee, employees are prohibited from posting, placing or having posted or placed by a third party on any social networking platform, either on their own sites, the sites of others, news media pages or other informational forums, information or items including, but not limited to:
 - 1. Any text, photograph, audio, video or any other multimedia file related to any investigation, both current and past, of this Department.
 - 2. Any text, photograph, audio, video or any other multimedia file that is related to any occurrence within the Department.
 - 3. Logos, badges, patches, seals, uniforms, vehicles, equipment or any item or symbol that is affiliated with this Department.
 - 4. Any statement that could be considered to represent the official position of the Department. Nor shall employees post sensitive or false information about this Department, its personnel or its operations.
- C. Employees shall not post on any social media platform, either their own sites, the sites of others, news media pages or other informational forums any material that is violent, sexually explicit, racially or ethnically derogatory, or which discredits or tarnishes the image of the Department or individuals within the Department.
- D. Employees may not engage in online social networking activities while on duty unless the activity is specifically departmentally sanctioned. Employees who do however, choose to maintain or participate in social media or social networking platforms while off duty, shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the Department or its mission. In the course of utilizing such venues, the following restrictions shall be applicable:
 - 1. Unless explicitly granted permission by the Chief of Police or designee, no employee shall identify themselves, directly or indirectly, as an employee of this department.
 - 2. Employees shall be held responsible and accountable for the content that appears on their maintained social media or social networking site(s) and will be obligated to remove any posting or material contributed by others that reflects negatively upon the Department.

3. Any text, photograph, audio, video or any other multimedia file included on a social media or social networking site that infers, implies, states, opines or otherwise expresses the employee's views on the legal, judicial or criminal systems shall not, in any way, undermine the public's trust and confidence in this Department.
 4. Under no circumstances, shall an employee post disparaging or derogatory information, comments or photos concerning other employees of the Department when the information or photographs have a connection to their employment with the Department.
- E.** Department owned computers or Department issued electronic devices such as smartphones, tablets and cell phones are intended to facilitate the efficient operation of the Department. The use of these computers and devices to access personal social media is prohibited, barring exceptions noted within this policy as well as when used for investigative purposes. All postings utilizing Town of New Canaan computer equipment and other devices shall be posted in accordance with COLLECT, town computer use policies and General Order 00-01-108, USE OF COMPUTERS.
- F.** Employees are cautioned that the posting of certain material may have adverse consequences such as being used as exculpatory evidence in the impeachment of witness testimony during court proceedings, negative impact on future employment and public and/or private embarrassment. As such, employees are discouraged from posting offensive or insensitive material on their social networking sites.
- G.** The restrictions outlined in this general order shall not prohibit the posting of material which includes:
1. Material that is legitimate public speech as protected by First Amendment Rights.
 2. Material related to and posted during the course of an investigation and approved by the Chief of Police or designee.
 3. Sharing of information with other criminal justice agencies including, but not limited to:
 - a. Intelligence Bulletins;
 - b. Departmental policies and procedures;
 - c. Suspect history, photos, modus operandi, etc.
 4. Job related or other appropriate material on town or departmentally sanctioned platforms such as the Town Intranet, Town and/or departmental Facebook sites etc.
- H.** Department personnel must be aware that they may be the subject of civil litigation for;
1. Publishing or posting false information that harms the reputation of another person, group or organization (i.e. defamation).
 2. 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.
 3. Using someone else's name, likeness or other personal attributes without the person's permission for an exploitative purpose.
 4. Publishing the creative work of another, trademarks or certain confidential business information without the permission of the owner.

- I. Departmental personnel 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.

V PROCEDURES (OBTAINING PERMISSION)

- A. Any employee wishing to obtain permission as required in Section IV, B of this general order, shall submit an email and/or memorandum to the Chief of Police or designee, requesting such permission and providing information to include:
 - 1. Identification of the site(s) or platform(s) which is to be utilized;
 - 2. A description of the material to be posted and what the site is intended to be used for;
 - 3. Any other relevant or pertinent information which would warrant such activities.
- B. The Chief of Police or designee considering said request shall notify the requestor of his/her decision in writing via memorandum and/or email.

VI PROCEDURES (PHOTOS, IMAGES AND RECORDINGS)

- A. On duty employees are prohibited from utilizing any non-departmental issued or unauthorized equipment to photograph, record or create any type of image or recording related to any incident, crime scene, police report, accident or administrative matter that this Department is investigating or providing assistance with.
- B. In the event that exigent circumstances arise and there is no other choice except for the employee to use their personal imaging or recording device, then said employee may do so in order to protect evidence and/or protect themselves. In that type of situation the shift supervisor must be immediately notified and arrangements made to transfer said evidence into the appropriate departmental storage device/media.
- C. Employees are prohibited from retaining any image or recording of an incident which was made during the performance of his/her duties for their personal use.

VII PROCEDURES (RECRUITMENT)

- A. All candidates seeking employment with this Department are required to provide the names of all social media and social networking sites that they participate in or which they maintain.

VIII DISTRIBUTION

This general order will be reproduced in electronic and traditional media. All sworn personnel shall have access to Department general orders through a read-only file on their individual domain of the Department's computer network. Printed copies and/or CD's will also be placed in locations throughout headquarters so that they are easily accessible to all personnel.

VIII EFFECTIVE DATE

This Order is approved by the Police Commission on October 16, 2013 and effective as of November 1, 2013.

Per Order,

Leon Krolikowski
Chief of Police