



# Boulder Police Department Policy and Procedure

	<b>Subject:</b> Employee Speech, Expression, and Social Media,		<b>General Order:</b> 150
	<b>Effective:</b> May 30, 2024 <b>Reviewed:</b> April 17, 2024	<b>Replaces:</b> G.O. 150 July 2012	<b>Approved by:</b>  Chief Stephen Redfearn
<b>General Order Topic(s):</b> <b>150-1</b> Guidance for Use <b>150-2</b> Privacy Expectation <b>150-3</b> Prohibited Speech, Expression, and Conduct <b>150-4</b> Unauthorized Endorsements and Advertisements <b>150-5</b> Communicating on Behalf of the Department <b>150-6</b> Police Applicant Background Investigation <b>150-7</b> Personal Use		<b>Accreditation Standard(s):</b> N/A  <b>Statutory References:</b> C.R.S B.R.C <b>Related General Orders:</b> GO 115	

## POLICY

Police employees occupy a trusted position in the community and are rightly held to a high standard of conduct. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and effectively provide service to the public, the Boulder Police Department will carefully balance the individual member's rights against the department's needs and interests while exercising a reasonable degree of control over its member's speech and expression.

This policy provides guidelines and rules for all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all internet services, e-mail, digital files, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, websites, video, and other file sharing sites. Integrity is essential when using social media sites.

## PROCEDURES

### **150-1 Guidance for Use**

- A. Online activity during working hours or while using department equipment must be primarily business-related. Incidental personal use is permitted; however, it must not impede the member's or other member's work or adversely impact access to or the use of the department's electronic resources for business purposes.
- B. Be respectful in all communications.

- C. Do not participate in political activity or political communication during work hours, when representing the department, when identified as a department member. or when using department equipment.
- D. Department members are personally responsible for the content they publish and need to be mindful it will be public information for a lengthy amount of time.
- E. Protect your privacy. Before posting any content, determine what personal information you are comfortable sharing, including family or personal interests. Set privacy settings high, be careful who you befriend, and watch what photos you post. Remember content can be forwarded digitally and manually.
- F. When identifying yourself as a department member, ensure that content associated with you is consistent with your duties and is an authorized communication or expression.
- G. Respect copyright, fair use, and public records laws.

### **150-2 Privacy Expectation**

Members need to understand they forfeit any expectation of privacy concerning anything published or maintained through file sharing software or any internet site open to public view.

The department also reserves the right to access, audit, and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is owned, issued, or maintained by the department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

### **150-3 Prohibited Speech, Expression and Conduct**

To meet the department's safety, performance, credibility, and public trust needs, the following is prohibited:

- A. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the department or its employees.
- B. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to the department and tends to compromise or damage the mission, function, reputation, or professionalism of the department or its employees.
- C. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorifies or endorses dishonesty, unlawful discrimination, or illegal behavior.
- D. Speech or expression that could reasonably be foreseen as having a negative impact on the safety of any employee of the department.
- E. Speech, expression, or sharing in any format that is in violation of any city ordinance, or state or federal law.
- F. Use or public disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment with the department for financial or personal gain, or without the express authorization of the Chief of Police or designee.

- G. Use of department devices to access illegal or inappropriate (such as sexual content) websites for non-authorized purposes. Refer to the city policy, "Computer User Security" for further guidance.

#### **150-4 Unauthorized Endorsements and Advertisements**

Unless specifically authorized by the Chief of Police, members may not represent the Boulder Police Department or identify themselves as being affiliated with the Boulder Police Department in order to do any of the following:

- A. Endorse, support, oppose, or contradict any political campaign or initiative.
- B. Endorse, support, oppose, or contradict any social issue, cause, or religion.
- C. Publicly endorse, support, or oppose any product, service, company, or other commercial entity.
- D. Knowingly appears in any commercial, social, or nonprofit publication or any motion picture, film, video, public broadcast, or on any website. This does not include being recorded by the media in the normal course of police business.

This is not intended to limit member unions from participating in public education efforts or political activity on behalf of their union members.

#### **105-5 Communicating on Behalf of the Department**

The Chief of Police, members of the Management Staff, the Public Information Officer, and any employee authorized by the Chief of Police may communicate and share information on behalf of the department. Members communicating on behalf of the department identify themselves as department members.

#### **150-6 Police Applicant Background Investigations**

It is mandatory for officers conducting background investigations on police officer applicants to check any and all social media sites the applicant maintains. This includes blogs, Facebook, Myspace, Twitter, and other public sites.

If the applicant refuses to provide access, the consequences will be discussed, and the refusal documented in the report for consideration. If the investigator observes anything he deems suspicious on any of the sites, it will be thoroughly documented.

#### **150-7 Personal Use**

Members are encouraged to use discretion while maintaining and updating their personal social media sites. Profile pictures in uniform, Twitter tags referencing the Boulder Police Department (i.e., BPDOfficerJoe), conversing about an ongoing investigation or call, etc. is not recommended. Members who share information in violation of this policy may be disciplined.