




Clayton County Police Department PROCEDURES

Subject SOCIAL MEDIA, USE OF		Procedure # B17	
Authorizing Signature 	Effective 10-23-2023	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages 6

I. PURPOSE

The Clayton County Police Department (CCPD) favors the use of social media to strengthen communication, collaboration and exchange of information; to streamline processes, and further productivity. This policy establishes the CCPD's position on the management and utilization of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address a particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

II. POLICY

Social media provides a valuable means of assisting the CCPD and its employees in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The Department also recognizes the role that these tools play in the personal lives of some employees. The personal use of social media can have an influence on an employee in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by employees of the CCPD.

It is the policy of this Department to regulate the content of departmental information that is posted, published or transmitted on social media by departmental employees who are on or off duty.

- A. This policy applies to social networking sites, personal websites, blogs, photo-sharing sites, video-sharing sites, podcasts, as well as bulletin boards and comments posted on other websites. For ease of reference, this policy refers to all of these types of websites generically as "social media websites." The absence of an explicit reference to a specific website is not meant to limit the application of this policy. **Employees should consult with their supervisor if they are uncertain as to whether or not any of their activities on a social media website might impact or interfere with other employees or the Department.**

- B. The CCPD's Internet and computer resources are provided to employees to allow them to complete their official job duties for the County, and are to be used for business purposes only. As such, the Department does not allow personal use of social media websites during work time or on any of the CCPD's computers or networks unless used in an investigation or at the approval of a supervisor for work-related purposes. Employees are cautioned that there is no expectation of privacy when using County-owned computer equipment or networks. The CCPD may inspect any County-owned computer at any time to ensure compliance with the Department and County's policies on computer use.
- C. Use outside of work. Employees may use social media websites during their personal time outside of work, but not on departmental computers or networks. Employees must be aware, however, that information they display on the internet reflects not only on themselves, but could be associated with the Department as well. Therefore, employees are required to follow the guidelines set forth herein when using any social media website.

III. DEFINITIONS

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments.

Page: The specific portion of a social media website where content is displayed. Pages are managed by an individual or individuals with administrator rights.

Post: Content that an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about an individual or an agency on a social networking site.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words; in writing; or by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

IV. ON-THE-JOB USE

A. Department-Sanctioned Presence

1. Determine Strategy

- a. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the Department's presence on the website.
- b. Where possible, the page(s) should link to the CCPD's official website.

2. Procedures

- a. All CCPD social media sites or pages shall be approved by the Chief of Police, or authorized designee, and shall be administered by the Support Services Division Commander, or authorized designee.
- b. Where possible, social media pages shall clearly indicate they are maintained by the CCPD and shall have Department contact information prominently displayed.

- c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
 - 1) Content is subject to public records laws. Relevant records retention schedules apply to social media content.
 - 2) Content must be managed, stored, and retrieved to comply with open records laws.
 - d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the CCPD.
 - 1) Pages shall clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, and personal attacks.
 - 2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
3. Department-Sanctioned Use
- a. Employees representing the CCPD via social media outlets shall:
 - 1) Conduct themselves at all times as representatives of the CCPD and, accordingly, shall adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum;
 - 2) Identify themselves as a member of the CCPD;
 - 3) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to departmental training, activities, or work-related assignments without express written permission from the Chief of Police, or authorized designee; and
 - 4) Not conduct political activities or private business.
 - b. The use of Department computers by employees to access social media is prohibited without authorization.
 - c. Employees use of personally owned devices to manage the CCPD's social media activities or in the course of official duties is prohibited without authorization.
 - d. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

B. Potential Uses

- 1. Social media is a valuable investigative tool when seeking evidence or information about missing persons, wanted persons, gangs, crimes, and photos or videos of a crime posted by a participant or observer.
- 2. Social media can be used for community outreach and engagement by providing crime prevention tips, sharing crime maps and data, and soliciting tips about unsolved crimes.
- 3. Social media can be used to make time-sensitive notifications related to road closures, special events, weather emergencies, and missing or endangered persons.
- 4. Social media can be used as a valuable recruitment mechanism to attract and interact with persons seeking employment and volunteer positions.

V. PERSONAL USE

Precautions and Prohibitions

Barring state law or binding employment contracts to the contrary, employees shall abide by the following when using social media.

A. Employees who wish to identify themselves as employees of the CCPD on any social media must first obtain written permission from the Chief of Police. After receiving written permission, employees must place a disclaimer in their profile, post, or publication which clearly states that any and all opinions or views expressed are those of the employee and not the Department. However, such permission to identify oneself as a County or departmental employee does not negate compliance with departmental policies and/or written directives, County policies or any *Clayton County Civil Service Rules & Regulations*.

B. Confidential and proprietary information of the Department is not to be discussed or referred to by employees on any social media, even in private messages between site members who have authorized or restricted access to the information. This applies to any on-going investigation or open case, or other confidential matters.

Employees are prohibited from posting information pertaining to any current or former County or departmental employees, without their permission. Any information that is protected from public disclosure by the *Georgia Open Records Act* (OCGA § 50-18-72) is not to be posted on social media. Employees may post their own confidential personal information, but should carefully weigh the potential consequences of identity theft and personal safety before doing so.

C. Employees are responsible for reading, knowing, and complying with the terms of service of any social media they utilize.

D. Employees are required to comply with the law in regards to copyright, trademark, and plagiarism.

E. Employees are free to express themselves as private citizens on social media sites to the degree that their speech does not impair or impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the CCPD.

F. As public employees, departmental personnel are cautioned that speech on or off-duty, and in the course of their official duties that has a nexus to the employee's professional duties and responsibilities may not necessarily be protected under the First Amendment and may form the basis for discipline if deemed detrimental to the CCPD. Hence, employees shall assume that their speech and related activity on social media sites will reflect upon their position within the Department and on the CCPD.

G. Employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police, or authorized designee. Any photograph(s), audio and/or video recording(s), document(s), media or other exhibit(s) made, created or copied as an employee of the CCPD while on duty, working off-duty employment, or otherwise within the scope of employment with the Department, are prohibited from being posted, published or transmitted publicly through the internet, any social media website, departmental or personal email account, or using any County issued/owned or personally-owned communications devices, including computers, or otherwise published without written permission from the Chief of Police, or authorized designee; unless such posting, publication or transmission is for the purpose of conducting official departmental business.

H. For safety and security reasons, employees are cautioned regarding the disclosure of their employment with the CCPD. Any photograph(s), video(s), drawing(s), depiction(s) or media showing an employee wearing a County or CCPD uniform, or any part of the uniform; County or CCPD vehicle; any County or CCPD logo, letterhead, or seal; or equipment, badge, patch, identification, sign or other County or CCPD property; are prohibited from being posted, published or transmitted publicly through the internet, any social media website, CCPD or personal email account, or using any County-issued/owned or personally-owned communications devices, including computers, or otherwise published without permission in writing from the Chief of Police, or authorized designee; unless such posting, publication or transmission is for the purpose of conducting official departmental business.

Employees are cautioned not to post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of the CCPD. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.

- I. When using social media, employees shall be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the CCPD's code of conduct is required in the personal use of social media. In particular, employees are prohibited from the following:
1. Speech containing obscene or sexually explicit language, images, or acts and 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 or departmental personnel.
 2. Speech involving themselves or other employees reflecting behavior that would reasonably be considered reckless or irresponsible.
- J. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Employees thus sanctioned are subject to discipline up to and including termination.
- K. Employees may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the CCPD without express authorization of the Chief of Police or authorized designee.
- L. Employees shall be aware that they may be subject to civil litigation for:
1. Publishing or posting false information that harms the reputation of another person, group, or organization (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 that person's permission for an exploitative purpose; or
 4. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- M. Employees should be aware that privacy settings and social media sites are constantly changing, and they shall never assume that personal information posted on such sites is protected.

N. Employees shall expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the CCPD at any time without prior notice.

O. Reporting Violations

Any employee becoming aware of or having knowledge of an employee's posting or of any website or web page in violation of the provision of this policy shall notify their supervisor immediately for follow-up action.

P. Compliance with Other Policies and Laws

1. Social media content shall adhere to all applicable laws, regulations, and policies, including all information technology and records management policies.
2. In particular, employees are expected to avoid any conduct which would violate County policies against employment discrimination or reflect unlawful discrimination based on race, sex, color, creed, or national origin. The Department maintains that behavior deemed inappropriate in the workplace is also deemed inappropriate on social media. Specifically, County policies and *Clayton County Civil Service Rules & Regulations* concerning discrimination, harassment, and retaliation, as well as its policies concerning ethics and standards of conduct, apply equally in the workplace or on social media.

VI. DISCIPLINARY ACTION

While the CCPD respects the right of employees to use social media websites, it has established this policy for the benefit and protection of the Department and its employees. Any employee witnessing or who believes a violation of this policy has occurred should notify one or all of the following: their chain of command; the Office of Professional Standards; the Chief of Police; and/or the County Department of Human Resources. The CCPD takes this policy very seriously. As such, employees are advised that violating this policy may result in disciplinary action up to and including termination.

VII. COOPERATION WITH INVESTIGATIONS

A. Administrative Investigations

Employees who are subject to an administrative investigation may be ordered to provide the Office of Professional Standards (OPS) with access to their social media websites when there is reason to believe a violation of this policy may have occurred. In addition employees may be required to provide the OPS with access to their social media websites when the subject of the investigation is directly, narrowly, and specifically related to the employee's performance or ability to perform their function within the CCPD; or when the subject of the investigation is potentially adverse to the operation, morale or efficiency of the Department, and involves the use or suspected use of social media websites.

B. New Employee Background Investigations

All candidates seeking employment with the CCPD shall be required to complete an affidavit indicating their participation in any social media website for the previous three (3) years prior to the date of application. This affidavit will include the name of the sites they have joined or have used within the past three (3) years. The candidate may be required to provide the Background and Recruiting Unit with access to these sites as part of the background investigation process. See Appendix A of this procedure for the *Social Media Usage Affidavit*.

VIII. CANCELLATION

This procedure amends and supersedes standard operating procedure *B17: Social Networking Policy*, dated August 14, 2020.