



GOODYEAR POLICE DEPARTMENT

Policy and Procedure Manual

POLICY 1.11 EMPLOYEE SPEECH, EXPRESSION & SOCIAL NETWORKING

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08/04/2020

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04/25/2013

Approved:


1. PURPOSE AND SCOPE

1. This policy is intended to address issues associated with employee use of social media and networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the needs of the Department. It is essential that it is understood that comments made via social media platforms are as public as if made directly to the media or at a public forum. Use of social media presents certain risks and carries with it certain responsibilities. Those persons using social media should recognize the potential for damage to be caused (either directly or indirectly) to the City and the Department in certain circumstances via personal use of social media when you can be identified as a Department employee or a law enforcement officer.
2. Nothing in this guideline is intended to prohibit or infringe upon any employee's communication, speech or expression which has been clearly established as protected or privileged by law.

2. APPLICABILITY

1. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to personal or other's website or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the City or Department, as well as any other form of electronic communication.
2. The same principles found in City and Department policies, guidelines and directives apply to activities online, whether on or off duty. It is the employee's responsibility to carefully read all City and Department policies, guidelines and directives to ensure postings are in compliance. Employee's are personally responsible for the content they publish in a personal capacity on any form of social media platform.

3. GUIDELINES

1. ENDORSEMENTS AND ADVERTISEMENTS

- A. Unless specifically authorized by the Chief of Police, employees may not in any manner represent that they are acting as a representative of or on behalf of the Department, in order to do any of the following:
 1. Endorse, support, oppose or contradict any political campaign or initiative;
 2. Endorse, support, oppose or contradict any social issue, cause or religion;
 3. Endorse, support, or oppose any product, service, company or other commercial entity; or
 4. Appear in any commercial, social or nonprofit publication, website, motion picture, film, video, or public broadcast.
- B. Employees retain their right to vote as they choose, to support candidates of their choice, and to express their opinions on political subjects and candidates at all times while off-duty in their personal capacity.

2. SPEECH PURSUANT TO OFFICIAL DUTIES

- A. As public employees, Department personnel are cautioned that speech on or off-duty, made pursuant to their official duties - that is, that owes its existence to the employee's professional duties and responsibilities - is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Employees should assume

that their speech and related activity on social media sites will reflect upon the City, the Department and the employee.

- B. Employee's must do the following when authorized to use social media on behalf of the Department as a Department representative (see also Policy 1.15 Media Relations):
 - 1. Disclose they are a Goodyear Police Department employee, and use only their own identity, or an approved official account or avatar;
 - 2. Disclose and comment only on information classified as public information;
 - 3. Ensure that all content published is accurate and not misleading and complies with all relevant City and Department policies, guidelines and directives;
 - 4. Ensure they are not the first to make an announcement related to City or Department business (unless specifically given permission by the Chief of Police to do so);
 - 5. Comment only on their area of expertise and within their authority;
 - 6. Ensure comments are respectful of the community in which they are interacting online;
 - 7. Adhere to the terms of use of the relevant social media platform/website, as well as copyright, privacy, defamation, contempt of court, discrimination, harassment and other applicable laws, and policies.
 - C. Employees must NOT do the following when authorized to comment as a Department representative:
 - 1. Post or respond to material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes on copyrights, constitutes a contempt of court, breaches a Court suppression order, or is otherwise unlawful; or
 - 2. Use or disclose any confidential or secure information; or
 - 3. Make any comment or post any material that might otherwise cause damage to the reputation, or bring it into disrepute, of the City or the Department.
3. PROHIBITIONS
- A. Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Goodyear Police Department Employees and the work, activity and case(s) handled by employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees therefore should not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee or compromise or disclose information regarding work, activity or case(s) known to the employee as a result his/her employment with the department without prior authorization from the Chief of Police.
 - B. The following conduct occurring on or off duty is prohibited, unless otherwise provided by law.
 - 1. Disclosing through whatever means, any information, photograph, personal identifying information (photographs, address, phone numbers, etc...) of other employees, video or other recording obtained or accessible as a result of employment with the department; disclosing where another employee may be located off-duty, or other confidential information without the express authorization of the Chief of Police.
 - 2. Disclosing through whatever means, any information, photographs, audio, video or other recording of any work/case or other activity obtained or accessible as a result of employment with the Department without prior authorization to do so.
 - 3. Posting, transmitting or otherwise disseminating any information, photographs, video or audio recordings, likenesses or images of Department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the City of Goodyear or Goodyear Police Department on any personal or social networking or other website or web page without the express written permission of the Chief of Police.

4. Any other conduct through use of a social media platform that creates a conflict of interest, or violates federal, state or local law or City or Department policy, guidelines or directives.
 5. Posting, transmitting, or otherwise disseminating any information as a representative of the Department or that could reasonably be attributed to the Department, or give the impression that the views you express are those of the Department, without prior authorization from the Chief of Police.
 6. Harassment, bullying, discrimination, or retaliation that would not be permissible in the workplace is not permissible between co-workers online, even if it is done after hours, from home and on home computers.
 7. Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the Goodyear Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Goodyear Police Department or its employees.
 8. 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 glorify or endorse dishonesty or illegal behavior.
 9. Speech or expression that could reasonably be foreseen as having a negative impact on the safety of the employees of the department. For example, a statement on a blog that provides the specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
4. **BE HONEST AND ACCURATE**
 - A. Employees will always be honest and accurate when posting information or news, and if a mistake is made, correct it quickly. Be open about any previous posts that have been altered. Remember the Internet archives almost everything; therefore, even deleted postings can be searched and used in any criminal, civil and/or administrative proceeding.
 - B. Never post any information or rumors you know to be false about the Department, fellow employees, council members, volunteers, customers, or suppliers. Take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).
 5. **IDENTIFY SELF AS CITY EMPLOYEE**
 - A. When it can reasonably be construed that an employee acting in his/her individual capacity or through some unofficial group or organization is affiliated with the Department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Goodyear Police Department and the stated views are the employees views and not those of the Goodyear Police Department.
 - B. Recognize that privacy settings and social media sites are constantly in flux, and never assume that personal information posted on such sites is protected or confidential.
 6. **RETALIATION IS PROHIBITED**
 - A. The Department prohibits taking negative action against anyone for reporting a possible deviation from this guideline or for cooperating in an investigation. Any employee, who retaliates against another associate for reporting a possible deviation from this guideline or for cooperating in an investigation, will be subject to disciplinary action, up to and including termination.
 7. **PRIVACY EXPECTATION**
 - A. Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view (e.g., Facebook, etc.). In

addition, all messages, pictures and attachments transmitted, accessed or received over the City's networks are considered City records and, therefore, are the property of the City.

- B. The Department reserves the right to access, audit and disclose for whatever reason all messages, including attachments, that have been transmitted, accessed or received through any City system or device, or any such information placed into any City storage area or device. This includes records of all key strokes or web-browsing history made at any City computer or over any City network. The fact that access to a database, service or website requires a user name or password does not create an expectation of privacy if accessed through a City computer or network.