



MARYLAND STATE POLICE

PERSONNEL DIRECTIVE



Use of Social Media

Distribution: All Employees	Index: PER 19.09
DLI References: N/A	Rescinds: PER 19.08
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.01 Purpose

To establish a policy regarding the use of online social media by employees.

.02 Policy

MSP allows employees to use social media while off-duty while ensuring that employees maintain a level of professionalism and do not engage in conduct that contradicts or impedes the MSP mission.

.03 Definitions

BLOG: a self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

PAGE: the specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.

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

SOCIAL MEDIA: Internet-based resources that integrate user-generated content and user participation, including social networking sites (Facebook, MySpace), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs and news sites (Digg, Reddit).

SOCIAL NETWORKING WEBSITES: computer network sites which focus on building online communities of people who share interests and activities and/or exploring the interests and activities of others (e.g., Facebook, MySpace, Friendster, LinkedIn, Twitter and sites that allow users to post personal blogs). The lack of explicit reference to a specific site does not limit the application of this policy.

.04 References

International Association of Chiefs of Police, Model Policy: SOCIAL MEDIA. August 2010.

.05 CALEA Standards

LE: N/A

TA: N/A

CM: N/A

.06 Background

- A. MSP employees have the right to use social media when off-duty; however, MSP employees are public servants who are held to higher ethical standard than the general public.
- B. The MSP has a duty to protect the reputation of the organization and its employees and guard against potential legal liability.
- C. MSP reserves the right to monitor all social media.
- D. The content of social media can be subpoenaed and used in criminal and civil trials to impeach the employee's testimony or to undermine the employee's character or reputation.
- E. Any reference to employment with the MSP while using social media could compromise the safety of a trooper or his family.
- F. All electronic communications created, received or stored on the MSP computer system or network are the sole property of the MSP and/or State of Maryland and not the author, recipient or user.

.07 Procedures

A. On-Duty Use

- 1. All MSP social media sites or pages will be approved by the Superintendent and will be administered by the Information Technology Division (ITD) or otherwise authorized unit.
- 2. Social media content will adhere to applicable laws, regulations and policies, including all information technology and records management policies.
 - a. Content is subject to public records laws and applicable records retention schedules apply to social media content.
 - b. Content must be managed, stored and retrieved to comply with open records laws and e-discovery laws and policies.
- 3. When possible, each social media page should state that the opinions expressed by visitors to the page do not reflect the opinions of the MSP.
 - a. Pages will clearly indicate that posted comments will be monitored and that the MSP reserves the right to remove any comment that is deemed inappropriate.
 - b. Pages will clearly indicate that any content posted or submitted for posting is subject to public disclosure.
- 4. Employees representing the MSP via social media outlets will:
 - a. identify themselves as a member of the MSP;
 - b. conduct themselves at all times as representatives of the MSP and will adhere to all standards of conduct and observe accepted protocols and proper decorum; and
 - c. observe and abide by all copyright, trademark and service mark restrictions when posting materials.

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5. Employees may not:

- a. access social media websites while on-duty unless the employee is conducting a criminal or administrative investigation that has been approved by a supervisor;
- b. make statements, including personal opinions, about the guilt or innocence of any suspect or arrestee, or comment on open investigations or pending prosecutions;
- c. post photographs, images, video or any other documents or information created or received by the MSP or any other law enforcement agency related to any investigation or any other law enforcement business.
- d. post any photograph that could be used to identify anyone as being a covert law enforcement officer of any agency;
- e. post, transmit or otherwise disseminate confidential information, including photographs or videos, related to MSP training, activities or assignments without written permission from the Superintendent;
- f. conduct political activities or private business; or
- g. use MSP computers to access social media without supervisory authorization;

B. Beneficial Uses

- 1. Social media is a valuable investigative tool when seeking evidence or information about:
 - a. missing and wanted persons;
 - b. gang activities;
 - c. crimes perpetrated online (e.g., cyberbullying, cyberstalking); and
 - d. photos or videos of a crime posted by a participant or observer.
- 2. Persons seeking careers and volunteer positions use the Internet to search for opportunities and social media can be a valuable recruitment tool.
- 3. The MSP has an obligation to review an applicant's personal Internet content when conducting pre-employment background investigations.
 - a. Search methods will not involve techniques that are a violation of existing law.
 - b. Techniques will be applied uniformly to all candidates.
 - c. Internet-based information considered during the hiring process must be validated.

C. Personal Use

- 1. The prohibitions related to on-duty use in Section A(5), other than (A)(5)(f), apply to off-duty use as well.
- 2. Employees are prohibited from posting messages that criticize or ridicule the MSP, any other State agency, the Maryland Judiciary or any other police department or law enforcement officer, per MSP policy.
- 3. Employees should exercise good judgment while using social media and should not:
 - a. use discriminatory, harassing or derogatory language; and
 - b. encourage socially and morally inappropriate behavior.
- 4. Employees may not represent their opinions or comments as that of the MSP or as an official of the MSP.

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5. Employees are prohibited from posting, broadcasting or otherwise disseminating any sexual, violent, racial or ethnically derogatory material, comments, pictures, artwork, video or other references on their websites or through any other means of communication on the Internet in such a way as to bring the Department into an unfavorable light.
6. It is recommended that troopers do not post photographs or refer to their employment with the MSP on social media.
7. Troopers who are, or who may reasonably be expected to work in undercover operations, will not post any form of visual or personal identification online.
8. Employees should never assume that personal information posted on such sites is protected.
9. Department personnel should expect that any information created, transmitted, downloaded, exchanged or discussed in a public online forum may be accessed by the MSP without prior notice.

D. Reporting Violations

1. Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy will notify his supervisor immediately.
2. Supervisors who are made aware of a possible violation will investigate to determine if a violation of MSP policy has occurred.

Approved:

Colonel Marcus L. Brown
Superintendent 01/01/2014