



# DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



<b>POLICY NUMBER</b>	
<b>OPR:37</b>	
<b>EFFECTIVE DATE:</b> 05/23/2016	<b>ORIGINAL ISSUED ON:</b> 05/11/2007
<b>REVISION NO:</b>	
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**SUBJECT: RELEASE OF PUBLIC INFORMATION/DEPARTMENT USE OF SOCIAL MEDIA**

## 1.0 PURPOSE

The purpose of this policy is to provide guidance to Department of Public Safety employees for the judicious sharing of information, and for processing requests for departmental reports and information. This policy will also establish the Department's position on the management, administration, and oversight of social media. The DPS endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy addresses social media in general, not one particular form of social media.

## 2.0 POLICY

It is the policy of the Department of Public Safety to cooperate fully and impartially with authorized news media representatives and provide unhindered flow of accurate information concerning matters of public interest in a timely and unbiased manner, provided the release of this information does not unduly interfere with departmental operations, infringe upon individual rights, or violate law. Social media provides a valuable means of assisting the department, and its personnel in meeting community outreach, problem-solving, investigative, and crime prevention related goals.

## 3.0 APPLICABILITY

This policy applies to all employees of the Department of Public Safety.

## 4.0 REFERENCES

- A. Chapter 14 Article 2, NMSA 1978, Inspection of Public Records Act
- B. Chapter 29 Article 10, NMSA 1978, Arrest Record Information Act
- C. NMAC Rule 1.12.10 Internet, Intranet, Email, and Digital Network Usage
- D. CALEA Chapter 54 – Public Information
- E. ADM: 31 Access to and Use of Computer Based Resources
- F. ADM: 34 Anti-Discrimination, Harassment, and Retaliation
- G. OPR: 27 Citizen Encounters and Bias-Based Profiling

## 5.0 DEFINITIONS

- A. **Department** – Refers to the Department of Public Safety (DPS).
- B. **Electronic Communications** – Electronic communications include messages, images, data, or any other information used in email, instant messages, voice mail, fax machines, computers, personal digital assistants (Blackberry, or similar text messaging device), pagers, telephones, cellular and mobile phones (including those

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with cameras), intranet, internet, back-up storage, information on a memory or flash card, jump or zip drive, any other type of internal or external removable storage drives, or any other technology tool.

- C. Hack** – Unauthorized access/intrusion into a social media page or account.
- D. News Media Representatives** – Those individuals who are directly employed by agencies for the electronic or print media such as radio, television, and newspapers.
- E. Page** – The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- F. Post** – Content an individual shares on a social media site or the act of publishing content on a site.
- G. Profile** – Information that a user provides about him/herself on a social networking site.
- H. Public Information** – Information that may be of interest to the general public regarding policies, procedures, or events involving the Department, or other newsworthy information subject to disclosure. The disclosure should not unduly interfere with the mission of the State Police and the Department, infringe upon the rights of any individual, or compromise the legitimate safety and privacy interests of Department employees, victims, witnesses, or others. All public information must conform to the New Mexico Inspection of Public Records Act, and other local and state law.
- I. Public Information Officer (PIO)** – The State Police public information officers serve as a central source of information for release by the Department and respond to requests for information by the news media and the community.
- J. Records Custodian** – A custodian of public records who receives, and responds to, requests to inspect public records. The records custodian provides reasonable opportunities, and facilities, to inspect public records.
- K. Social Media Liaisons (SMLs)** – Employees selected by the Chief of the New Mexico State Police, who have undergone social media training and have approval to post via social media.

### 6.0 PROCEDURE

#### A. Duties of Public Information Officer

1. Assist news media personnel in covering routine news stories and at the scenes of major incidents.
2. Assist the news media on an on-call basis.
3. Prepare, authorize, and distribute department-related news releases. The release of all records, documents, and information will be in compliance with the New Mexico Inspection of Public Records Act and Department policy.

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4. Coordinate with appropriate personnel for the release of information on victims, witnesses, suspects, and other information on Department confidential investigations.
5. Arrange for, and assist at, news conferences.
6. Assist in crisis situations.
7. Develop procedures for releasing information when other public service agencies are involved in a mutual effort.

### **B. Cooperation with the Media**

1. The officer, supervisor, or commander in charge at crime or incident scenes, may release information of a factual nature to the media as governed by this policy or confer with the PIO as to the appropriate content of releasable material. Where anyone authorized to release information is unsure of the facts or the propriety of releasing information, they shall refer the inquiry to the PIO. In all cases, the PIO and HQ duty officer should be notified of media releases and contacts.
2. The telecommunication centers of each State Police district shall inform the chief and his staff, to include the PIO, as soon as possible upon receipt of information about events or activities that may have media interest. Any event that occurs, which may present a question as to the liability of the Department of Public Safety or may result in heightened community awareness shall immediately be reported to the Chief and his staff, to include the PIO.
  - a. Any employee who is involved in or becomes aware of an incident that may present a question as to the liability of DPS or may result in heightened community awareness should notify their immediate supervisor. The following criteria should be followed in these situations:
    - i. Any incident where an employee has allegedly performed in a manner that created an increased likelihood of death or serious injuries to persons or significant loss of property will be reported immediately and without delay.
    - ii. Incidents that are not likely to affect life, health, or safety will be reported, but through less urgent means.
  - b. Upon the need to notify the PIO, the following procedure shall be adhered to:
    - i. The telecommunication center (dispatch) will contact the PIO.
    - ii. The PIO will respond in a timely manner to assist. If necessary, the PIO will then contact the media outlets to provide information. The PIO interaction with media outlets can range from a brief media advisory via a telephone call or email, to an on scene press conference.
3. Officers or supervisors may release follow-up information on requests from their respective offices.
  - a. The release of names of decedents will depend on notification of next-of-kin.

- b. There is no expectation of privacy for anyone charged with a criminal offense so names and ages of juvenile arrestees are releasable. Some thought should be given as to the nature of the offense before releasing the names and ages of very young offenders. If there is any question about the appropriateness of a release, the PIO should be consulted.
- c. District/Section commanders, supervisors, and division directors may engage in interviews and stories which involve departmental actions and issues. In all cases, the PIO's office and the appropriate members of the headquarters staff should be contacted before these interactions occur. Personnel engaging in these matters will reflect the views of the Department.

### **C. Release of Public Records**

1. Traffic crash reports may be released by the district offices, free of charge, to parties involved in the crash, e.g. driver, owner, etc. Requests by persons not involved in the crash must be submitted to the DPS records custodian. All requests for crash reports by those not involved should be immediately forwarded to headquarters and the records custodian will make arrangements for release. The preferred method for receiving these requests will be in writing and all requests must be forwarded immediately to headquarters. The requesting party can also make inquiries directly to the records custodian.
2. Incident reports will be released upon request made to the DPS records custodian. All requests for incident reports should be immediately forwarded to headquarters and the records custodian will make arrangements for release. The preferred method for receiving these requests will be in writing and all requests must be forwarded immediately to headquarters. The requesting party can also make inquiries directly to the records custodian.
3. Law enforcement related records; e.g. criminal history and Ill records may only be released in accordance with law.

### **D. Scene Security and the Media**

1. The news media shall be restricted from access to locations when their access would interfere or compromise law enforcement operations.
2. An effort should be made to assign a location where the media can set up to conduct their operations (media staging area).
3. The Department PIO, or other assigned personnel, should conduct frequent, scheduled news conferences on major scenes in order to provide information in a timely manner.

### **E. Department Use of Social Media**

1. Social media content will adhere to applicable laws, regulations, and policies. The content must be managed, stored, and retrieved in order to comply with open-records laws, e-discovery laws (electronic discovery), and policies. Relevant records retention schedules, scheduled by Records and Archives, apply to social media content.

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2. All department social media pages shall clearly state that the page is NOT monitored 24/7 and citizens should call 911 to report an emergency.
3. The Department of Public Safety social media pages can be used to:
  - a. Educate the public;
  - b. Provide link navigation to official press releases;
  - c. Inform the public of incidents taking place throughout the state;
  - d. Create a positive image of the agency;
  - e. Prepare citizens for emergency situations;
  - f. Encourage police and citizen partnerships to prevent and solve crime;
  - g. Improve the public's understanding of law enforcement; and
  - h. Promote transparency.
4. Social Media Liaisons
  - a. The Chief of the New Mexico State Police will select SMLs.
  - b. SMLs shall complete all training designated by the Office of the Chief.
  - c. Social media pages shall not be utilized by any SML not listed as a user for that page.
  - d. The posted comments shall be monitored, and the SML reserves the right to remove obscenities, off-topic comments, and personal attacks.
  - e. SMLs operating a DPS social media page shall give the Public Information Office their user name and password. When using or accessing the department social media page, the employee(s) will not:
    - i. Use a personal username or password for department social media pages;
    - ii. Use a department social media username or password for personal social media pages; and
    - iii. Access the department social media page using their personal computer, or personally owned device, unless exigent circumstances exist.
  - f. SMLs shall be responsible for monitoring social media mentions of the department.
  - g. SMLs authorized to access a department social media page must take into consideration they are representatives of the department and will conduct themselves in a professional manner. SMLs shall:
    - i. Identify themselves as an employee of the Department of Public Safety;
    - ii. Adhere to department policies and procedures;
    - iii. Observe and abide by all copyright and trademark restrictions;
    - iv. Make it a priority to keep themselves, the department, and the public safe;
    - v. Contact a member of the PIO before posting if they question whether or not something should be posted;

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- vi. Not conduct private business or engage in any political activity on department social media accounts;
- vii. Not make any statements about guilt or innocence of any suspect or arrestee, or make comments concerning pending prosecutions;
- viii. Not post, transmit, or disseminate confidential information, photographs or videos related to New Mexico State Police training, activities, or work-related assignments, without authorization from the PIO or Chief of New Mexico State Police; and
- ix. Must be familiar with *Attachment A. Guidelines for Posting to Social Media Pages*.

### 5. Organization of Social Media Pages

- a. Approval of any social media page shall be granted only after a request for the page, the purpose of the page, and a strategy to determine the information the page will provide, has been submitted to the PIO or Office of the Chief.
- b. All social media page requests, along with all background and profile images are subject to approval by the PIO or Office of the Chief.
- c. All social media pages shall be monitored, and managed, by SMLs in cooperation with the PIO and the Information Technology (IT) Division.
- d. Only SMLs, PIOs, and the IT Division will have login access to the official department pages. Authorized personnel with access to the official department pages shall not provide user names and/or passwords to any unauthorized users.
- e. SMLs shall NOT publish, post, display, or cause to be published, posted, or displayed, any information, data, or photographs in any format, electronic or otherwise, that appears, by word or presentation, to represent the official position of the Department of Public Safety without authorization from the Public Information Office (PIO) or the Office of the Chief.
- f. Social media pages shall only be created by the SMLs or PIOs that intend to use the page and dedicate resources to maintain those pages. Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the Department of Public Safety.
- g. All DPS social media pages shall contain a statement that clearly states:
  - i. The posted comments shall be monitored, and the SML reserves the right to remove obscenities, off-topic comments, and personal attacks;
  - ii. The content posted, or submitted for posting, is subject to public disclosure; and
  - iii. The opinions expressed by visitors to the social media pages do not reflect the opinion of the Department of Public Safety.
- h. Social media pages should link to the appropriate official department website (i.e., DPS, NMSP, LEA)
- i. Records shall be stored by IT Division of all department social media pages, administrators, and passwords.

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- j. Social media pages that have been inactive for one year shall be considered for deletion.
- k. In the event the social media page is “hacked” by an unauthorized user, an SML will temporarily disable the page and notify the PIO and IT.

### 7.0 ATTACHMENTS

#### A. Guidelines for Posting to Social Media Pages

### 8.0 APPROVAL

APPROVED BY: S/ Scott Weaver DATE: May 23, 2016  
DPS Cabinet Secretary