



NORTH MIAMI POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES



SOCIAL MEDIA 400.14

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APPROVED:

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I. PURPOSE

To establish the Department's position and procedure on the utility and management of the Department's social media sites, and provide guidance on its management, administration, and oversight. In addition, to establish a standard of conduct for employees participating in personal social media communication, of any kind, to ensure that any online activity by employees does not serve to erode the public trust in them or the Department.

II. POLICY

This policy is not meant to address one particular form of social media, but social media in general, as advances in technology will occur and new social media options will emerge.

The Department has a duty to protect the integrity of the work done by its members, as well as to guard against liability and potential legal risk;

therefore, the Department reserves the right to monitor social media.

The Department recognizes the role that social media plays in the personal lives of some employees; however, the personal use of social media can have bearing on Department personnel in their official capacity. As such, members must ensure that online content associated with them is consistent with the standards of conduct outlined in the Department's General Rules and Regulations, and the contents of this policy.

Additionally, the Department recognizes that social media provides a valuable means of assisting the Department and its personnel in meeting community engagement and outreach efforts, problem-solving, investigations, crime prevention, and other relevant and related agency objectives.

III. SCOPE

This policy applies to all members of the Department.

IV. DEFINITIONS

- A. **BLOG**- A blog (short for web-log) is a personal online journal that is frequently updated and intended for general public consumption.
- B. **PAGE**- The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- C. **POST**- Content an individual shares on a social media site, or the act of publishing content on a site.
- D. **PROFILE**- Information that a user provides about himself/herself on a social networking site.
- E. **SOCIAL MEDIA**- A category of internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites, microblogging sites, photo and video-sharing sites, wikis, blogs, news sites, etc.
- F. **SOCIAL NETWORKS**- Online platform where users can create profiles, share information, and socialize with others using a range of technologies.

- G. SPEECH- Expression or communication of thoughts or opinions in spoken words, writing, or by expressive conduct, symbolism, photographs, video, or related forms of communication.
- H. WEBSITE- A group of World Wide Web pages usually containing hyperlinks to each other and made available online by an individual, company, educational institution, government, or organization.
- I. WIKI- Web page(s) that can be edited collaboratively.

V. DEPARTMENT SOCIAL MEDIA SITES

- A. All Department social media sites, or pages, shall be approved by the Chief of Police, or his or her designee, and shall be maintained by the Office of the Chief of Police, or as otherwise determined by his/her office.
CFA 32.05A
- B. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.
- C. Department social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
- D. Content is subject to public records laws. Relevant public records retention schedules apply to social media content.
- E. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
- F. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.
 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.

G. Authorized Department personnel representing the Department via social media outlets shall abide by the following: **CFA 32.05B**

1. Conduct themselves at all times as representatives of the Department and, accordingly, shall adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum.
2. 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.
3. Shall not post information about training activities or work-related assignments that would reflect poorly on the Department.
4. Shall not conduct or promote political activities or private business.

H. Other Restrictions:

1. The use of personally owned devices by Department personnel to manage the Department's social media activities, or in the course of official duties, is prohibited without the expressed permission of the Chief of Police, or his/her designee.
2. Employees shall observe and abide by all copyright, trademark, and service mark restrictions when posting materials to electronic media.
3. Department personnel will not post photos of employees, unless approved by the Chief of Police, or designee. Photos or images relevant to a criminal investigation, administrative investigation, Departmental projects or programs will not be posted without the approval of the Chief of Police, or designee.

VI. OTHER WORK-RELATED AGENCY SOCIAL MEDIA USE

Social media may be accessed by Department members utilizing their city-issued computers/devices, providing the access is for legitimate, work-related purposes, such as:

- A. Social media is a valuable investigative tool when seeking evidence or information about:
 - 1. Missing Persons;
 - 2. Wanted persons;
 - 3. Gang participation;
 - 4. Crimes perpetrated online (i.e., cyber-bullying, cyber-stalking); and
 - 5. Photos or videos of a crime posted by a participant or observer.
- B. Social media can be used for community outreach and engagement by:
 - 1. Providing crime prevention tips;
 - 2. Offering online-reporting opportunities;
 - 3. Sharing crime maps and data;
 - 4. Soliciting tips about unsolved crimes (i.e., Crime Stoppers, Text-a-Tip);
 - 5. Building community relations;
 - 6. Creating more informed citizenry through communications; and
 - 7. Giving information about classes and training offerings.
- C. Social media can be used to make time-sensitive notifications related to:
 - 1. Road closures;
 - 2. Special events;
 - 3. Weather emergencies;
 - 4. Missing or endangered persons; and
 - 5. Inform the public about potential crime threats.
- D. Persons seeking employment use the Internet to search for opportunities and social media can be a valuable recruitment mechanism.
- E. Related to prospective employees:
 - 1. The North Miami Police Department may include Internet-based content when conducting background investigations of job candidates.
 - 2. Searches should be conducted by a background investigator.
 - 3. Information pertaining to protected classes shall be filtered out prior to sharing any information found online with decision makers.
 - 4. Persons authorized to search Internet-based content should be deemed as holding a sensitive position.
 - 5. Search methods shall not involve techniques that are a violation of existing law.
 - 6. Vetting techniques shall be applied uniformly to all candidates.
 - 7. Every effort must be made to validate Internet-based information

considered during the hiring process.

VII. MEMBERS' PERSONAL SOCIAL MEDIA/INTERNET POSTINGS

- A. Employees will not utilize any City-issued equipment to access personal social media sites, blogs, websites, or public forums while on duty, or while working off-duty details, unless required in the performance of their duties. **CFA 32.05 C**
 - 1. Members will ensure that if they may need to access personal social media sites with personally owned devices while on duty, that such access will not interfere with the performance of their duties.
- B. Members are not prohibited from having personal web pages or websites; however, members are held to a higher standard than the general public with regard to standards of conduct and ethics. Members are cautioned that speech, on or off-duty, that owes its existence to the member's professional duties and responsibilities, may not be protected speech under the First Amendment and may form the basis for discipline, if deemed detrimental to the Department.
- C. Participation on publicly accessible Internet postings, blogs, chat rooms, electronic dating services, and similar websites, should be carefully considered for proper personal conduct.
- D. Whether posting on personal social media, or other type of Internet postings, members will not use, or cause/authorize to be used, any official information, or any photographs, speech, or writings that identifies them as a member of the North Miami Police Department. Members shall guard themselves accordingly and shall not participate in any conduct that is likely to have an adverse effect on the reputation of the North Miami Police Department.
 - 1. The above includes, photographs, or other depictions of the North Miami Police Department uniforms, badges, patches, marked units, or logo, except as authorized by the Chief of Police, or his/her designee.
- E. Exceptions to this policy may be made for password-protected or limited access websites used for official agency purposes, such as exchanging information within professional organizations, or official investigations. The agency code of conduct will still apply; however, unit commanders will be consulted if participation in such websites appears questionable.

VIII. AGENCY REFERENCE APPROVAL PROCEDURES

- A. Members seeking approval to use references to the North Miami Police Department or photographs/depictions of North Miami Police Department uniforms, badges, patches, marked units, or logo on Internet web pages will submit a request in the form of a memorandum to the Chief of Police via the chain-of-command: The memorandum will include:
 1. A description of the intended usage of the reference, photograph, or depiction;
 2. The purpose of the website or posting; and
 3. If available, a printed layout of the entire web page, posting, or site.
- B. The Chief of Police, or his/her designee, may inquire further, approve, or disapprove the request by noting such on the memorandum. If approved, the requestor will retain a copy of the memorandum for the duration of the posting or website. Within the limits of his/her control, the requestor will be responsible for removal of references, photographs, or depictions when the posting or website is no longer appropriate or when so directed by the Chief of Police.
- C. Changes made to the previously approved web page, site, or posting must be submitted for re-approval through the same approval process as described in this section.

IX. PERSONAL USE PROHIBITIONS & PRECAUTIONS

- A. Prohibitions and other considerations:
 1. Members shall not post any material on the Internet, be it social networking sites, microblogging sites, photo and video-sharing sites, wikis, blogs, news sites, etc., that brings discredit to, or may adversely affect the efficiency and integrity of the North Miami Police Department.
 2. Members must consider the possible adverse consequences of Internet postings, such as future employment, cross-examination in criminal cases, as well as agency and public discredit.
 3. When using personal social media, members are prohibited from:

- a. Posting, transmitting, or otherwise disseminating statements about the guilt or innocence of any suspect or arrestee, or divulging agency activity information, such as, but not limited to: **CFA 32.05 D**
 - 1.) Confidential information;
 - 2.) Information concerning pending prosecutions;
 - 3.) Criminal investigations;
 - 4.) Traffic crash investigations;
 - 5.) Training activities;
 - 6.) Work-related assignments; and
 - 7.) Photos obtained or taken while the member was on-duty, or in a place that his/her police authority permitted them to be.
- b. Speech containing obscene or sexually explicit language or images; or acts, statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, ethnic background, religion, gender, sexual orientation, disability, or any protected class of individuals.
- c. Speech involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
- d. Engaging in speech that may provide grounds for undermining or impeaching an officers' testimony in criminal proceedings.

4. Members should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the Department's General Rules and Regulations is required in the personal use of social media.

B. Precautions:

1. For safety and security reasons, it is suggested that Department members not disclose their employment with the Department. Members shall not post agency employment information pertaining to any other member of the Department without their permission.

2. Department members should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
3. Department members should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the Department at any time without prior notice.
4. Members must also be cognizant of their communication through private communication platforms, such as WhatsApp, where the employee's entire telephone contact list has the ability to see their "profile" and/or "status" postings by way of words, images and videos.