



# ACTON POLICE DEPARTMENT

DEPARTMENT MANUAL; P&P: Administration		
POLICY & PROCEDURE # 4.20	DATE OF ISSUE: 1/31/2024	EFFECTIVE DATE: 2/12/2024
SUBJECT: SOCIAL MEDIA AND NETWORKING	ISSUING AUTHORITY: Chief James Cogan	
REFERENCE(S): Massachusetts Police Accreditation Commission # 54.1.2	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS	

## I. PURPOSE

The Acton Police Department endorses the secure and responsible use of social media to enhance communications, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media, but rather social media in general as advances in technology will occur and new tools will emerge.

## II. POLICY

Social media provides a potentially valuable means of assisting the Acton Police Department and its personnel in 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 Acton Police Department also recognizes the role that these tools play in the personal lives of some department personnel. The personal uses of social media can have a bearing on departmental personnel 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 department personnel.

## III. DEFINITIONS

- A. *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”.
- 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. *Profile:*** Information that a user provides about himself or herself on a social networking site.

- D. 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 (Twitter, Facebook, Instagram, etc.), photo- and video-sharing sites (Flickr, YouTube, etc.), Wikis (Wikipedia), blogs, and news sites.
- E. Social Networks:** Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- F. Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism photographs, videotape, or related forms of communication.
- G. Wiki:** Web page(s) that can be edited collaboratively.

## **IV. PROCEDURE**

### **A. On-the-Job Use**

#### **1. DEPARTMENT SANCTIONED PRESENCE**

- a. All department social media sites or pages shall be approved by the Chief of Police.
- b. Where possible, social media pages shall clearly indicate they are maintained by the department 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 and e-discovery laws and policies.
- 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 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.

#### **2. DEPARTMENT-SANCTIONED USE**

- a. Department personnel representing the department via social media outlets shall perform the following:
  - 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) Identify themselves as a member of the Acton Police Department.
  - 3) Not make statements about the guilt or innocence of any suspects or arrestee, or comments concerning pending prosecutions, transmit, or otherwise disseminate confidential information including photographs or videos related to department training, activities, or work-related assignments without express written permission from the Chief of Police.
  - 4) Not conduct political activities or private business.
  - 5) Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
- b. 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. cyberbullying and cyberstalking); and
  - 5) Photos or videos of a crime posted by a participant or observer;
- c. 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 data; and
  - 4) Soliciting tips about unsolved crimes.
- d. Social media can be used to make time-sensitive notifications related to road closures, special events, weather emergencies, and missing/endangered persons.

## **B. Personal Use**

Department personnel shall abide by the following when using social media:

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech and actions do not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the department.
2. As public employees, department personnel are cautioned that speech on or off duty made pursuant to their official duties is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech-related activity on social media sites will reflect upon this department.
3. Department personnel 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 his/her designee.
4. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall post information pertaining to any other member of the department without their permission. As such, department personnel are cautioned not to do the following:
  - a. Display department uniforms, insignia, or similar identifying items on personal web pages.
  - b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer or civilian employee of this department. Officers who are, or who may be expected to work in undercover operations, shall not post any form of visual or personal identification.
5. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's standards of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:
  - a. 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 race, sex, gender, any religion, or any protected class of individuals.
  - b. Speech involving themselves or other department personnel reflecting behavior that would be considered reckless or irresponsible.

6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination.
7. Department personnel may not divulge information gained by reason of their authority; make statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.
8. Department personnel should be aware that they may be subject to civil litigation for:
  - a. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation).
  - b. Publishing or posting private facts and personal information about someone without their permission that has not been previously related to the public, is not a legitimate public concern and would be offensive to a reasonable person.
  - c. Using someone else's name, likeness, or other attributes without that person's permission for an exploitative purpose.
  - d. Publishing the creative work of another, trademark, or certain confidential business information without the permission of the owner.
9. Department personnel 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. Officers are encouraged to make their social media pages private in the settings feature.
10. Department personnel 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.

### **C. Reporting Violations**

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 shall notify his or her supervisor immediately for follow-up action.

## **SOCIAL MEDIA AND NETWORKING INFORMATION**

**History:** None