



POLICY & PROCEDURE

ELKHART LAKE POLICE DEPARTMENT

SUBJECT: **SOCIAL MEDIA**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statute: 19.35

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INDEX AS:

- Cellular Telephones
- Computers
- Department Property
- Email
- Internet Usage
- Laptop/Mobile Data Computer
- Open Records
- Social Media

PURPOSE: The purpose of this Policy & Procedure is to outline expectations of all Elkhart Lake Police Department members with respect to their use of social media and social networking and the direct effect such use has upon the reputation and perception of the Department.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DISCUSSION
- III. DEFINITIONS
- IV. RULES & REGULATIONS

I. POLICY

- A. It is the policy of the Elkhart Lake Police Department that all members shall not use any form of social media or social networking, including but not limited to the following:

Facebook, Twitter, MySpace, LinkedIn, Foursquare, Go Walla Police Pulse, The Squad Room, Usenet groups, online forums, message boards or bulletin boards, blogs and other similarly developed formats, in any way so as to tarnish the Department's reputation.

- B. As members of this Department, you are embodiments of our mission. It is vital that each member accept their role as ambassadors of the Department, striving to maintain public trust and confidence, not only in their professional actions, but also in their personal and online actions. Any online activity that has the effect of diminishing the public's trust and/or confidence in this Department will hinder the efforts of the Department to fulfill our mission.
- C. By virtue of your position of a law enforcement officer, sworn personnel are held to a higher standard than members of the general public, and your online activities should reflect such professional expectations and standards. While non-sworn members are held to a lesser standard, their online activities should also reflect professional expectations and standards reflective of their position. Any online actions taken that detract from the mission of the Department, or reflect negatively on your position as a member of this Department, will be viewed as a direct violation of this policy.

II. DISCUSSION

- A. Department members have a right to free speech, which includes statements made on the internet, however, when statements include information about or relating to the Department that by their nature compromise public confidence in use or cause significant disruption in the Department, the contents are restricted by this Policy & Procedure.

III. DEFINITIONS

- A. Social Media: a variety of online sources that allow people to communicate, share information, share photos, share videos, share audio and exchange text and other multimedia files with others via some form of online or cellular network platform.
- B. Social Networking: using such Internet or mobile formats as Facebook, Twitter, MySpace, LinkedIn, Foursquare, Gowalla Police Pulse, The Squad Room, Usenet groups, online forums, message boards or bulletin boards, blogs, and other similarly developed formats, to communicate with others using the same groups while also networking with other users based upon similar interests, geographical location, skills, occupation, ideology, beliefs, etc.

- C. Mobile Social Networking: social networking using a mobile phone or other cellular based device.
- D. Internet: a computer network consisting of a worldwide network of computer networks that use the TCP/IP network protocols to facilitate data transmission and exchange. (Princeton University).
- E. World Wide Web: computer network consisting of a collection of Internet sites that offer text and graphics and sound and animation resources through the hypertext transfer protocol. (Princeton University).
- F. Blog: a series of entries, written by either one person or a group of people, in an online journal, usually posted in chronological order, like a diary. Blogs can allow comments on entries or not.
- G. Blogging: to read, write or edit a shared online journal. (Princeton University). Blogging can also encompass the act of commenting—and engaging with other commenters—on any blog, including one operated by a third party.
- H. Post: an item inserted to a blog or an entry to any type of computerized bulletin board or forum.
- I. Posting: the act of creating, uploading, editing or adding to any social media outlet. This includes text, photographs, audio, video or any other multimedia file.
- J. Forum: an online discussion site.
- K. Comments: responses to a blog post, news article, social media entry or other social networking post.
- L. Commenting: the act of creating and posting a response to a blog post, news article, social media entry or other social networking post. Commenting can also entail the act of posting an original composition to an unrelated post or article.
- M. Avatar: a computer user's representation of himself/herself, or an alter ego.
- N. Identity: an online identity, Internet identity or Internet persona that a social networking user establishes. This can be a real name, an alias, a pseudonym or a creative description.
- O. Handle: the name of one's online identity that is used most frequently. It can also be the name of one's Twitter identity.
- P. User Name: the name provided by the participant during the registration process associated with a Web site that will be displayed publicly on the site.

IV. RULES & REGULATIONS

- A. All Department members are prohibited from using any Department computers or cell phones/devices for any unauthorized purpose, including participation in social media or social networking.
- B. Sworn personnel are prohibited from using any social media or social networking platform while on duty, unless permission is granted for investigative or public information purposes.
 - 1. A Department member using social media during work time has no expectation of privacy. Members are advised that social media posts may be subject to discovery under the Freedom of Information Act and/or WI. Statute 19.35. All other litigation-related and non-litigation-related discovery devices may utilize the subject of discovery for any social media posts. Use of social media during recognized scheduled breaks away from your normal work area is allowed.
- C. Unless granted explicit permission, members of this Department are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:
 - 1. Any text, photograph, audio, video, or any other multimedia file related to any investigation, both current and past, of this Department.
 - 2. Any text, photograph, audio, video, or any other multimedia file related to any past or current action of this Department, either in homage or critique.
 - 3. Logos, badges, seals, uniforms, vehicles, equipment or any item or symbol that is affiliated with this Department.
 - 4. Any item, symbol, wording, number, likeness or material that is identifiable to this Department.
 - 5. Any text, photograph, audio, video, or any other multimedia file that is related to any occurrence within the Department.
- D. Members who choose to maintain or participate in social media or social networking platforms while off duty shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the Department or its mission.

In the course of operating or participating in such venues, the following rules shall apply:

- 1. Unless explicitly granted permission by the Department, members shall not identify themselves, in any way, as an employee of this Department.

2. Members shall not use any reference to infer they are employees of this Department during social media or social networking participation or maintenance.
 3. Members will be held responsible for the content that appears on their maintained social media or social networking sites and will be obligated to remove any posting or material contributed by others that identifies the member as an employee of the Department.
 4. Members will be held responsible for the content that appears on their maintained social media or social networking sites and will be obligated to remove any posting or material contributed by others that reflects negatively upon the Department.
 5. Sexually graphic or explicit material of any kind shall not be posted by the member on any form of social media or social networking site.
 6. Sexually graphic or explicit material posted by others to the member's social media or social networking sites shall be immediately removed by the officer.
 7. Weaponry, owned by this Department and/or owned personally or privately, shall not be displayed or referenced to, in any multimedia format, on social media or social networking sites if such displays or depictions promote or glorify violence.
 8. Any text, photograph, audio, video or any other multimedia file included on a social media or social networking site that infers, implies, states, opines or otherwise expresses the member's views on the public shall not be detrimental to the Department's mission, nor shall it in any way undermine the public's trust or confidence in this Department.
 9. Any text, photograph, audio, video, or any other multimedia file included on a social media or social networking site that infers, implies, states, opines or otherwise expresses the member's views on the legal, judicial or criminal systems shall not, in any way, undermine the public's trust and confidence in this Department.
 10. Any posting that detracts from the Department's mission will be considered a direct violation of this Policy & Procedure and subject to discipline; refer to Policy & Procedure 4.02: Disciplinary Procedures.
- E. Unless serving as an explicitly permitted tool of public information or community outreach, no member shall use their rank and/or title in any social media or social networking activity, including inclusion of said rank and/or title into the member's online identity or avatar.

- F. Members who are brought under administrative or internal investigation related to their performance, functionality or duties as a Department employee may be ordered to provide the Department, or its designated investigator, with access to the social media and social networking platforms in which they participate or maintain; refer to Policy & Procedure 4.03: Citizen Complaints/Internal Affairs.
- H. If requested, any member shall complete an affidavit attesting to all the social media and social networking platforms in which they participate or maintain.
- I. Any candidate seeking employment with this Department shall complete an affidavit attesting to all the social media and social networking platforms in which they participate or maintain. The candidate shall be required to provide the designated background investigator with access to the social networking platforms in which they participate or maintain.

Michael Meeusen
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

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