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Sheriff

HARFORD COUNTY SHERIFF'S OFFICE PERSONNEL POLICY

Social Media/Social Networking

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1. Purpose

To establish a policy regarding the use of online social media by Harford County Sheriff's Office (HCSO) employees.

2. Policy

HCSO requires employees using social media to maintain professionalism, while also recognizing that HCSO employees have a First Amendment right to post on social media matters of public concern so long as the posts are not made pursuant to official duties or do not adversely affect the HCSO's efficient provision of services to the public.

3. Definitions

BLOG: an online 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.

PUBLIC ONLINE FORUM: publicly accessible online discussion area where you can post and read messages from other users.

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

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 (Facebook, MySpace, Friendster, LinkedIn, Twitter and other sites that allow user posts).

The lack of explicit reference to a specific site does not limit the application of this policy.

Social Media/Social Networking

4. References

IACP Model Policy, Social Media, p.1, August 2010
IACP Model Policy, Social Media, p.2, August, 2010
IACP Concept and Issues Paper, Social Media, September 2010, p.2
LLRMI policy on Social Networking, 2009, p. 2
LLRMI policy on Social Networking, 2009, p.2-3

5. Background

- A. Employees have the right to use social media when off-duty, but when doing so they are still public servants held to higher ethical standards than the general public.
- B. The HCSO has a duty to protect the reputation of the HCSO and its employees and guard against potential legal liability.
- C. 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.
- D. Any reference to employment with the HCSO while using social media could compromise the safety of employees or their family.
- E. All electronic communications created, received or stored on the HCSO computer system, issued cellular telephone or network are the sole property of the HCSO and/or Harford County and not the author, recipient, or user.
- F. 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);
 - d. photos or videos of a crime posted by a participant or observer;
 - e. careers and volunteer positions;
 - 2. Building trustworthy relationships and a sense of community;
 - 3. Gaining control over the Agency's reputation in the community; and
 - 4. Spreading knowledge quickly and with minimal effort.

6. Procedures

Social Media/Social Networking

A. On-Duty Use

1. All HCSO social media sites or pages must be approved by the Sheriff, or designee, and administered by the Computer Support Unit, Public Information Officer, Webmaster, or other authorized unit or entity.
 - a. Social media content must adhere to applicable laws, regulations and policies, including all information technology and records management policies.
 - b. Content is subject to the Maryland Public Information Act and discovery in litigation and applicable records retention schedules apply to social media content.
2. When possible, each HCSO social media page must state that the opinions expressed by visitors to the page do not reflect the opinions of the HCSO.
3. Pages must clearly indicate that posted comments will be monitored and that the HCSO reserves the right to remove any comment that is deemed inappropriate.
4. Pages must clearly indicate that any content posted or submitted for posting is subject to public disclosure.

B. Employees representing the HCSO via social media outlets must:

1. identify themselves as a HCSO employee;
2. conduct themselves at all times as representatives of the HCSO and adhere to all HCSO standards of conduct; and
3. observe and abide by all copyright, trademark, and service mark restrictions when posting materials.

C. While on-duty or acting pursuant to their official duties, employees may not:

1. routinely access social media websites unless conducting a criminal or administrative investigation as approved by a supervisor or the Public Information Officer;
2. access online social media for personal use that preempts official activity or interferes with the employee's duties;
3. make statements on social media, including personal opinions, about the guilt or innocence of any suspect or arrestee, or comment on open investigations or pending prosecutions;
4. post on social media photographs, images, video, audio or any other documents or information created or received by the HCSO or any other law enforcement agency related to any open investigation;
5. post on social media information or comments pertaining to HCSO personnel matters that are not matters of public concern;

Social Media/Social Networking

6. post on social media any photograph that could be used to identify anyone as either a covert law enforcement officer of any agency or a confidential informant;
 7. post or disseminate any information obtained as a result of their employment with the HCSO or their specific duty assignment not known to the general public;
 8. post, transmit or otherwise disseminate on social media confidential information (including photographs, videos, or audio) related to HCSO training, activities, investigations or assignments without written permission from the Sheriff or designee;
 9. post, broadcast or otherwise disseminate any statements, comments, still or video images that: advocate or support hatred or intolerance based on age, ancestry, color, creed, gender identity or expression, genetic information, marital status, mental or physical disability, national origin, pregnancy, race, religious affiliation, belief or opinion, gender, or sexual orientation; advocate, create, or engage in illegal discrimination based on age, ancestry, color, creed, gender identity or expression, genetic information, marital status, mental or physical disability, national origin, pregnancy, race, religious affiliation, belief or opinion, gender, or sexual orientation, or advocate violence or other unlawful means of depriving individual rights under the U.S. Constitution and federal or state law; are grossly offensive to modesty, decency, or propriety; advocate a philosophy that degrades or demeans a person based on age, ancestry, color, creed, gender identity or expression, genetic information, marital status, mental or physical disability, national origin, pregnancy, race, religious affiliation, belief or opinion, gender, or sexual orientation; advocate a philosophy that degrades or demeans a person based on age, ancestry, color, creed, gender identity or expression, genetic information, marital status, mental or physical disability, national origin, pregnancy, race, religious affiliation, belief or opinion, gender, or sexual orientation; that are grossly offensive to modesty, decency, or propriety and are not a matter of public concern; that concern personal grievances not of public concern;
 10. conduct political activities or private business on-duty;
 11. post defamatory material or content; or
 12. use HCSO computers or mobile devices to access social media without supervisory authorization.
- D. The HCSO may review an applicant's online content when conducting pre-employment background investigations.
- E. Personal Use
1. The on-duty use policies in Section C, other than #'s 1 and 2 apply to off-duty use as well.
 2. While not acting pursuant to their official duties, employees may comment on issues of public concern (not personal grievances) if the comments do not disrupt the workforce, interfere with important working relationships or the efficiency of HCSO, or undermine public confidence in the employee.
- F. Employees should exercise good judgment while using social media and shall not:
1. use discriminatory, harassing or derogatory language; and/or
 2. encourage socially and morally inappropriate behavior.
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Social Media/Social Networking

- G. Employees may not represent their social media opinions or comments as that of the Sheriff, HCSO or that of another HCSO employee.
- H. 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 Agency into an unfavorable light.
- I. Although they have a First Amendment right to do so, it is recommended that employees not post photographs or refer to their employment with the HCSO on social media.
- J. Employees who are, or who may reasonably be, expected to work in undercover operations, must not post any form of visual or personal identification online.
 - 1. Employees must never assume that personal information posted on such sites is protected from further disclosure or dissemination.
- K. Any information created, transmitted, downloaded, exchanged or discussed in a public online forum may be accessed by the HCSO without prior notice.

<p><i>Approved</i></p> <hr/> <p><i>JEFFREY R. GAHLER</i> <i>SHERIFF</i></p> <p><i>DATE</i> _____</p>
