

- I. Purpose
- II. Policy
- III. Definitions
- IV. Precautions - Public Statements and Personal Use of Social Media
- V. Division Authorization of Official Social Media
- VI. Official Social Media Account Representatives
- VII. Potential Adverse Consequences
- VIII. Record Retention
- IX. Severability
- X. Legislation and References

I. Purpose

This directive establishes guidelines for the professional use of social media while acting in an official capacity, as well as providing cautions while using social media in an off-duty or non-official capacity. Social media has become a prevalent form of communication and self-expression within our society. It has been proven to be very valuable in providing public safety services to the community when seeking additional case leads, combating cybercrimes, providing crime prevention tips, and sharing real time community alerts during weather emergencies to name a few. Social media in and of itself is not bad or good, but the use of it can have an exponential effect on thousands of people within seconds. Therefore, the Division encourages all employees to exercise discretion, good judgment, and decency when participating in social networking and internet use both on and off duty.

II. Policy

It is the policy of this agency to utilize social media in a responsible manner that respects all intended and unintended recipients, whether read today or at any point in the future. As public employees in positions of trust, we must understand that what we do as individuals is not necessarily interpreted as an isolated act and attributable to the sender only, but reflective of all members within the agency in the eyes of the public. What is shared on social media can either foster continued respect and admiration for the agency and its members or lead to fear, mistrust, and disrespect. These negative outcomes may have a direct impact on the morale, operations, or efficiency of the agency and significantly hamper our ability to carry out the mission of the Park Police. Therefore, no employee will communicate on any social media platform any message (by words, images, symbols, or other means) that could be reasonably interpreted as conduct unbecoming and which negatively impacts the operation of the Commission. Conduct unbecoming includes, but is not limited to, any criminal, dishonest, prejudicial, or disgraceful act.

III. Definitions

- A. Employees - any sworn, non-sworn member, volunteer, seasonal worker, or intern.
- B. Social Media - collective term for various online platforms, applications or technologies that enable digital communication and “sharing” including, but not limited to: text, audio, photographic, video or multimedia files. Examples of social media platforms include but are not limited to: Facebook, Twitter, Instagram, Snap Chat, Tumblr, YouTube, Reddit, or any other website open to public viewing.
- C. Website – is a page or collection of pages on the World Wide Web that contains specific information which was provided by a person or entity and is linked to a common Uniform Resource Locator (URL). For the purposes of this directive “Website” includes a web page.

-
- D. Internet - Electronic communications network that connects networks and organizational computer facilities around the world.
 - E. Post - act of publishing information, links, text, photographs, audio, video or any other multimedia file to a social media platform. This includes original content, as well as, re-posting, re-tweeting, or re-blogging content from other user's social media accounts.
 - F. Profile – a web page that contains user identifying information such as statements of beliefs, pictures, professional or informal associations, and biological data.
 - G. Page – place where content is displayed and can be monitored by administrators of said page and/or the public.
 - H. Blog – self-published diary or commentary on a topic that may allow visitors to post responses, reactions, or comments.
 - I. Speech – includes, but is not limited to, any form of expression such as writing, symbolism, photography, audio, video or multimedia content.
 - J. Wireless Device – Device that transfers information over a distance without the use of electrical conductors or wires (i.e. cellular phones, personal digital assistants, and wireless headsets).
- IV. Precautions - Public Statements and Personal Use of Social Media.
- A. The Division has a duty to protect the reputation of the organization and its employees, as well as limit its risk to liability. Therefore, employees are advised of the following:
 - 1. When posting information to the Internet or a social media site, employees should not assume there is an expectation of privacy, regardless of the type of social media platform, user privacy settings, pseudonyms, or other access controls. To this end, employees are cautioned that the content of social networking sites can be easily obtained by third parties and used in criminal and civil trials to impeach the employee's testimony or to undermine the employee's and/or Division's character or reputation.
 - 2. "Conduct Unbecoming" applies to your actions whether committed on or off duty.
 - 3. Division members may express themselves on social media sites for professional or personal reasons. However, should employees engage in speech that does not relate to a matter of public concern and which has a direct or indirect negative impact on the Commission, that employee may be engaging in speech which is not protected and for which discipline may be imposed.
 - 4. For the purposes of employee safety and that of one's family members, references regarding personal matters, home address, phone number, personal vehicle, etc., are strongly discouraged for social networking sites. Employees should be aware that certain posts may unintentionally include time and location data.

5. If an employee is not acting in an officially sanctioned role as a spokesperson for the agency and reveals (intentionally or otherwise) his/her employment/position with the Division while posting personal comments or other material on a social media site, the employee should make it clear that he or she is not speaking for the Commission and he/she should add disclaimer to the post, **“The comments expressed are those of the sender only, and are not authorized or endorsed by the M-NCPPC nor the Park Police.”**
- B. Prohibited Activities – Regardless of duty status, employees will not post, transmit or endorse any information contained on any social network, social media platform, website, or any other internet site when such activity does not relate to a matter of public concern and will have a direct or indirect negative impact on the Commission (including but not limited to any of the divisions of the Commission). The following are examples of posts that may not be protected speech and may be the subject of a disciplinary action.
1. Discourteous or disrespectful regarding another person’s ethnicity, race, religion, gender, gender identity/expression, sexual orientation, and/or disability.
 2. A pattern of behavior which constitutes harassment or contains threats against another person.
 3. Slanderous, obscene, vulgar, or hateful messages.
 4. Comment(s) on the guilt or innocence of a suspect, or the credibility of a witness prior to adjudication of the matter for which the employee is involved in any work-related capacity.
 5. Images or descriptions of Park Police uniforms, badges, patches, marked vehicles or property of any kind used for personal purposes, or in any context which would likely have an adverse effect on the reputation, integrity of the agency that impacts the agency’s mission.
 6. Sharing of personal opinions of judges, prosecutors, defense attorneys, witnesses, victims, or others directly involved in judicial proceedings, especially when one’s actions can be interpreted as having the intent to harass, intimidate, or coerce.
 7. Information which contains Confidential Information, or which is protected from disclosure by law, such as Social Security Information, Health Insurance Portability and Accountability Act of 1996 (HIPAA), or Personnel Records.
 8. The private, personal, or personnel information of a fellow employee without their consent.
 9. Using personal handles that identify their M-NCPPC job or workplace such as @parkpd_johndoe or @policemnc_janedoe.
 10. Links to inappropriate websites such as those that are associated with known hate groups, and/or that promote violence against others.
 11. Confidential information on past, present, or future investigations obtained as a result of one’s position as a member of the agency that has not been made public to include: photographs or video recordings from crime scenes; witness or victim statements; any other sensitive public safety information/items.

12. Political or private business while using an official M-NCPPC or Park Police source such as one's agency email address, division letterhead, etc.
13. Posts that violate any Federal, State, Local Law, or the Commission's MSRR, Practices, or Procedures.

V. Division Authorization of Official Social Media Accounts.

- A. The Chief of Police approves all official Department social media accounts.
- B. The Department will clearly identify its official social media accounts and have contact information prominently displayed.
- C. Investigative units may use non-official social media accounts in the performance of their official police duties with written permission from the Chief of Police.
- D. Social media pages will state that:
 1. "The opinions expressed are those of visitors to the page(s), and such opinions do not necessarily reflect those of the Division."
 2. The content posted or submitted for posting is subject to public disclosure.
 3. Content posted or submitted for posting, including comments, will be monitored.
 4. The Division reserves the right to remove comments which violate Federal, State, or local laws, are obscene or contain obscenities, are off-topic comments, or are otherwise inappropriate posts.

VI. Official Social Media Account Representatives.

The Chief of Police or the Public Information Officer (PIO) may authorize an employee to use the Division's official social media account(s) for the purpose of engaging with the community and/or sharing information. Any designee must follow the requirements of this policy as well as those contained in the Division's Media Relations directive. When acting as an official social media account representative, designated users will:

- A. Always conduct themselves in a professional manner and refrain from engaging in on-line disputes with members of the public.
- B. Only post information they know to be true.
- C. Avoid posting images of minors unless a prior written approval has been obtained by the minor's parent or legal guardian.
- D. Obtain expressed permission from the appropriate Branch Chief prior to publicly releasing photographs, audio/multimedia files, suspect information, or any potential evidentiary item in furtherance of an on-going criminal case follow-up.
- E. Avoid using slang, stereotypes, or informal forms of communication that reflect poorly on the agency and/or is known to be offensive to others.
- F. Refrain from sharing one's personal opinions in agency correspondence.

New 06/10/2020

Page 5 of 5

- G. Issue timely corrections or updates on information previously shared when such data will likely provide appropriate context and/or prevent the spread of inaccurate information which reflects negatively on the M-NCPPC or Park Police.
- H. Serve as administrators to the Division's official pages. This includes, but is not limited to, updating existing information and/or removing inappropriate comments that amount to personal attacks, that which may compromise an on-going investigation, or that which has the potential to endanger employee safety.

VII. Potential Adverse Consequences

Violations of this policy may result in disciplinary action ranging from reprimand to termination of employment.

VIII. Record Retention

Whenever possible, the Division's official social media accounts will be archived. All posts/comments are considered public information, therefore subject to the Maryland Public Information Act (MPIA).

IX. Severability

In the event that one or more provisions contained herein are determined by a court of competent jurisdiction to be in conflict with existing law, that provision will be considered severed and the balance of the document will remain enforceable.

X. Legislation and References

- A. Maryland Declaration of Rights.
- B. Maryland Public Information Act.
- C. First Amendment to the United States Constitution.
- D. HIPAA.
- E. LEOBR.

Issuing Authority:



Chief Darryl W. McSwain
Maryland-National Capital Park Police
Montgomery County Division

End of Directive