

UPPER MERION TOWNSHIP POLICE DEPARTMENT
POLICY AND PROCEDURES

No. 1365

Supersedes: NA

Effective: June 19, 2019

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Dated: April 12, 2012

SOCIAL MEDIA AND SOCIAL NETWORKING

- I. **PURPOSE:** The purpose of this policy is to give employees guidance regarding appropriate content on electronic communications, social networking websites and other electronically transmitted material when referencing the Upper Merion Township Police Department and its employees, and to control the electronic dissemination of information concerning crimes, accidents and other police business to unauthorized persons outside the department.
- II. **POLICY:** The Upper Merion Township Police Department recognizes the role social networking plays in the personal life of some employees. The personal use of social networking can have a bearing on departmental employees in their official capacity. The integrity of the Department must be above reproach. As such, any conduct that would compromise this integrity and thus, undermine the public confidence in the Department and the law enforcement profession is prohibited.
- III. **CROSS-REF:** TOWNSHIP WIDE POLICY #A1-128.02 (Electronic Communications)
POLICY #1000: SELECTION AND HIRING PROCEDURES

IV. **DEFINITIONS:**

SOCIAL MEDIA: A variety of on-line sources that allow people to communicate, including the sharing of information, photos, videos, audio and also to exchange text and other multimedia files with others via some form of on-line platform.

SOCIAL NETWORKING WEBSITE: An internet website that provides a virtual community for people interested in a particular subject or in communicating with each other. Users communicate with each other by voice, chat, instant message, video conference and blogs, and the service may provide a way for members to contact "friends" of other members. Current examples of social networking sites include: Facebook, Myspace,

Twitter, You Tube, LinkedIn, etc. The absence of, or lack of explicit reference to a specific site does not limit the extent or application of this policy.

CONFIDENTIAL INFORMATION: Digital photographs, video, audio, or other digital media depicting the Department, its employees, crime scenes, internal videos, daily work activity, information sensitive to law enforcement, or information which could be considered personal or private or could potentially expose the Department to liability.

V. **PROCEDURE:**

A. **GUIDELINES:**

1. As public servants, employees are cautioned that speech on-duty 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. Such speech is that which owes its existence to the employee's professional duties and responsibilities. Employees should assume that their speech and related activity on social media sites will reflect upon their official position and the Department.
2. Employees 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. Employees should exercise caution and good judgment when social networking on-line. Employees should be aware that speech containing obscene or sexually explicit language, images or acts, and statements that ridicule, malign, disparage, or otherwise express bias against any race, religion, sexual orientation, or protected class of individuals may provide grounds for impeaching an employee's testimony in criminal or civil proceedings.
4. If any employee indicates in any public forum any opinion on a police related issue, then that employee shall state that the views and opinions expressed are the employee's personal ones, and not those of the Department.

B. **RULES AND REGULATIONS:**

1. Employees should limit the use of any social networking site while on-duty.
2. Posting of the following types of criminal justice information to social networking sites is prohibited:
 - a. Confidential, sensitive or copyrighted information to which the employee has access due to his/her employment with the Department.
 - b. Information from an on-going criminal or administrative investigation including photographs, videos and audio recordings.
 - c. Photographs of deceased or injured persons, victims, suspects, arrestees or evidence.

- d. Statements about an on-duty use of force incident.
 - e. Comments related to pending prosecutions.
 - f. Pictures or videos of official Department training, activities, or work related assignments without the express written permission of the Chief of Police or his/her designee.
 - g. Pictures of the inside of the police building.
 - h. Pictures or video of any crime or traffic crash scene.
3. Department employees are free to express themselves as private citizens on social networking sites to the degree that their speech does not:
- a. impair working relationships within the Department for which loyalty and confidentiality are important, or
 - b. impede the performance of duties, or
 - c. impair discipline and harmony among coworkers, or
 - d. negatively impact the public perception of the Department, or
 - e. conflict with Department rules and regulations.
4. Employees may not display police department badges, insignias, uniforms or other similar identifying items on personal web pages without the permission of the Chief of Police.
5. Employees shall not identify themselves, in any way, as an employee of the Department on personal web pages without the permission of the Chief of Police.
6. Employees may not appear in uniform or other Department issued clothing on personal web pages without the permission of the Chief of Police.
7. Employees may not display pictures of marked or unmarked police department vehicles on personal web pages without the permission of the Chief of Police.
8. Weaponry owned by the Department and/or personally or privately owned, shall not be displayed or referenced to on social media or social networking sites if such displays or depictions promote or glorify violence.

C. USE OF PERSONAL PHOTO/IMAGING DEVICES:

- 1. No police department employee may use a personal photo imaging device in connection with any police function without prior approval of a supervisor. In an incident where an employee believes it would benefit a legitimate police matter

and a supervisor can't be contacted immediately, the employee may record the image and notify the supervisor as soon as possible.

- a. If it is later determined by the supervisor that the captured image is of no value to the police investigation, the supervisor will have the employee delete the image in their presence.
2. All images captured by personal devices in connection with a police matter must be thoroughly documented in an official police report.
3. In an instance where it is determined that the captured image is of value to a police investigation, the employee shall confer with the evidence technician to determine the appropriate method of retrieval or storage of the image.
4. No image captured on a personal device in connection with a police matter may be distributed outside the Upper Merion Police Department without prior approval of a command officer.

D. HIRING PROCEDURES:

1. Any candidate seeking employment with this department shall provide the background investigator, upon request, all the social media platforms in which they participate or maintain.
2. The purpose of a background investigation of a candidate's public social networking site is to check for content that would constitute a violation of this policy. No information of a protected nature shall be disclosed by the background investigator to anyone with decision making authority in the hiring process.

APPROVED: *Thomas Nolan*
Chief Thomas Nolan

DATED: 06/19/2019

APPROVED: *Jeremy Johnson*
Captain Jeremy Johnson

DATED: 06/19/2019

TO BE REVIEWED: ANNUALLY

DISTRIBUTION: All police officers
All civilian employees
Township Manager
File