

POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 126-A

REFERENCE STANDARDS: 54.1.1g

SUBJECT: Social Media Management

PURPOSE: The Police Department recognizes the value of social media technologies to serve a variety of purposes in furtherance of carrying out its mission. Social media resources can be used as a positive community outreach tool to collect and receive information from the public, and may also be utilized in problem-solving and investigative efforts. This policy establishes the Department's management objectives and administrative oversight of the use of such technologies by members of the Department in the course of their duty.

The Department also recognizes the increasing role that social media sites and applications play in the personal lives of some Department members. It is also recognized that personal use of social media can have a bearing on Department members in their official capacity. Members of this Department must understand their position as representatives of the agency and public figures, and must strive to maintain public trust and confidence in both professional and personal conduct. Department members are held to a higher standard than the general public, and members' online activities should reflect such professional expectations and standards. Any online actions taken that detract from the mission and policies of the Department, or reflect negatively on a member's position, will be viewed as a direct violation of this policy. This policy provides precautionary information for Department members as well as the identification of prohibited use of social media.

DEFINITIONS

Avatar—A computer user's representation of himself/herself, or an alter ego.

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. The term is short for web log.

Comments—Responses to a blog post, news article, social media entry or other social networking post.

POLICE OPERATIONS MANUAL

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VILLAGE OF HANOVER PARK

Rescinds:

Auth:

Forum—An online discussion site.

Page—The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post—An item inserted to a blog or an entry to any type of computerized bulletin board or forum.

Profile—Information that a user provides about himself or herself on a social networking site.

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.

Social Networking—The use of Internet or mobile formats such 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.

Speech—Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

Web Site—A set of interconnected web pages, usually including a homepage, generally located on the same server, and prepared and maintained as a collection of information by a person, group, or organization.

I. USE OF SOCIAL MEDIA—ON-DUTY

- A. All Department social media sites or pages shall be approved by the Chief of Police or his/her designee, and shall be administered by designated Department members.
- B. All Department social media sites or pages shall adhere to the following provisions:
 - 1. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.
 - 2. Where possible, social media pages shall state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.
 - 3. 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.
 - 4. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

5. All postings and designs on all Department social media sites shall be approved by a supervisor.
 6. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the Department's presence on the website.
 7. Where possible, the page(s) should link to the Department's section of the Village's official website.
- 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. Social media records shall be disposed of in accordance with the procedures outlined in Dir. 541-S.
 2. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
- D. Personnel utilizing social media to represent the Department shall:
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 Department.
 3. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to Department training, activities, or work-related assignments without express written permission.
 4. Not conduct union or political activities or private business.
 5. Only utilize email addresses that have been issued for professional Department use to manage or otherwise contribute to Department social media accounts.
- E. The use of Department computers by Department members to access social media is prohibited without authorization. The use by Department members of personally owned devices to manage the Department's social media activities or in the course of official duties is prohibited without written permission.
Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
- F. The Department recognizes numerous potential uses of social media, which may include but are not limited to:
1. Investigative:

- a. Missing persons
 - b. Wanted persons
 - c. Gang participation
 - d. Online crimes (e.g. cyberbullying, cyberstalking)
 - e. Photos or videos of a crime posted by a participant or observer.
- 2. Community Outreach and Engagement:
 - a. Providing crime prevention tips
 - b. Offering online-reporting opportunities
 - c. Sharing crime maps and data
 - d. Soliciting tips about unsolved crimes (e.g. Crime Stoppers)
 - e. Recruitment for employment and volunteer positions
- 3. Time-Sensitive Notifications:
 - a. Road closures
 - b. Special events
 - c. Weather emergencies
 - d. Missing or endangered persons.

II. USE OF SOCIAL MEDIA—OFF-DUTY

- A. Department members who choose to maintain or participate in web sites, 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. Department members are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this Department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department. Members shall be mindful that their speech becomes part of the worldwide electronic domain.
- B. As public employees, Department members are cautioned that speech on or off-duty, made pursuant to their official duties—that is, that owes its existence to the member's professional duties and responsibilities—is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department members should assume that their speech and related activity on social media sites will reflect upon their office and this Department.
- C. Department members shall not use any form of web site, social media or social networking, including but not limited to 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, in any way so as to tarnish the Department's reputation. Members will be held responsible for the content that appears on their maintained web site, social media or social networking sites, and will be obligated to:

1. Comply with all restrictions listed below, and:
 2. Remove any posting or material contributed by others that reflects negatively upon the Department.
- D. Members shall exercise good judgment and demonstrate personal accountability when choosing to participate on social media and networking sites. Members should consider the possible adverse consequences of Internet postings, such as future employment, cross-examination in criminal cases, public as well as private embarrassment, and the safety of family members. For instance, engaging in speech prohibited in this order may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Similarly, the posting of personal information may bring unwanted attention to the member's family, residence and privacy.
- E. Department members 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.
- F. Department members 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. Members should also expect that any such information will exist in some electronic form forever, whether on the original site or copied to some other site or memory storage.
- G. Department members should be aware that they may be subject to civil litigation for:
1. Publishing or posting false information that harms the reputation of another person, group, or organization (defamation).
 2. Publishing or posting private facts and personal information about someone without that person's permission that has not been previously revealed to the public, is not of legitimate public concern, and/or would be offensive to a reasonable person.
 3. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose.
 4. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- H. Members are encouraged to seek the guidance of supervisors regarding any posting that may adversely reflect upon the professionalism or integrity of the member or the Department.
- I. Any Department member becoming aware of or having knowledge of a posting or of any website or web page in violation of the provisions of this order shall notify his/her supervisor immediately.

III. SOCIAL MEDIA RESTRICTIONS

- A. Department members are prohibited from the following activities related to social media or social networking:
1. Excessive use of Department computers or cell phones/devices to participate in social media or social networking, unless permission is granted for investigative or public information purposes, in the performance of their official duties.
 2. Using any social media or social networking platform while on duty, unless permission is granted for investigative or public information purposes, in the performance of their official duties.
 3. Using the Department logo, patch, or Departmental reference for any commercial purpose, in any manner which is detrimental to the Department or Village's reputation, or in any manner which purports the official sanction, sponsorship or authority of the Department.
 4. Using any photographs or text with a Departmental reference for any commercial purpose, in any manner which is detrimental to the Department or Village's reputation, or in any manner which purports the official sanction, sponsorship or authority of the Department.
 5. Posting, transmitting and/or disseminating any text, photograph, audio, video, or any other multimedia file, unless granted explicit permission from a supervisor, related to:
 - a. Any investigation, both current and past, of the Department.
 - b. Any past or current action of the Department, either in homage or critique.
 - c. Any occurrence internally within the Department.
 6. Posting, transmitting and/or disseminating any of the following types of material:
 - a. Sexual, sexually graphic, violent, racial, ethnically derogatory material, comments, pictures, artwork, video or other reference.
 - b. Forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - c. Forms of speech that promote or glorify the use of cannabis or controlled substances, the commission of a crime, or the abuse of alcohol.
 - d. Forms of speech that promote or glorify treasonous acts or the overthrow of the government.

7. Posting, transmitting and/or disseminating any pictures or videos of official Department training, activities or work-related assignments, except as identified in section III(E).
 8. Posting, transmitting, disseminating and/or referencing weaponry owned by the Department.
 9. Posting, transmitting and/or disseminating personally owned weaponry, if such display or depiction promotes or glorifies violence.
 10. Posting, transmitting and/or disseminating any form of visual or personal identification by or about officers who are or who may reasonably be expected to work in undercover operations.
- B. 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 the Department.
- C. 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 justice systems, shall not be detrimental to the Department's mission, nor shall it in any way undermine the public's trust and confidence in the Department.
- D. If a Department member finds that anyone else has posted anything related to the prohibitions above to the member's social media or social networking site, the member shall immediately remove the posting.
- E. Portraits, photographs or any video recordings taken during Department-sanctioned, official ceremonies, such as promotional ceremonies, honor guard ceremonies, etc. are permitted for posting. These photographs and/or recordings shall not disgrace or disparage members or the Department in any manner, nor shall said items be placed on any webpage or other electronic media or in hard copied media material that in any way brings discredit to the Department or the profession.

IV. INTERNAL INVESTIGATIONS

- A. Members who are brought under administrative or internal investigation should be aware that any social media or networking site postings or activities that exist in the public domain are subject to review by investigating officers.
- B. The Department may investigate through a criminal or administrative investigation any web sites, social media or social networking activity existing in the public domain that are deemed inappropriate, bring discredit to the Department and/or its members, or promote misconduct, whether there is an employment association or not.

- C. Pursuant to 820 ILCS 55/10(b)(1), employees may not be requested or required to provide passwords or account information in order to gain access to the employee's account or profile on a personal social media or networking site.

V. BACKGROUND INVESTIGATIONS

- A. The Department has an obligation to include Internet-based content when conducting background investigations of job candidates. Candidates seeking employment with the Department should be advised that social media and networking activity which exists in the public domain will be reviewed.
- B. Every effort must be made to validate Internet-based information considered during the hiring process.
- C. Pursuant to 820 ILCS 55/10(b)(1), prospective employees may not be requested or required to provide passwords or account information in order to gain access to the prospective employee's account or profile on a social media or networking site.

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820 ILCS 55/10) (from Ch. 48, par. 2860)

Sec. 10. Prohibited inquiries.

(a) It shall be unlawful for any employer to inquire, in a written application or in any other manner, of any prospective employee or of the prospective employee's previous employers, whether that prospective employee has ever filed a claim for benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act or received benefits under these Acts.

(b)(1) It shall be unlawful for any employer to request or require any employee or prospective employee to provide any password or other related account information in order to gain access to the employee's or prospective employee's account or profile on a social networking website or to demand access in any manner to an employee's or prospective employee's account or profile on a social networking website.

(2) Nothing in this subsection shall limit an employer's right to:

(A) promulgate and maintain lawful workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and

(B) monitor usage of the employer's electronic equipment and the employer's electronic mail without requesting or requiring any employee or prospective employee to provide any password or other related account information in order to gain access to the employee's or prospective employee's account or profile on a social networking website.

(3) Nothing in this subsection shall prohibit an employer from obtaining about a prospective employee or an employee information that is in the public domain or that is otherwise obtained in compliance with this amendatory Act of the 97th General Assembly.

(4) For the purposes of this subsection, "social networking website" means an Internet-based service that allows individuals to:

(A) construct a public or semi-public profile within a bounded system, created by the service;

(B) create a list of other users with whom they share a connection within the system; and

(C) view and navigate their list of connections and those made by others within the system.

"Social networking website" shall not include electronic mail.

(Source: P.A. 97-875, eff. 1-1-13.)