



DIRECTIVES

Oak Creek Police Department

Effective Date:

December 16, 2015

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Sign-Off Date:

July 6, 2021

Title:

SOCIAL MEDIA POLICY

Directive Number:

3-400

Critical Policy

Yes No

Open Record

Yes No

Total Pages:

5

Applicability:

All Employees

I. PURPOSE AND OBJECTIVES

The Social Media Policy is designed to outline the use of social media sites by employees as it relates directly to the reputation and perception of the Oak Creek Police Department and its employees. This is not intended to prohibit or inhibit upon any employee's communication, speech or expression which has been clearly established as protected or privileged. However, an employee's use of social media sites needs to balance free speech and expressions with the legitimate needs of the department.

The use of social media sites has been proven to enhance communications, collaborations, productivity, information exchanges and streamline processes. This policy doesn't address any one type of social media, but gives a structure to address what is available today and prepare for what may be available in the future.

II. DEFINITIONS

- A. *Avatar* – A user's representation of himself/herself, or an alter ego.
- B. *Blog* – A series of entries, written by either one person or multiple people, in an online journal, usually posted in chronological order, like a diary. Blogs can allow comments on entries or not allow them.
- C. *Blogging* – To read, write or edit a shared online journal. Blogging can also include the act of commenting or engaging with others on any blog, to include those hosted or run by third parties.
- D. *Comments* – Responses to blog posts, news articles, social media entries or other posts.
- E. *Commenting* – The act of creating and posting a response to blog posts, news articles, social media entries or other posts. This includes posting an original posting to another posting, article, entry or other post.
- F. *Forum* – A site for online discussions.
- G. *Handle* – The online identity, or name, of an individual, that is provided by the user during the registration process associated with a web site. This is displayed publicly on the site for all other users to see and identify the individual user. This is also known as a *User Name*.
- H. *Instant messaging* – Communication that allows you to create a private chat room with another individual via text in real-time over different internet platforms.
- I. *Internet* – A computer network consisting of a worldwide network of computer networks that use the TCP/IP network protocols to facilitate data transmissions and exchanges.
- J. *Intranet* - A privately maintained computer network that only authorized persons can access.

II. DEFINITIONS - *Continued*

- K. *Micro-blogging* – The combination of blogging and instant messaging that allows users to create short messages to be posted and shared via social media platforms.
- L. *Mobile Social Networking* – Use of a mobile phone or other cellular or Wi-Fi based device
- M. *Page* – The specific place where content is displayed and managed by those who have administrative rights.
- N. *Post* – Written documents, text entries, pictures, audio, video or any other multimedia file information that is published on a site.
- O. *Posting* – The act of creating, adding, uploading or editing documents, text entries, pictures, audio, video or any other multimedia file.
- P. *Profile* – The information, online identity or internet persona that a user provides about himself/herself. This can be a real name, an alias, pseudonym or a creative description provided by the user.
- Q. *Social Media* – A variety of online, internet, cellular or intranet sources that allow users to communicate, exchange text, share information, share audio, share photos, share videos, and share other multimedia files.
- R. *Social Networking* – Online platform where users can create profiles, share information and socialize with others. This takes place in many different types of formats; however, they are typically based on similar interests, geographical location, skills, occupation, ideology, beliefs, etc.
- S. *Speech* – Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photos, video or other related forms of communication.
- T. *World Wide Web* – Computer networks consisting of a collection of internet sites that offer text, graphics, sounds and or animation resources through hypertext transfer protocols.

III. PROCEDURE

A. Personal Use

1. Employees are free to express themselves as private citizens on social media sites as long it does not:
 - a. Impair working relationships where loyalty and confidentiality are important.
 - b. Impede or affect the efficiency of the performance of duties.
 - c. Impair discipline.
 - d. Affect harmony among coworkers.
 - e. Negatively affect the public's perception of the Department or City of Oak Creek.
 - f. Disclose OCPD tactics, intelligence or investigations.

III. PROCEDURE - *Continued*

2. Employees shall not post, update or transmit to or from social media sites during their work hours on personal, Department or City-owned devices; except:
 - a. When exigent circumstances dictate (i.e., inform family of extended hours)
 - b. As outlined in Section B—*Department Use and Investigations*.
3. An employee's speech, whether made on or off-duty, which is 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.
4. Any information that is created, discussed, downloaded, exchanged or transmitted on a public forum, on or off-duty, may be accessed by the Department at any time, without prior notice.
5. Any information that is created, discussed, downloaded, exchanged or transmitted while at work on Department or City-owned devices, whether on or off-duty, may be subject to discovery under the Freedom of Information Act and/or the Wisconsin Open Records Act (§19.35).
6. Employees shall not create, discuss, download, exchange or transmit any information that they have access to as a result of their employment without the written permission from the Chief of Police.
7. If it can be reasonably believed that an employee; whether acting in their own individual capacity, within a group or within an organization (i.e., union or bargaining group), is affiliated with this Department, they shall give specific disclaiming statements that their expressions, speech or writings are not representative of the Department.
8. While not prohibited, employees are cautioned not to disclose their employment with the Department. Employees are discouraged from:
 - a. Displaying Department badges, logos, insignia, uniforms or other Department-owned equipment on their personal social media web pages.
 - b. Posting audio, photos or video that may cause the employee to be identified as part of this Department.
9. Employees may not represent the Department or identify themselves as being affiliated with the Oak Creek Police Department, unless authorized by the Chief of Police, to:
 - a. Appear in any commercial, photograph, publication (social or nonprofit), public broadcast, video or website.

B. Department Use and Investigations

1. Investigations
 - a. Employees, as assigned by the Chief of Police or his/her designee, may investigate through social media sites for information and/or evidence of:

III. PROCEDURE - *Continued*

- 1) Missing persons,
 - 2) Wanted persons,
 - 3) Gang participation,
 - 4) Cyber-crimes (i.e., bullying, stalking, etc.),
 - 5) Audio, photos or video by offenders or witnesses of crimes,
 - 6) Events to promote civil unrest (i.e., fights, flash mobs, etc.)
- b. Employees who are authorized by the Chief of Police or his/her designee may use pseudonyms for usernames, locations, and background information in order to gain access to information relevant to an investigation.
2. The Department's Presence to the Public
- a. Department social media sites will be set up, managed and maintained with the approval of the Chief of Police. A social media liaison will be assigned by the Chief of Police.
 - b. All Department social media sites will indicate that they are maintained by the Department and have the Department contact information displayed in a prominent place.
 - c. All posts to Department social media sites will adhere to applicable laws, regulations and policies; which include information technology, records management and open records laws.
 - d. Department social media sites shall have posted:
 - 1) *"Opinions posted by visitors do not reflect the opinions of the Department."*
 - 2) *"All posted comments are subject to public disclosure."*
 - e. Department employees that are authorized to represent the Department on social media sites will:
 - 1) Be professional as they are conducting themselves as a Department representative.
 - 2) Identify themselves as a Department employee.
 - 3) Not make any posts about investigations, suspects, offenders, witnesses, confidential information, without permission from the Chief of Police or the PIO team.
 - f. Authorized Department employees should use the social media sites to focus on promoting the Department in a positive way as well and continuing to foster a good working relationship with the public through:

III. PROCEDURE - *Continued*

- 1) Crime prevention tips
- 2) Community resources
- 3) Soliciting tips and information
- 4) Employment and volunteer opportunities
- 5) Sharing crime data
- 6) Missing and endangered persons reports
- 7) Special events
- 8) Weather emergencies and road closures
- 9) Press releases

3. Retention

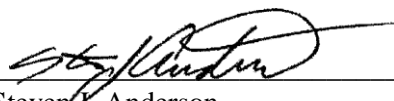
- a. The City of Oak Creek will maintain an archive of social media posts for open records and historical purposes.

IV. DISCLAIMER

The Social Media Policy developed by the Oak Creek Police Department is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of the Social Media Policy can only be the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

REFERENCE:

- WI §19-31 - 19.35 - Open Records Act
- City of Oak Creek Social Media Policy
- Oak Creek Police Department Supervisor SOG #29 – Department Use of Social Media
- Oak Creek Police Department Supervisor SOG #29(A) – Submitting Press Releases via Social Media



Steven J. Anderson
Chief of Police

DRS/tp