

14.205 SOCIAL MEDIA

Reference:

City of Cincinnati Administrative Rule No. 59 – Social Media
City of Cincinnati Brand Identity Guidelines
Investigations Manual
City of Cincinnati Human Resources Policies and Procedures - Chapter 9
Procedure 14.210, Real Time Crime Center Information Requests

Definitions:

Blog - A self-published 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.

Profile - Information that a user provides about himself/herself on a social networking site.

Social Media - A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), microblogging sites (Twitter, Nixle), photo and video sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social Networks - Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

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

Wiki - Web page(s) that can be edited collaboratively.

Purpose:

The Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This procedure establishes this Department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This procedure is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

Policy:

The Police Chief and the City's Public Information Officer must approve the creation of any social media presence that represents the City or Department. All accounts must be registered with the City Manager's Office and the Enterprise Technology Solutions Department. Unless approved by the City's Public Information Officer, the Department will have only one identity per social media site (ex. one Facebook page and one Twitter account). Page administrators must use their work email address and adhere to the City's password policies.

Personnel assigned to the Community Liaison Office and the Public Information Office are responsible for the content management and posting of information on the Department Social Media Page.

Department social media pages must adhere to the City of Cincinnati Brand Identity Guidelines.

The City of Cincinnati's website – <http://www.cincinnati-oh.gov/> - should be the City's primary source of online information to the public.

Social media posts should, whenever possible, provide links back to the Department's page on the City's website for information, contact forms, or other assets available on the City's website.

Information:

Social media provides a new and potentially valuable means of assisting the Department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. The Department also recognizes the role that these tools play in the personal lives of some Department personnel. The personal use of social media can have bearing on Department personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department personnel.

Procedure:

A. Department Sites and Page Requirements

1. All Department social media sites or pages shall be administered by the Community Liaison Office or the Public Information Office.
2. Social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.
 - a. The Information or Description portion of the page will contain the following statements:
 - 1) "This site is not continuously monitored. Call 911 for emergencies."
 - 2) "This site and all comments contained within are subject to the Ohio Public Records Act (Ohio Revised Code 143.43)."
3. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
 - a. Content is subject to the Ohio Public Records Act (Ohio Revised Code 149.43). Relevant records retention schedules apply to social media content.
 - b. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
4. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.
 - a. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
5. Citizens shall be allowed to comment on posts in the broadest manner possible, even when critical of City/Department performance.
 - a. A link to the City's website will be provided to notify visitors of the standards which must be met when posting comments on Department pages.

- 1) Department reserves the right to remove comments and posts containing the following:
 - a) Comments not directly related to the topic being discussed
 - b) Profane language
 - c) Sexually suggestive language
 - d) Personal attacks
 - e) Comments supporting or opposing a political issue or candidate
 - f) Comments that promote discrimination in the basis of race, color, sex, religion, age, national or ethnic origin, HIV status, marital status, sexual orientation, regional Appalachian ancestry or disability
 - g) Commercial advertising
 - h) Comments encouraging illegal activity
 - i) Comments violating a citizen's privacy
 - j) Comments violating the intellectual property rights of another party
- 2) When offending comments are deleted, the time, date, content, and poster's username must be recorded.
 - a) Repeat offenders will be banned from commenting on Department pages.
 - b. Questions posted by the media on Department social media pages will be directed to the City's Public Information Officer in the City Manager's Office.

B. Content Management: Department Postings

1. Department personnel representing the Department via social media outlets shall do the following:

- a. Identify and conduct themselves at all times as representatives of the Department and adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum.
 - 1) Keep posts timely
- b. Keep posts directly related to the business of the Department.
- c. Posts will be factual absent personal opinion.
 - 1) Personnel shall 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 approval.
 - a) Photographs must adhere to the City of Cincinnati Brand Identity Guidelines.
- d. Personnel will not conduct political activities or private business.
 - 1) The use of Department computers by Department personnel to access social media is prohibited without authorization.
 - 2) Department personnel use of personally owned devices to manage the Department's social media activities or in the course of official duties is prohibited without prior approval.
 - 3) Personnel shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

C. Creation of Social Media Entries

- 1. Department personnel shall notify the Community Liaison Office Commander with relevant stories/information involving Department activities and events. The notification should include:
 - a. Activity Description
 - b. Date/Time

- c. Involved Department District/Section/Unit
 - d. External Participants
 - e. Goal/Summary of Activity
 - f. Photographs or Video Links
 - g. Contact Person
2. The Community Liaison Office Commander will review the information and ensure posting on the Social Media Sites within seventy-two hours of notification.
 3. The Community Liaison office Commander will monitor the Department Social media Sites and comments and provide notification to the Office of the Police Chief of community response and comment where applicable.

D. Covert Use of Social Media

1. Only personnel authorized by their section/bureau commander may post on social media sites in a covert capacity.
2. Personnel acting in a covert capacity on social media sites will only use computers/devices designated for such use.
 - a. Personnel will not conduct covert investigations on social media sites from privately owned devices.
3. Federal and state laws restrict the covert use of social media by law enforcement.
 - a. Personnel will not take on the identity or use the personal information or likeness/photograph of another without that person's consent.
 - b. Officers not familiar with the restrictions placed on law enforcement regarding the covert use of social media should contact RTCC personnel, the City Solicitor's Office, or the Hamilton County Prosecutor's Office.

E. Personal Use of Social Media

1. Precautions and Prohibitions - Barring state law or binding employment contracts to the contrary, Department personnel shall abide by the following when using social media.
 - a. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships in the Department for which confidentiality is important; does not impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.
 - b. As public employees, Department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties, that owes its existence to the employee'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 personnel should assume that their speech and related activity on social media sites will reflect upon their office and this Department.
 - c. Department personnel shall not post, transmit, or otherwise disseminate any information, including photos, documents, etc., to which they have access as a result of their employment without written permission from the chief or his/her designee.
 - d. For safety and security reasons, Department personnel are cautioned not to disclose their employment with the Department nor shall they post information pertaining to any other member of the Department without his/her permission. As such, Department personnel are cautioned not to do the following:
 - 1) Display Department logos, uniforms, or similar identifying items on personal web pages.
 - 2) Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this Department. Officers who are, or who may reasonably be expected to work in undercover operations, are cautioned not post any form of visual or personal identification.

- e. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, Department personnel should be mindful of the standards imposed by the Department's code of conduct prior to engaging in any social media, which could be construed as reflecting poorly on Department personnel or the Department. In particular, Department personnel should be aware of the standards created by the Department code of conduct with regard to the following:
 - 1) Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - 2) Speech involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
- f. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office as specified in the collective bargaining agreement.
- g. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this Department without approval.
- h. Department personnel 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 their permission that has not been previously revealed to the public, is not of legitimate public concern, and 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
 - i. Department personnel 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.
 - j. Department personnel 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.

F. Reporting violations

1. Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his/her supervisor.