

**Portsmouth, Virginia
Police Department**

General Orders Manual

Social Networking

DRAFT

POLICY:

Use of internet social networking sites (MySpace, Facebook, Twitter, etc.) is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon the Portsmouth Police Department and its relationship with the community. This general order identifies prohibited activities by employees on such web sites, and supplements ADM-01, Rules of Conduct.

A. Purpose and Scope

1. To establish policy concerning personal web pages or internet sites when referencing the Portsmouth Police Department, and to ensure employees use appropriate discretion so as not to discredit the Department.
2. To clearly identify prohibited activities by Police Department employees on social networking and other web sites, both on and off duty.
3. To provide guidelines for officers in applying rules of conduct to their online content.
4. To protect the department and the employee from harm as the result of inappropriate postings or inadvertent harmful postings.
5. To maintain order and discipline within the department, ensure efficient operations, and maintain community trust and respect.
6. Professionalism, ethics, and integrity are of paramount importance in the law enforcement community. To achieve and maintain the public's highest level of respect, we must place reasonable restrictions on our conduct and hold to these standards of conduct whether on or off duty. An employee's actions must never bring the department into disrepute, nor should conduct be detrimental to its efficient operation.
7. To ensure that the release, either directly or indirectly, of information concerning crimes, accidents, or violations of ordinances or statutes to persons outside the

department is not disseminated, and that all employees treat as confidential the official business of the department.

B. Prohibited Activity and Guidelines

1. Except in the performance of an authorized duty, employees shall not post, transmit, reproduce, and/or disseminate information (text, pictures, video, audio, etc.) to the internet or any other forum (public or private) that would tend to discredit or reflect unfavorably upon the Department or any of the Department's employees.
2. Except in the performance of an authorized duty, employee use of Department computers to access social networking sites (Facebook, MySpace etc.), blogs or bulletin boards is prohibited.
3. Posting the following types of criminal justice information to social networking sites is explicitly prohibited:
 - Confidential, sensitive, or copyrighted information to which you have access due to your employment with the City.
 - Data from an ongoing criminal or administrative investigation including photographs, videos, or audio recordings.
 - Photographs of suspects, arrestees or evidence.
 - Personal statements about an on-duty use of force incident.
 - Comments related to pending prosecutions.
4. Employees are prohibited from posting content that is inconsistent with your duties and obligations as a Portsmouth Police officer. For example, racist or sexist comments, comments insulting groups on the basis on national origin, Portsmouth residents or the general public, all tend to undermine the public trust and confidence required by yourself, fellow officers and the Portsmouth Police Department.
5. Employees are prohibited from posting, transmitting, and/or disseminating any pictures or videos of official department training, activities, or work related assignments without the express written permission of the Chief of Police or his designee.
6. If you identify yourself as a Portsmouth Police employee, be clear that you are expressing your own views and not those of the city or the department. Do not give the appearance that you are speaking or acting on the city's or department's behalf.

7. Negative comments on the internal operations of the department, or specific conduct of supervisors or peers that impacts the public perception of the department is not protected First Amendment speech, in accordance with established case law. Officers in other jurisdictions have been terminated under similar circumstances.
8. If your co-workers are included in your social network, ensure that your content is consistent with city policy regarding how to treat co-workers. For example, do not post content that would violate the city's policy against sexual harassment or racial intolerance.
9. If you appear in uniform you have created a link between your online content and your employment.
10. Your posted content has the potential to be shared broadly, including with individuals with whom you did not intend to communicate. For example, opposing counsel may subpoena your posts if they are relevant to a lawsuit related to your official duties. Counsel may also use your posts to impugn your reputation or to show bias
11. Officers may comment on issues of general or public concern (as opposed to personal grievances) so long as the comments do not disrupt the workplace, interfere with important working relationships or efficient work flow, or undermine public confidence in the officer. The instances must be judged on a case-by-case basis.
 - a. Matters of public concern are those matters of interest to the community as a whole, whether for social, political or other reasons.
 - b. Officers have a statutory right to express opinions on matters of public concern to state or local officials regardless of the impact on the workplace (Virginia Code §15-2-1512.4).
 - c. Examples of local issues of general or public concern include the budget, spending priorities, any question scheduled for a public hearing, illegal discrimination, official corruption, official impropriety, malfeasance on the part of government officials, misuse of public funds, waste of public funds, fraud, abuse or gross mismanagement, inefficiency in managing and operation government agencies, violations of law, local election or public safety.
 - d. Examples of state or national issues of general or public concern include election campaigns, elected officials, legislation, national security, budgets, foreign policy, or any topic of broad public interest or debate.
 - e. Examples of personal grievances include disciplinary action, work schedule,

morale, and complaints about supervisors or co-workers that do not involve actual wrongdoing, illegal discrimination, corruption or waste. These comments may subject an employee to disciplinary action if they constitute insubordination or if they otherwise violate ADM-01, Rules of Conduct.

12. Due to increased scrutiny of police officer posts to social networking sites by opposing attorneys we strongly discourage you from posting information regarding off-duty activity that may tend to bring your reputation into question, even if taken out of context. Attorneys can use such information for impeachment purposes.
13. Sites deemed inappropriate, whether an employment association or not, bringing discredit to this department or to a department employee, or promoting misconduct, whether on or off-duty, may be investigated through a criminal or administrative investigation.

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