



# Sioux Falls Police Department

Partnering with the community to serve, protect, and promote quality of life!

<b>Policy:</b> <b>Internet Postings / Social Networking</b>	<b>Related Policies:</b>	<b>Section #:</b> 1500 Miscellaneous
		<b>Policy #:</b> 1502
		<b>Effective:</b> 6/2020
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<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
<b>Policy Owner:</b> ASD		
<b>Reference:</b>		
<b>Sensitivity Level:</b> <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

**1. Purpose:**

1.1. The purpose of this policy is to direct the employees of this agency with respect to the use of the internet and social networking sites as a medium of communication impacting this agency.

**2. Policy:**

2.1. The internet, blogs, Twitter, social networking sites and any other medium of electronic communication shall not be used in a manner which negatively impacts the mission and function of this agency and the City of Sioux Falls.

2.2. It is essential for every employee of this agency to recognize that the proper functioning of any law enforcement agency relies upon the public's confidence and trust in the individual officers and this agency to carry out the law enforcement function.

2.3. Therefore, any matter which brings individual employees or the department into disrepute has the corresponding effect of reducing public confidence and trust in our agency, thus, impeding our ability to work with and serve the public. Professionalism is the most significant factor in high level performance which in turns builds the public confidence and trust.

2.4. While employees have the right to use personal/social networking pages or sites, as employees of this agency, they are public servants who are held to a higher standard than that of the general public, with regard to standards of conduct and ethics. As such, the policy of this department is to maintain a level of professionalism in both on-

duty and off-duty conduct that fulfills the mission of our department. Any publication, through any medium which is potentially adverse to the operation, morale, or efficiency of the Sioux Falls Police Department will be deemed a violation of this policy.

### 3. Definitions:

- 3.1. **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.”
- 3.2. **Page** – The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- 3.3. **Post** – Content an individual shares on a social media site or the act of publishing content on a site.
- 3.4. **Profile** – Information that a user provides about himself or herself on a social networking site.
- 3.5. **Social Media** – A category of internet based resources that integrate user generated content and user participation. This includes social networking sites (Facebook, My Space), micro blogging sites (Twitter, Nixle), photo and video sharing sites (Flickr, YouTube), wikis, and (Wikipedia), blogs and news sites.
- 3.6. **Social Networks** – Online platforms where users can create profiles, share information and socialize with others using a range of technologies.
- 3.7. **Speech** – Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

### 4. Procedure:

#### 4.1. Personal Use

- 4.1.1. Department personnel are free to express themselves as private citizens on social media sites to the degree that:
  - 4.1.1.1. Their speech does not impair working relationships of this department for which confidentiality is key.
  - 4.1.1.2. Impede the performance of duties, impair discipline and harmony among coworkers.
  - 4.1.1.3. Negatively affect the public perception of the department.
- 4.1.2. As public employees, department personnel are cautioned that speech on duty or off duty, made pursuant to their official duties – that is, that owes its existence to the employee’s professional duties and responsibilities – is not protected speech under the First Amendment and may be the basis for discipline if deemed detrimental to the department.
- 4.1.3. Employees are prohibited from posting, or in any other way broadcasting, without prior departmental approval, anything that would be detrimental to the

mission and function of the Sioux Falls Police Department. This includes anything of a sexually graphic or violent nature.

4.1.4. Employees may elect to identify themselves as an employee of this agency on social networking sites or other mediums of communication. Employees should not post anything that would portray the department in a negative manner or be detrimental to the mission and function of the department. This shall include but not be limited to:

4.1.4.1. Accounts of events which occur within the Sioux Falls Police Department.

4.1.4.2. Any other material, text, audio, video, photograph, or image which would be identifiable as belonging to the Sioux Falls Police Department.

#### 4.2. Personal Safety

4.2.1. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore adherence to the department's code of conduct is required in the personal use of social media.

4.2.2. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings.

4.2.3. 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.

4.2.4. 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.

#### 4.3. Administrative Investigations:

4.3.1. Employees who are subject to administrative investigations may be ordered to provide the department with access to the social networking site when the subject of the investigation is directly, narrowly, and specifically related to the allegation being investigated.