

1058 EMPLOYEE SPEECH, EXPRESSION, AND SOCIAL NETWORKING

1058.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the legitimate needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected under law. This includes speech and expression protected or privileged under state or federal constitutions as well as labor or other applicable laws.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1058.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to film, video, print media or public speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

1058.2 POLICY

Because public employees occupy a trusted position in the community, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Columbia Police Department will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1058.3 SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Columbia Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety or privacy of any employee, an employee's family or associates.

1058.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited:

1. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Columbia Police Department or its employees.
2. Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to, the Columbia Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Columbia Police Department or its employees.
3. Speech or expression that could reasonably be foreseen as creating a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
4. Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
5. Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Columbia Police Department.
6. Disclosure through whatever means of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
7. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of Department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Columbia Police Department on any personal or social networking or other website or web page, without the express written permission of the Chief of Police.
8. Accessing websites for unauthorized purposes or use of any personal communication device, game device or media device, whether personally or department owned, for personal purposes while on-duty, except in the following circumstances:
 - a. When brief personal communications may be warranted by the circumstances (e.g., informing family of extended hours)
 - b. During authorized breaks such usage should be limited as much as practicable to areas out of the sight of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy and/or posted by others from any web page or website maintained by the employee (e.g., social or personal website).

1058.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view.

The Department also reserves the right to access, audit and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is issued or maintained by the Department, including the department e-mail system, computer network, or any information placed into storage on any department system or device.

All messages, pictures and attachments transmitted, accessed or received over department networks are considered department records and, therefore, are the property of the Department. The Department reserves the right to access, audit and disclose for whatever reason all messages, including attachments, that have been transmitted, accessed or received through any department system or device, or any such information placed into any department storage area or device. This includes records of all key strokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a user name or password does not create an expectation of privacy if accessed through a department computer or network.