

**BAY CITY DEPARTMENT OF PUBLIC SAFETY
BAY CITY, MICHIGAN**

SECTION 1 - ADMINISTRATIVE
GENERAL ORDER

November 3, 2014
INDEX NO. 1.4

SOCIAL MEDIA

I. PURPOSE

The purpose of this General Order is to establish guidelines for the use of social media platforms which may affect the efficient operation and credibility of the Bay City Department of Public Safety and its employees. This policy 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.

II. POLICY

The Bay City Department of Public Safety recognizes the role that various social media platforms play in the personal lives of some Department personnel. The personal use of social media can have bearing on Departmental 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.

III. 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 or 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.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

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

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VI. PERSONAL USE / PRECAUTIONS AND PROIBITIONS

Bay City Department of Public Safety 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 of this Department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, discuss the home addresses of Departmental personnel, or negatively affect the public perception of the Department.
- B. Department personnel should be aware that there is a distinction between the extent of the protections of the freedoms of expression they have as citizens and as public employees. Specifically, public employees have freedom of expression as to statements they make as a citizen on matters of public concern. As such, statements not made as a public citizen (i.e., in their official capacity as a City employee) and/or that are not matters of public concern (e.g., derogatory, inflammatory or other speech that has no value to the public) are not constitutionally protected. Further, some statements are not protected because the statements affect the efficient operation of the Department or the City, even though they involve a matter of public concern. As such, Department personnel are cautioned that speech on or off-duty, 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. Department personnel should be aware that their speech and related activity on social media sites may reflect upon their office and this Department and may be a cause for discipline if deemed detrimental to the Department or in violation of this policy.
- C. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Public Safety Director or their designee.
- D. For safety and security reasons, Department personnel are cautioned not to disclose their employment with this Department nor shall they post information pertaining to any other member of the Department without their 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 an employee of this Department. Employees who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.

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- E. 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. In particular, Department personnel are prohibited from 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.
 - 3. Personnel shall not publicly criticize or ridicule the Department, its guidelines, or other personnel by speech, writing, or other expression, where such speech, writing or other expression undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard of the truth.
- F. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching a law enforcement employee's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline.
- 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 express authorization of the Public Safety Director or their designee. Personnel shall not post blogs or other messages on social media, address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department while holding themselves out as representing the Department in such matters without prior approval of the Public Safety Director or their designee.
- H. When providing any speech outside of their official duties personnel should make it clear that the speech is not that of the Department but, rather, that of the employee.
- 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.

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- K. Reporting violations - any law enforcement supervisory employee or non-union Fire Operations Division 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 their supervisor immediately for follow-up action.

By order of:


Michael J. Cecchini
Public Safety Director