

Survey to Chief APOs

Issue: Social Media Policy

Question (from Cambria County)

Does anyone has a social media policy. If a county has a policy, I would greatly appreciate it if they could share a copy with me.

Chester County

Chester County APO follows the County Policy below:

Social Media Policy - 40521

Social media encompasses a broad sweep of online activity. These activities include, but are not limited to, using or participating in social or professional networking sites, such as Facebook, Google+, LinkedIn, and Snapchat, or posting or reviewing content on video-sharing sites, such as YouTube, creating “wikis”, and authoring or commenting on blogs and micro-blogs, such as Twitter (“Social Media”).

Employee Access to Social Media Web Sites While Using County-Owned Equipment - 40521.1

Access to Social Media websites is blocked to all Chester County employees while using county-owned equipment. Exceptions may be granted in limited circumstances following a written request by the employee to his or her department head. Any such request must provide a work-related justification for the employee’s need to access a particular Social Media web site(s).

Requests for access will be decided on a case-by-case basis. The county retains the sole discretion to terminate any previously approved access at any time.

While an employee may be granted access to view a Social Media website for work-related purposes, posting content to any such website while using county-owned equipment is strictly prohibited.

Use of Social Media Outside of County Time on Your Own Personal Equipment - 40521.2

While access to Social Media websites is blocked while using county-owned equipment, the county recognizes and respects your individual decision to engage in Social Media activities outside of county time on your own personal equipment. However, some personal uses of social media may reflect on the county or appear to represent county policy or to be on behalf of the county. It is important for you to be mindful about communications that may impact the county or our employees, even if you make the communications in your personal capacity. It is the right and duty of the county to protect its employees and itself from, among other things, unauthorized disclosures of confidential, proprietary information and posts or comments that

could violate Federal, state and/or local laws. County employees are expected to comply with all county policies, as well as the following standards, when using personal social media accounts.

1. County employees who use social media or access personal social media accounts for personal reasons while on county work time are subject to discipline for misuse of county time.
2. Postings and user profiles on personal social media accounts must not state or imply views, conclusions, statements or other social media content are an official policy, statement, position, or communication of the county.
3. Any user profile, biography, or posting on a personal social media account that identifies that person as a county employee must include a qualifying statement in substantially the following form: "The views I express on this site are my own and do not reflect any official view or position of the County of Chester."
4. County employees who use personal social media accounts outside the workplace and using non-county information systems to engage in conduct that constitutes severe or pervasive harassment of another county employee in violation of the county's anti-harassment and anti-discrimination policies shall be subject to discipline under those policies.

Employees are expected to use their best judgment while engaging in Social Media activities. Furthermore, the county's policies, including the principles set forth in the county's Freedom from Sexual and Other Forms of Harassment policy and other applicable policies apply to your online presence and communications if they relate to the county, its employees, its clients, its vendors or its related affiliates – even if you are engaging in these activities outside of the office or on a personal phone or computer. The county reserves the right to monitor comments or discussions about the county, its employees and its clients posted on the Internet by anyone, including employees and non-employees.

Adopted: November 2014
Revised: January 2017
County of Chester

Franklin County

The Franklin County social media policy and our Sheriff's Office (see addendum). I anticipate creating a Probation Department social media policy regarding postings while in uniform or on the job. We had a couple of incidents of TikTok videos being made and shared publicly while on duty.

Lancaster County

(see addendum)

Policy Title: FRANKLIN COUNTY SOCIAL MEDIA PUBLIC COMMENT POLICY
Policy Number: 107.00 **Effective Date: July 31, 2018**
Revision Number: **Revision Date:**

Authority: Franklin County Commissioners
David S. Keller, Chairman
Robert L. Thomas
Robert G. Ziobrowski

I. PURPOSE

The purpose of Franklin County social media sites is to present matters of public interest in the county for the benefit of its residents, businesses and visitors. You are welcome to submit your questions, comments and concerns but please note that social media is a moderated online discussion site and not a public forum.

II. SCOPE

To the extent public comments are enabled on a Franklin County social media site, all members of the public will be allowed to comment and public comments shall not thereafter be blocked, filtered, deleted, or otherwise censored, except as provided below or allowed by law. Any comments on the County's social media sites are the opinion of the poster only and the presence of such comments does not imply that the County endorses or agrees with the comments.

Social media is not an official channel for contacting the County of Franklin agencies, employees and officials. While the County may at times respond to inquiries or comments on social media, staffing for that purpose is not 24/7. The County encourages users to utilize the official county website at www.franklincountypa.gov to learn how to officially contact government offices.

Communications posted on the county's social media pages will not be construed as satisfying requirements for legal notice or service, shall not be considered official public comment and shall not be construed as an official request for records pursuant to the Right-to-Know law.

Franklin County may post links to other organizations on its social media pages. A link does not constitute an endorsement of content, viewpoint, policies, products or services that may exist on that site. Once a user clicks a link to another website not maintained by the County, the user is subject to the terms and conditions of that website.

The following forms of content shall not be allowed on any Franklin County social media website, profile or application and article and comments associated therein.

- Profane and/or vulgar language or content;
- Content that promotes, fosters or perpetuates discrimination on the basis of creed, color, age, race, gender, religion, marital status, or status with regard to public assistance, national origin, intellectual or physical disability or sexual orientation;
- Sexual content or links to sexual content, including a poster with a profile picture containing nudity or sexually explicit content;

- Solicitation of commerce;
- Solicitation for donations. This shall not apply to any official Franklin County posting providing the public with information related to fundraisers, activities and projects that are supported or sponsored by the County.
- Conduct constituting or encouraging illegal activity;
- Information that may compromise the safety, security or proceedings of the public, public systems or any criminal or civil investigations;
- Name-calling and/or personal attacks;
- Spam, such as the same content being posted repeatedly;
- Content that violates the legal ownership interest of a party, trademark or copyright laws; or
- Content containing personally private information, including but not limited to identifiable medical information.

Any content removed based upon these guidelines must be retained by the County Administrator, or his or her designee, including the time, date and identity of the poster when available, pursuant to Pennsylvania state law. Unless otherwise addressed in a specific social media standards document or County retention schedules, the County Administrator or his or her designee, shall preserve records required to be maintained for a period of no less than one year on a County server in a format that preserves the integrity of the original record and is easily accessible.

The County reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.

Franklin County is prohibited from banning or blocking any user or subscriber to any official Franklin County social media account unless their participation is creating an illegal or unmanageable situation. For example, a poster who repeatedly posts sexual content or links to sexual content may be blocked if it becomes impossible to repeatedly and timely delete such unauthorized content. In such cases, a block must be approved by the County Administrator or his or her designee.

Comments, media or other information posted to or displayed on the County's social media sites, accounts, and content are subject to monitoring and review at all times. Users should have no expectation to privacy with respect to their postings. Monitoring does not occur constantly due to staff resources; therefore, Franklin County is not liable for inappropriate or offensive comments that may be posted.

This policy shall be administered by the County Administrator.

V. ATTACHMENTS – None

VI. CROSS REFERENCE - None

VII. CONTACT INFORMATION/PROPONENT OFFICE – Commissioner's Office

VIII. ADDENDUMS/AMENDMENTS – None.

IX. TERMINATION OR MODIFICATIONS OF THIS POLICY –

- a. The Board of Commissioners reserves the right to terminate, amend or adjust this process at any time without liability to any person who may be affected by such termination or amendment. Under the at will status, no employee shall have any vested right to the continuation of this policy or to have the same continued for any reason.
- b. Employees whose terms and conditions of employment are covered by a collective bargaining agreement will be covered by such terms and conditions of the contract. This policy is not intended to supersede or override any provisions of their collective bargaining agreement.
- c. This policy is not intended to supersede or override any provisions of the Courts as a result of inherent and exclusive rights and powers of the judiciary accorded to it by Article V of the Pennsylvania Constitution and Section 1620 of the County Code.

ADOPTED THIS 31ST DAY OF JULY, 2018.

FRANKLIN COUNTY BOARD OF COMMISSIONERS



David S. Keller, Chairman



Robert L. Thomas



Robert G. Ziobrowski

Speech, Expression and Social Networking

1027.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Franklin County Sheriff's Office.

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

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 under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

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

1027.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Franklin County Sheriff's Office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this office be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Office will carefully balance the individual member's rights against the needs and interests of the Office when exercising a reasonable degree of control over its members' speech and expression. This policy was created to augment and work in conjunction with Franklin County Policy 108 "Social Media Policy".

1027.3 SAFETY

Members 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 Franklin County Sheriff's Office members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member,

Franklin County Sheriff's Office

Policy Manual

Speech, Expression and Social Networking

a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working undercover.
- Disclosing the address of a fellow office member.
- Otherwise disclosing where another deputy can be located off-duty.

1027.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the safety, performance and public-trust needs of the Franklin County Sheriff's Office, the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Office or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Office and tends to compromise or damage the mission, function, reputation or professionalism of the Office or its members. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
 2. Expression that demonstrates support for criminal activity.
 3. Participation in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Office (e.g., 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).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Office.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment or appointment with the Office for financial or personal gain, or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of office logos, emblems, uniforms, badges, patches, marked

Franklin County Sheriff's Office

Policy Manual

Speech, Expression and Social Networking

vehicles, equipment or other material that specifically identifies the Franklin

Franklin County Sheriff's Office

Policy Manual

Speech, Expression and Social Networking

County Sheriff's Office on any personal or social networking or other website or web page, without the express authorization of the Sheriff, Chief Deputy or designee.

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

1027.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Franklin County Sheriff's Office or identify themselves in any way that could be reasonably perceived as representing the Office in order to do any of the following, unless specifically authorized by the Sheriff:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video or public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this office, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Franklin County Sheriff's Office.

Members retain their rights to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1027.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any office technology system (see the Information Technology Use Policy for additional guidance).

Speech, Expression and Social Networking

1027.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Office or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Office.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Office.

1027.7 TRAINING

Subject to available resources, the Office should provide training regarding the limitations on speech, expression and use of social networking to all members of the Office.

ADDENDUM: Lancaster County

ARTICLE B10

SOCIAL MEDIA, NETWORKING AND BLOGGING

- Section B10.1 The purpose of this article is to provide guidelines for employees using social networking and media sites and services (for example MySpace, Facebook, Twitter, etc.), personal websites, and weblogs outside of regular duty hours.
- Section B10.2 The Court hosts an official court Internet site at www.court.co.lancaster.pa.us. The Court does not host or sponsor any other social networking or media site.
- Section B10.3 This policy is not intended to be a blanket prohibition on future Court sponsored and maintained social media sites should a court department determine that such a site would be a beneficial addition to communication with clients and help the department meet its mission.
- Section B10.4 For the purposes of this Article, *social media* includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Court.
- Section B10.5 Employees are solely responsible for what they post online. Before creating online content, keep in mind that an employee's conduct that adversely affects his or her job performance, the performance of fellow employees or otherwise adversely affects court users, suppliers, or people who work on behalf of the Court may result in disciplinary action up to and including termination.
- Section B10.6 Employees are responsible to read this Article, the UJS Code of Conduct, and the UJS Policy on Non-Discrimination, and ensure postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Employees should know and follow the rules and therefore be cognizant of the following:

1. Be respectful

ADDENDUM: Lancaster County

B10-1

Always be fair and courteous to co-workers, court users, suppliers or people who work on behalf of the Court. Avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating; that disparage court users, co-workers or suppliers; or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet.

2. Be honest and accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Court, fellow court employees, court users, suppliers, or people working on behalf of the Court.

3. Post only appropriate and respectful content

- Maintain the confidentiality of appropriate Court records or other information not accessible to the public as provided by law. Do not post internal reports, policies, procedures or other internal court-related confidential communications.
- Do not create a link from your blog, website or other social networking site to a Court or County website without identifying yourself as a Court employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Court. If the Court is a subject of the content you are creating, be clear and open about the fact that you are a court employee and make it clear that your views do not represent those of the Court, co-workers, court users, suppliers or people working on behalf of the Court. If you do publish a blog or post online

ADDENDUM: Lancaster County

that relates to the work you do or subjects associated with the Court, make it clear that you are not speaking on behalf of the Court. It is best to include a disclaimer such as "the postings on this site are my own and do not necessarily reflect the views of the Court of Common Pleas of Lancaster County."

4. Using social media at work

Refrain from using social media while on work time or on equipment provided by the Court or County, unless it is work-related as authorized by your Department Director/Magisterial District Judge and is consistent with the Court's Computer Equipment, Internet and E-Mail Policy (See Article B9). Do not use the email address(es) assigned to you as a result of your employment with the Court to register on social networks, blogs or other online tools utilized for personal use.

Section B10.7

The Court prohibits taking negative action against any court employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.