

I. PURPOSE

The Sheriff's Office endorses the secure use of social media to enhance communication and promote community engagement. This policy establishes the Sheriff's Office position regarding on-the-job and personal use of social media and provides guidance on its use and management. This policy is not meant to address one particular form of social media; rather, it addresses social media in general.

II. POLICY

Social media provides a valuable means of assisting the Sheriff's Office and its personnel in community outreach and problem-solving. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The Sheriff's Office also recognizes the role that these tools may play in the personal lives of agency employees. The personal use of social media can impact agency employees in their official capacity. Therefore, this policy provides both precautions and prohibitions regarding the personal use of social media.

III. DEFINITIONS

- A. 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."
- B. Page: The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- C. Post: Content an individual shares on a social media site or the act of publishing content on a site.
- D. Profile: Information that a user provides about himself or herself on a social networking site.
- E. 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, micro blogging sites, photo- and video-sharing sites, wikis, blogs and news sites.
- F. Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- G. Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- H. 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.
- I. Wiki: Web page(s) that can be edited collaboratively.

IV. ON-THE-JOB USE

- A. Agency-Sanctioned Presence

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1. Determine strategy
 - a. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
 - b. Where possible, the page(s) should link to the agency's official website.
2. Procedures
 - a. All agency social media sites or pages shall be approved by the Sheriff or her designee and shall be administered by the Public Information Office and Fairfax County Office of Public Affairs.
 - b. Where possible, social media pages shall clearly indicate they are maintained by the Agency, and shall have agency contact information prominently displayed.
 - c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
 - 1) Content is subject to public records laws. Relevant records retention schedules apply to social media content.
 - 2) Content must be managed, stored, and retrieved to comply with open records laws, and e-discovery laws and policies.
 - d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the agency.
 - 1) Pages shall clearly indicate that posted comments will be monitored and that the agency reserves the right to remove obscenities, off-topic comments, and personal attacks.
 - 2) Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
3. Agency-Sanctioned Use
 - a. Agency personnel representing the agency via social media outlets shall do the following:
 - 1) Conduct themselves at all times as representatives of the agency and, accordingly, shall adhere to all agency standards of conduct and observe conventionally accepted protocols and proper decorum.
 - 2) Identify themselves as a member of the agency.
 - 3) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information,

including photographs or videos, related to agency training, activities, or work-related assignments without express written permission.

- 4) Not conduct political activities or private business.
 - b. Agency personnel use of personally owned devices to manage the agency's social media activities or in the course of official duties is prohibited without express written permission.
 - c. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
4. Use of the Internet

Agency electronic communication tools that allow access to the Internet are the property of Fairfax County and this equipment is specifically provided to conduct Agency business in an effective and efficient manner. Users are representing the Agency in a public domain and are responsible for doing so in a lawful and ethical manner so as to maintain and enhance the Agency's public image. Therefore, any electronic communications, including through social media or e-mail, should be prepared with care and discretion.

V. PERSONAL USE

A. Precautions and Prohibitions

Barring state law or binding employment contracts to the contrary, agency personnel shall abide by the following when using social media.

1. Agency 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 agency for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the agency.
2. As public employees, agency personnel are cautioned that speech on 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 form the basis for discipline if deemed detrimental to the agency. Agency personnel should assume that their speech and related activity on social media sites will reflect upon their office and this agency.
3. Agency 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 Sheriff or her designee.
4. For safety and security reasons, agency personnel are cautioned not to disclose their employment with this agency nor shall they post information pertaining to any other member of the agency without their permission. As such, agency personnel are cautioned not to do the following:

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- a. Display agency logos, uniforms, or similar identifying items on personal web pages.
 - b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a deputy sheriff of this agency. Deputies who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
5. When using social media, agency personnel should be mindful that their speech becomes a part of the worldwide electronic domain. Therefore, adherence to the agency's code of conduct is required in the personal use of social media. In particular, agency personnel are prohibited from the following:
 - a. 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.
 - b. Speech involving themselves or other agency personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Agency personnel thus sanctioned are subject to discipline up to and including termination of office.
7. Agency 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 agency without express authorization.
8. Agency personnel should be aware that they may be subject to civil litigation for:
 - a. publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
 - b. publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - c. using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 - d. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
9. Agency 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.

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10. Agency personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the agency at any time without prior notice.
11. Reporting violations: Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provisions of this policy shall notify his or her supervisor immediately for follow-up action.

**04/11/2016
DATE APPROVED**

**05/05/2016
EFFECTIVE DATE**



**STACEY A. KINCAID
SHERIFF**