

**NEW SMYRNA BEACH POLICE DEPARTMENT
NEW SMYRNA BEACH, FLORIDA**

POLICY AND PROCEDURE DIRECTIVE

TITLE: SOCIAL MEDIA

NUMBER: 32-5

EFFECTIVE: 3/12

REFERENCE:

RESCINDS/ AMENDS: 8/17

REVISED: 11/21

ATTACHMENTS: [Social Media City Policy.pdf](#)
[FSS 119.pdf](#)

A. PURPOSE

The New Smyrna Beach Police Department (NSBPD) endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. The purpose of this Directive is to outline this department’s position on the utility and management of social media networking sites, personal social media and provides guidance on its management, administration, and oversight. This Directive 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.

B. POLICY

Social media provides valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role that these tools 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.

Members shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment. This includes, but is not limited to, images of crime scenes, crash scenes, evidence, suspects, victims, witnesses, or any other images captured while acting in an official capacity.

Social media content is public record as defined in Florida Statutes Chapter 119, and thus subject to the exemptions identified in [FSS 119](#) and retention according to State of Florida Records Retention Schedules. Members who administer and/or utilize agency social media shall ensure that no exempt information or documents are released and that social media content is retained for the required time period.

This directive is specific to NSBPD and all members shall abide by requirements and guidelines of the City of New Smyrna Beach Social Media Policy.

C. 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 one's self on a social networking site.

SOCIAL MEDIA: A category of Internet-based resources that integrate user-generated content and user participation. This includes social networking sites, but is not limited to (Facebook, My-Space, Instagram, Snapchat, TikTok, Pinterest, etc.), microblogging sites (Twitter), 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.

WEBSITE: Any computerized document, file, or menu accessible on the Internet and/or World Wide Web.

SPEECH: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

D. PROCEDURE

32.5.1 On-Duty Use Of Agency Sites and devices

All department social media sites or pages shall be approved by the Chief of Police or designee and shall be administered by a designee of the Chief of Police.

32.5.2 The Support Services Division Commanding Officer is the Social Media Coordinator and leading member designated for agency media maintenance and release of information through social media.

32.5.3 Where possible, social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed.

1. Social media posts related to recruitment should contain a statement that the Police Department is an Equal Opportunity Employer.

32.5.4 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 public records requests.

32.5.5 Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not necessarily reflect the opinion, policy or position of the department.

1. Pages will clearly indicate that posted comments will be monitored. However, comments cannot be removed. Removal would be in violation of first amendment rights.
2. Pages will clearly indicate that any content posted or submitted for posting is subject to public disclosure.

32.5.6 Department personnel representing the department via social media outlets shall do the following:

1. Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
2. Shall not make comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos.

3. Not conduct political activities or private business.
4. Members shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

32.5.7 Authorized social media posts for investigative purposes include, but are not limited to:

1. Missing persons;
2. Wanted persons;
3. Photos or videos of a crime captured by photo(s) or video.

32.5.8 Authorized social media posts for community outreach and engagement include, but are not limited to:

1. Providing crime prevention tips;
2. Offering online reporting opportunities;
3. Sharing crime maps and data;
4. Soliciting tips about unsolved crimes;
5. Recruitment.

32.5.9 Authorized social media posts to make time-sensitive notifications include, but are not limited to:

1. Road closures;
2. Special events;
3. Weather emergencies;
4. Unusual occurrences.

E. PERSONAL USE AND DEVICES

32.5.10 Members are not prohibited from having personal web pages or websites; however, members are held to a higher standard than the general public with regards to standards of conduct and ethics. Members are cautioned that speech made pursuant to their official duties may not be protected speech under the First Amendment and may form the basis for discipline and/or termination if deemed detrimental to the Department.

32.5.11 Members are free to express themselves as private citizens while utilizing social media sites to the degree that their speech does not impair working relationships of the Department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline or negatively affect the public's perception of the Department.

32.5.12 Grievances and/or negative comments on the internal operations of the Department, or specific conduct of Department members, that may impact the public perception of the agency, is not protected First Amendment speech.

F. POSTING OF AGENCY ACTIVITIES TO PERSONAL SITES

32.5.13 Posting or disseminating the following types of criminal justice information is explicitly prohibited: confidential, sensitive, or copyrighted information, data from an ongoing criminal or administrative investigation including photographs, videos or audio recordings, photographs of suspects, crime scenes, traffic crashes, arrestees or evidence, information concerning restricted areas of Department facilities, personal statements about an on-duty use of force incident, and comments related to pending New Smyrna Beach prosecutions.

32.5.14 Any text, photograph, audio, video, or any other multimedia file included on a social media or social networking site that infers, implies, states, opines, or otherwise expresses the member's views on the legal, judicial or criminal systems should not undermine the public's trust and confidence of the Department.

32.5.15 Members are prohibited from posting the following:

1. Create, comment, disclose, post, transmit, or otherwise disseminate any information or data that reflects a lack of good moral character, undermines the Department's relationship with the community or has the potential to cause adverse effect to the operation, morale, good order, reputation, public's perception, productivity and/or efficiency of the Department.
2. Speech that glorifies or promotes violence of any kind.
3. Members may not divulge information gained by reason of their authority; make any statements, speeches, appearances, or publish materials that may cause conflict of policies and procedures, or could reasonably be considered to represent the views or positions of this Department without express authorization.

32.5.16 Unless granted explicit permission from the Chief of Police or designee, members are prohibited from posting any of the following on any social media networking platform, either on their own sites, or sites of others known to them, news media pages, or other information exchange forums:

1. Any text, photograph, audio, video, or other multimedia file related to any investigation, either current or past, conducted by the Department.

G. ADMINISTRATIVE OR INTERNAL AFFAIRS INVESTIGATIONS

32.5.17 During an internal affairs investigation, members may be required to provide the Department with access to specific social media accounts utilized by the member when the focus of the complaint is directly, narrowly, and specifically related to a member's use of social media, as defined, and if the nature of the complaint caused or will cause an adverse effect to the operation, morale, good order, reputation, public's perception, productivity and/or efficiency of the Department.

32.5.18 Non-compliance with this section may result in discipline or termination.

H. REPORTING VIOLATIONS

32.5.19 Any member becoming aware of, or having knowledge of, a posting or of any website or web page in violation of the provision of this directive shall notify his supervisor or higher authority, immediately.

32.5.20 Members shall remove any questionable content which they have uploaded.

Revised: RR 11/21

Approved: Signature on File
Chief Mike Coffin