



BRAINTREE POLICE DEPARTMENT

Policy and Procedure

Social Media

2019-72

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Issuing Authority:

Review Date:

Chief Mark Dubois

Revised:

Certification Standards:

Accreditation Standards:

Optional Accreditation Standards:

General Considerations

The purpose of this policy is to provide notice to employees, officials and board members of the Town of Braintree that their use of social media must conform to the law and this policy. It is intended to promote good use and prevent discrediting of the character and integrity of the Town of Braintree and its employees, officials or board members. This policy is designed to promote and govern the professional and personal use of social media in a responsible manner and to avoid uses that can:

- 1) Breach confidentiality by revealing protected information about the Town, its residents or its employees;
- 2) Expose the Town to legal liability for employer or employee behavior that may be harassing, offensive or maliciously false; or
- 3) Interfere with productivity and/or the ability to perform the duties and responsibilities as employees, officials or board members of the Town.

Definitions

Social Media is defined as any form of electronic communication (such as websites for social networking) through which users create online communities to share information, ideas, personal messages and other content (such as photographs and videos).

Social media sites include, but are not limited to, Social Networking Sites (Twitter, Myspace, Facebook, LinkedIn, Pinterest, Snapchat, YikYak); Multimedia Sharing sites (Flicker, YouTube, Vimeo, Picassa,

Discussion Boards (Google Groups, Yahoo! Groups, Yammer); Personally managed websites, blogs, etc; On-line Polls and Surveys (Survey Monkey, Doodle).

Official Social Media is any of the sites or services listed in this policy and their affiliated accounts which were established by and through the Town of Braintree and are maintained by the Town of Braintree, its employees, officials, or board members.

Non-Official Social Media is any of the sites or services listed in this policy and their affiliated accounts which were established by an employee in his/her personal capacity, on his/her personal time and on his/her personal equipment and is not affiliated with the Town of Braintree.

Policy

1. Official Social Media sites will be used solely for communicating information about projects and services offered by the Town of Braintree. Examples include Town/Department announcements, official Town news, Emergency notifications, Town of Braintree events and activities, or Board or Committee meetings or agendas. Town of Braintree employees, officials and board members may not engage in private messaging over official Town of Braintree social media accounts that does not relate to official police business. Official Social Media sites cannot be used to post political information or viewpoints, religious information or viewpoints, commercial information, information pertaining to an employee's personal activities, matters, or interests, information which consists of content which is sexual, pornographic, or adult in character, information that is not public in nature, or information which advocates or promotes the use of drugs, alcohol, or tobacco.

2. When posting to any Official Social Media sites you should do so in a way that is not derogatory. Derogatory communications are those that include, for example, vulgar or abusive language, personal attacks, offensive terms targeting individuals or groups, negative statements about residents, either generally or through reference of specific interactions, or cause harm to the reputation of another person or cause that person to be ridiculed, held in contempt, or lowered in the estimation of the community. Derogatory statements will not be tolerated. Derogatory statements are your own responsibility and the Town of Braintree will not defend you from the consequences of your personal actions.

3. When posting to any Non-Official Social Media Sites, employees

should be aware of the potential to blur the line between professional and personal lives and interactions. Because of this, employees should consider the guidelines and standards for posting on Official sites when participating in Non-Official Social Media Sites, especially when identifying themselves as Town employees or when that conclusion could be drawn. When posting to a Non-Official Social Media Site you should not engage in conduct unbecoming as defined by Rule 4.2A and 4.2B. When posting to any Social Media Site and identifying yourself as a Town of Braintree employee, official or board member or which post(s) could reasonably lead to the conclusion that you are a Town employee, you shall do so in a way that is not derogatory as described herein.

4. You may not misrepresent any Non-Official Social Media site as a Town of Braintree Official Social Media site. The use of the Town of Braintree's name and/or of the Town of Braintree Seal are prohibited unless approved by the Mayor or his/her designee. Misuse of the Town of Braintree Seal is a criminal act punishable pursuant to M.G.L c. 268, § 35. You may not post information on a Non-Official Social Media site which can be read as indicating that the information is being posted by you in your capacity as a Town of Braintree employee, official or board member, that it constitutes official information of the Town of Braintree, or that it represents an official viewpoint of the Town of Braintree. Posts made on Non-Official Social Media sites shall not constitute official information of the Town of Braintree or represent an official viewpoint of the Town of Braintree.

5. You may not use any Social Media sites to post material which is illegal, which is in violation of federal or state laws regarding discrimination, or which constitutes criminal conduct. You may not use any Social Media sites to post material which constitutes an unauthorized disclosure of proprietary or confidential information of the Town of Braintree, information protected by the Town of Braintree's attorney-client privilege, information constituting the Town of Braintree's internal development of a policy, or personnel records or information regarding Town of Braintree employees.

6. Any reference requests received through any Social Media site for current or former employees must be directed to the Town of Braintree's Human Resources Department. Comments which you post about current or former employees can have legal consequences and you should avoid making any such comments at any time which reasonably and foreseeably could have legal consequences.

7. Any posted content on Official Social Media sites that includes pictures, photographs, likenesses, or images cannot depict children under the age of 18 unless a parent or guardian has provided permission to use the image, and cannot include the complete names of anyone other than Town of Braintree employees, officials or board members. If you need to post an item that include pictures, photographs, likenesses, or images of another person(s), the individuals who are depicted, or their parent/guardian where appropriate, must provide permission that expressly authorizes the Town to use such image and likeness online. Whenever possible, permission shall be given in a signed release form. If the individual, or parent/guardian, refuses to provide permission the picture, photograph, likeness, or image must be blurred in such a manner that the person cannot be identified or recognized. If that is not possible, the material cannot be used at all.

8. You should keep in mind that content posted to Official Social Media sites may constitute public records within the meaning of the Massachusetts Public Records Law and may be obtained by members of the public upon request.

9. You must ensure that your postings are consistent with all Town of Braintree policies, including but not limited to, those concerning Sexual Harassment, Workplace Bullying and Offensive Conduct, Workplace Conduct Policy, and Code of Ethics.

No Expectation of Privacy

There is no guarantee of privacy for electronic communications made on any Town of Braintree provided electronic communication device. The Town of Braintree reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual use folders and other information stored on the Town of Braintree's electronic communication systems. In accessing the Internet, including social media sites, users should assume that all connections and sites visited will be monitored and recorded. This examination will help to ensure compliance with Town policies (including the policy for compliance with public records requests), assists when internal investigations must be conducted and supports the management of the Town's information systems. Use of the Town of Braintree's electronic communications devices, including but not limited to Town of Braintree-issued e-mail accounts, Internet services, Intranet, cell phone services, smart phones, pagers, Town of Braintree-owned lap tops and computers provided for home use and

computer software constitutes acceptance of such monitoring.

Employee Rights This policy is not intended to interfere with employees', officials' or board members' First Amendment rights or employee rights under Massachusetts General Laws Chapter 150E, Section 2, as amended, which protects employee rights of mutual aid and protection.

Complaints or Problems of Misuse Any employee, official or board member of the Town of Braintree receiving information about, or becoming aware of, a violation of this policy by another employee, official or board member of the Town of Braintree should report that violation to the Harassment Officer. Any employee, official or board member of the Town of Braintree who is aware of any violation of this policy may also report such violations to his or her department head, or the Chief of Staff.

Questions Anyone who is unsure whether a particular posting or contribution to online social media violates this policy is encouraged to contact the Chief of Staff. As a general rule, if you are hesitating to post something, it probably should not be posted, but questions and concerns are nevertheless welcomed and encouraged.

Discipline Any individual who violates this policy shall be subject to appropriate discipline, up to and including termination of employment. The Town of Braintree intends to follow each provision of this policy, but reserves the right to change any provision at any time if circumstances warrant or require. A failure to enforce this policy does not constitute a subsequent waiver of any violation of this policy. This policy shall be read and interpreted in conjunction with all other Town of Braintree policies and procedures.



Town of Braintree Media Release Form

I, _____, give the *Town of Braintree* permission to use my name, likeness, image, voice, and/or appearance as such may be embodied in any pictures, photos, video recordings, audiotapes, digital images, and the like, taken or made on behalf of the *Town of Braintree*. I agree that the *Town of Braintree* have complete ownership of such pictures, etc., including the entire copyright, and may use them for any purpose consistent with the *Town of Braintree's* needs. These uses include, but are not limited to illustrations, bulletins, exhibitions, videotapes, reprints, reproductions, publications, advertisements, and any promotional or educational materials in any medium now known or later developed, including the Internet. I acknowledge that I will not receive any compensation, etc for the use of such pictures, etc., and hereby release the *Town of Braintree* and assigns from any and all claims which arise out of or are in any way connected with such use.

I am 18 years of age and am competent to contract in my own name. I have read this release before signing below and I fully understand the contents, meaning, and impact of this release.

Signature _____
date

If the person signing is under age 18, there must be consent by a parent or guardian, as follows: I hereby certify that I am the parent or guardian of _____, named above, and do hereby give my consent without reservation to the foregoing on behalf of this person.

(Parent/Guardian's Signature) _____
date

(Parent/Guardian's Printed Name) _____
date

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