

schedules and e-discovery laws and policies.

- c. Authorized Users
 - 1. Department personnel authorized to represent the department via social media will conduct themselves at all times as representatives of the department, and accordingly, will adhere to all city and department policies and regulations regarding conduct.
 - 2. Authorized users will observe and abide by all copyright, trademark and service mark restrictions when posting these items to social media accounts.
- d. Social Media as an Investigative Tool
 - 1. Investigative units may submit prepared case file information to facilitate the identification or apprehension of suspects and/or information in order to generate leads to the social media coordinator for posting to the department's official social media account. The investigative unit, specifically the assigned detective, has the responsibility for: 1) ensuring the information submitted to the social media coordinator conforms to the department's standards regarding the release of information and prohibited disclosures, and 2) forwarding the item to the Commander of the Major Crimes Division for approval.
 - 2. Investigative units may use non-official social media accounts for investigative purposes with the written permission of the Chief of Police.

(5) DEPARTMENT EMPLOYEE PERSONAL USE:

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Denver Police Department will carefully balance the individual employee's rights against the department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

Department personnel should always be aware that privacy settings and social media sites are constantly in flux, and that they should never assume that personal information posted on such sites is protected. Department personnel should always carefully consider the implications of their speech and any other form of expression when using social media. Finally, department personnel forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any internet site open to public view.

- a. Precautions and Prohibitions
 - 1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech and expression does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair harmony among coworkers, adversely impact the disciplinary process, or cause disruption to the department, or to any other city agency.
 - 2. As public employees, department 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. Department personnel should assume that their speech and expression, and related activity on social media sites will reflect upon their official capacity and this department.
 - 3. Department personnel will not post, transmit, or otherwise disseminate any information to which they have access to as a result of their employment or publish materials that could reasonably be considered to represent the views or positions of this department without written permission from the Chief of Police.
 - 4. When using social media, department personnel should be mindful that their speech and
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expression becomes part of the worldwide electronic domain. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the general public, including the department, at any time, without prior notice. Therefore, adherence to any applicable city or department policy regarding code of conduct is required when engaging in the personal use of social media. In particular, department personnel are prohibited from the following:

- Speech and expression 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.
 - Speech and expression involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
 - Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of department personnel.
 - Posting information pertaining to any other employee of the department without their permission.
5. Engaging in prohibited speech and expression may also provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. For example, posting statements or expressions to a website that glorifies or endorses dishonesty, unlawful discrimination or illegal behavior.
6. Cautionary Note: For safety and security reasons, department personnel are advised to use caution when disclosing their employment with this department. As such, department personnel should use caution when:
- Displaying department logos, uniforms, or similar identifying items on personal web pages.
 - Posting personal photographs or providing similar means of personal recognition that may cause them to be identified as a police officer of this department.
- b. Reporting violations
- Any employee becoming aware of or having knowledge of a post or of any website or page in violation of this policy will immediately notify their supervisor. The supervisor will take appropriate action as outlined in OMS 503.01, Complaint and Discipline Procedures for Sworn Officers or Denver Career Service Rule 16 for civilian employees.
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