



Officer and Employee Internet Postings/Social Networking	Related Policies: Code of Conduct; Ethics
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Vermont Statutes/Rules:	
Date Adopted: May 10, 2021	Date Reviewed:

I. PURPOSE

This policy instructs the employees and officers of the Bennington Police Department (BPD) regarding the use of the internet, the world-wide web, and social media as a medium of Speech. **Misuse of this** speech impacts the effectiveness, integrity and reputation of the BPD and the BPD's relationship with the community the BPD serves. This policy is not intended to supersede any BPD or Town of Bennington policies regarding public information or investigations.

II. POLICY:

- A. Officers and employees of the BPD may utilize social media and other related communications in their professional capacity as employees of the BPD, if they receive prior approval from the Chief of Police or his/her designee(s).
- B. Officers and employees of the BPD may utilize their own personal social media accounts for their own personal expression in accordance with this Policy; however, they may not maintain any anonymous social media accounts.
 - 1) All employees and officers of the BPD shall be required to complete an affidavit annually indicating their active participation in any social networking sites. This affidavit shall include the name of the sites. The candidate for employment of the BPD shall provide the agency with access to their sites. Access shall not include requiring an employee or officer to provide any password or personal identification numbers.
 - 2) BPD employees must never engage in Hate Speech, or other Speech on any social networking site that bring discredit upon them, the BPD, or the Town of

Bennington or which may undermine or result in impeachment or their testimony in a legal proceeding. BPD employees must not post classified information, sensitive information, or comments or content which is defaming, threatening, harassing, or which discriminates based on a person's race, color, sex, gender, age, religion, national origin, sexual orientation, or other protected criteria. Neither shall they post lewd or indecent comments or profanity. This type of activity, can embarrass the Town of Bennington, harm reputations and may violate State or Federal laws and expose an employee to civil liability.

- 3) Social networking shall not be used by any BPD employee/officer in a manner that is detrimental or contrary to the Vision, Mission Statement, and Guiding Principles of the BPD, or that negativity impacts the efficiency and/or effectiveness of the BPD.

III. DEFINITION

A. SPEECH: Expression or communication of thoughts or opinions in spoken words in writing; or by expressive conduct, symbolism, photographs, video tape, cartoons, or related forms of communication.

B. SOCIAL NETWORKING SITES: Computer -based technology that facilities the sharing of ideas, thoughts, and information through the building of virtual networks and communities. Users engage is social media by way of computer, tablet or smart phone using web-based platforms.

C. HATE SPEECH: Any kind of communication in speech, writing or behavior, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, color, sex, gender, sexual orientation, or other protected identity.

D. ANONYMOUS SOCIAL MEDIA ACCOUNTS: Accounts where the owner/user seeks to hide or change the true identity of the speaker or the maker of the Speech or of the account.

This policy is adopted by the Select Board of the Town of Bennington, Vermont, this day _____ of _____, 2021 and is effective until amended or repealed

Jeannie Jenkins, Chairperson

IV. PROCEDURE:

- A. Employees of this agency are prohibited from using agency computers for any unauthorized purpose including surfing the internet or participating in social networking sites.
- B. Employees of this agency are prohibited from posting, or in any other way broadcasting, without prior agency approval, information on the internet, or other medium of communication, the business of this agency to include but not limited to:
 - a. Photographs/images relating to any investigation of this agency.
 - b. Video or audio files related to any investigation of this agency.
 - c. Video, audio, photographs, or any other images etc. which memorialize a law enforcement relating action of this agency.
 - d. Logos/Uniforms/Badges or other items which are symbols associated with this agency.
 - e. Any other item or material which is identifiable to this agency.
- C. Employees of this agency who utilize social networking sites, blogs, Twitter, or other mediums of electronic communication in their off-duty time shall maintain an appropriate level of professionalism and appropriate conduct so as not to broadcast in a manner which is detrimental to the mission and function of this agency or otherwise impairs the efficiency of this agency.
 - a. Employees shall not use references in these social networking sites or other mediums of communication that in any way represent themselves as an employee of this agency without prior agency approval. This shall include but not be limited to:

- i. Text which identifies this agency.
 - ii. Photos that depict the logos, patches, badge, or other identifying symbol of this agency.
 - iii. Accounts of events which occur within this agency where such information would reveal non-public information under state law; would violate confidentiality provisions of law; would impact ongoing investigations; or would otherwise impact the efficient operations of this agency.
 - iv. Any other material, text, audio, video, photograph, or image which would be identifiable to this agency.
 - b. Employees shall not use a social networking site or other medium of internet communication to post any materials of a sexually graphic nature.
 - c. Employees shall not use a social networking site or other medium of internet communication to post which promote violence.
 - d. Employees shall not use social networking or other medium to promote or disseminate information in favor of recognized subversive entities.
 - e. Employees shall not use a social networking site or other medium of communication to post or broadcast any materials which would be detrimental to the mission and function of this agency, or otherwise impact agency efficiency.
- D. Employees of this agency are prohibited from using their title as well as any reference to this agency in any correspondence to include emails, postings, blogs, Twitter, or social network sites such as Facebook, unless the communication is of an official nature and is serving the mission of this agency. This prohibition also includes signature lines in personal email accounts. An employee may seek agency approval for such use.

- E. New employees: All candidates seeking employment with this agency shall be required to complete an affidavit indicating their participation in any social networking sites. This affidavit shall include the name of the sites. The candidate shall provide the agency with access to their site as part of any background examination. Access shall not include requiring the candidate to provide any password or personal identification numbers.

- F. Administrative Investigations: Employees who are subject to administrative investigations may be ordered to provide the agency with access to the social networking site when the subject of the investigation is directly, narrowly, and specifically related to the employee's performance or ability to perform his or her function within the agency or when the subject of the investigation is potentially adverse to the operation, morale, or efficiency of the agency.

The policies and procedures outlined above are hereby adopted by the Chief of Police of the Town of Bennington, Vermont this _____ day of _____, 2021 and is effective as of this date until amended or repealed.

Paul J. Doucette, Chief of Police