



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor

Danielle M. Outlaw, Chief of Police

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Integrity • Compassion • Accountability • Respect • Excellence • Service

Directive 311.40, Personal Use of Social Media Executive Summary

PPB is releasing an update to the recently enacted directive to clarify concerns found in Procedure sections 1.3, 1.4., and 1.6.

This directive went into effect on September 15, 2018 and shall remain active. The updated version with the adjustments identified above shall become effective immediately. It will be reviewed in one year in accordance with the procedures outlined in Directive 010.00, Directives Review and Development Process.

Published on 9/26/18

Community Policing: Making the Difference Together
An Equal Opportunity Employer

City Information Line: 503-823-4000, TTY (for hearing and speech impaired): 503-823-6868 Website: www.portlandpolice.com

311.40, Personal Use of Social Media (*clean view*)

Refer:

- City of Portland Human Resources Administrative Rules, 4.08A, Social Media
- DIR 220.11, Confidential Information
- DIR 310.00, Professional Conduct and Courtesy
- DIR 310.70, Dissemination of Information
- DIR 1221.00, Smart Phone Issuance and Usage

Definitions:

- **Social Media:** Websites and other forms of Internet communication used to provide or share information, ideas, messages, photographs, videos and other content. Examples of social media sites include, but are not limited to, Facebook, Twitter, Instagram, YouTube, Snapchat, Reddit, Tumblr and LinkedIn.

Policy:

1. The Police Bureau recognizes the increasing use of social media both personally and in the workplace. This Directive addresses the personal use of social media by Bureau members, whether that use occurs on personal time or during work hours. It does not address the official use of social media by members for police business while on or off duty. Official use of social media for community outreach, crime prevention, problem solving, and general information exchanges will be governed by a separate directive.
2. Members have a right to engage in personal expression as private citizens. However, the Bureau may regulate such private expression when the members' private expression on social media unduly disrupts Bureau operations or violates other Bureau directives such as the prohibition against disclosing sensitive, confidential, or protected information. Personal use of social media may affect a member's official position with the Police Bureau and may impact the effective operations of the Bureau.
3. Social media communications that constitute protected union-related activities are not restricted by this directive.

Procedure:

1. When using personal social media, members may express themselves as private citizens, but shall not:
 - 1.1. Post or use any image of Police Bureau badges, identification, name tags or plates, logos, patches, marked vehicles, marked equipment or other marked materials without the express prior permission of the Chief of Police or a designee.
 - 1.1.1. Members may post or use photographs of themselves taken in uniform while:
 - 1.1.1.1. Appearing for official ceremonies or recognitions, promotions, awards or commendations; or
 - 1.1.1.2. Taking part in Bureau sponsored or approved events.
 - 1.1.2. This policy does not prohibit members from reposting information, photographs, videos or other materials that have been previously published or are otherwise available in the public domain (i.e., available to the public as a whole).

- 1.1.3. A social media platform's automatic assignment of such an image to a member will not alone violate this policy.
- 1.2. Post, publish, transmit, share or disseminate any documents, photographs, videos or information that they have access to solely as a result of their employment with the Bureau. This prohibition includes information that is confidential or investigative in nature (e.g., crime or accident scene images, Bureau training materials, etc.).
- 1.3. Post, publish, transmit, share or disseminate any comments or information that negatively impact or unduly disrupt the operations of the Bureau or that unduly criticizes the official decisions or actions of the Bureau, and causes actual harm to Bureau operations as a result. The balancing test for protected free speech requires an analysis of whether actual harm to Bureau operations occurs as the result of a member's use of speech.
- 1.4. Post, publish, transmit, share or otherwise disseminate information that is confidential or is otherwise restricted from disclosure by law or Bureau policy that pertains to Bureau-related tactics or mission-specific strategies and objectives. This includes any information obtained by the member solely because of the member's position with the Bureau.
- 1.5. Post, publish, transmit, share or disseminate any comments or information that promotes or advocates a violation of City or Bureau directives or other policies or criminal activity.
- 1.6. Post, publish, transmit, share or disseminate any documents, comments or information that are confidential or otherwise restricted from disclosure by law or Bureau policy regarding community member complaints about the Bureau or any of its members, administrative investigations, criminal investigations, criminal prosecutions, or legal claims or court cases involving the Bureau or any Bureau members. This includes any information obtained by the member solely because of the member's position with the Bureau. Members may post, publish, transmit, share or disseminate such information already available in the public domain.
- 1.7. Post, publish, transmit, share, comment in support of, or disseminate any posting that is harassing or includes any threat of actual violence. Members should be aware that the Bureau may prohibit inflammatory posts that are directed to inciting or producing immediate lawless action and are likely to incite or produce such action.
- 1.8. Post, publish, transmit, share, comment in support of, or disseminate any posting that ridicules, disparages or negatively expresses bias or disrespect towards any race, religion, sex, gender, marital or familial status, sexual orientation, nationality, age, disability or any other legally protected classification as defined in City of Portland Human Resources Administrative Regulation (HRAR) 2.02 or PPB directives or policies.

- 1.8.1. Members should be aware that such comments made outside of the workplace or outside of a work-related setting, as described in HRAR 2.02, may still be prohibited.
- 1.9. Post, publish, transmit or disseminate any statements, photographs, endorsements, information or materials that represent or purports to represent the official views or position of the Police Bureau or the City of Portland, without the express prior approval of the Chief of Police or a designee.
2. Members are permitted to access social media accounts on Bureau-issued computers and Mobile Data Computers (MDCs) while on duty for the purpose of executing a specific work function.
 - 2.1. When using social media in an official capacity on an authorized Bureau-issued computer or MDC, members shall not accept any social media platform's invitation to determine or track the location of the device or the user.
 - 2.2. Members are prohibited from using Bureau-issued cell phones to access personal social media accounts.
 - 2.3. Members shall not use any Police Bureau or City of Portland email address to register for any personal social media account.

History:

- Originating Directive Date: 8/16/18
 - Effective Date: 9/26/18
- Next Review Date: 9/15/19

311.40, Personal Use of Social Media (*redline markup*)

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- 1.6. Post, publish, transmit, share or disseminate any ~~confidential~~ documents, comments or information that are confidential or otherwise restricted from disclosure by law or Bureau policy regarding community member complaints about the Bureau or any of its members, administrative investigations, criminal investigations, criminal prosecutions, or legal claims or court cases involving ~~the City, the Bureau or any City employees or~~ any Bureau members. This includes any information obtained by the member solely because of the member's position with the Bureau. Members may, except that members may post, publish, transmit, share or disseminate such information already available in the public domain.
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