



## 1-2 SOCIAL MEDIA

### 1-2-1 Policy

The policy of the Department is to establish the Department's position on the utility, management, administration, and oversight of social media. This policy is not meant to address one particular form of social media, rather social media in general, to allow for new tools and future technologies.

Social media provides a potentially 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 a bearing on Department personnel in their official capacities. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department personnel.

### 1-2-2 Rules

#### A. Free Speech

1. As public employees, Department personnel are cautioned that speech, on or off-duty, made pursuant to their official duties is not protected under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume their speech and related activity on social media sites reflect upon their office and this Department. Engaging in prohibited speech noted herein may provide grounds for undermining or impeaching an officer's testimony in criminal or civil proceedings. Department personnel are subject to discipline up to and including termination for violations of these provisions.
2. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the Department's Code of Conduct (SOP General Orders section 1-1) is required for the personal use of social media. In particular, Department personnel are prohibited from the following:

- [1-5] a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express discrimination against any race, any religion, or any other protected class of individuals.
- [7] b. Speech which could bring the Department into disrepute or which impairs the mission of the Department and/or the ability of Department personnel to perform their duties.



ALBUQUERQUE POLICE DEPARTMENT  
GENERAL ORDERS

SOP 1-2

OPA Draft as of July 19, 2018

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

6. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology, records management, Department, and City policies.

D. Department Sanctioned Use of Social Media

1. Department personnel representing the Department via social media outlets shall:

- a. Conduct themselves at all times as representatives of the Department and adhere to all Department standards of conduct;
- b. Identify themselves as a member or employee of the Department;
- c. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecution, nor post, transmit, or otherwise disseminate confidential information; and
- d. Not conduct political activities or private business.
- e. Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

2. Uses

- a. Social media is a valuable investigative tool when seeking evidence or information and/or disseminating information.
- b. Social media can be used for community outreach and engagement.
- c. Social media can be used to make time-sensitive notifications.





ALBUQUERQUE POLICE DEPARTMENT  
GENERAL ORDERS

SOP 1-2

Effective: 01/14/16 Review Due: 01/14/17 Replaces: 04/27/15

## 1-2 SOCIAL MEDIA

### 1-2-1 Policy

The policy of the Department is to establish the Department's position on the utility, management, administration, and oversight of social media. This policy is not meant to address one particular form of social media, rather social media in general, to allow for new tools and future technologies.

Social media provides a potentially 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 a bearing on Department personnel in their official capacities. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department personnel.

### 1-2-2 Rules

#### A. Free Speech

1. As public employees, Department personnel are cautioned that speech, on or off-duty, made pursuant to their official duties is not protected under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume their speech and related activity on social media sites reflect upon their office and this Department. Engaging in prohibited speech noted herein may provide grounds for undermining or impeaching an officer's testimony in criminal or civil proceedings. Department personnel are subject to discipline up to and including termination for violations of these provisions.
2. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the Department's Code of Conduct (SOP General Orders section 1-1) is required for the personal use of social media. In particular, Department personnel are prohibited from the following:

- [1-5] a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express discrimination against any race, any religion, or any other protected class of individuals.
- [7] b. Speech which could bring the Department into disrepute or which impairs the mission of the Department and/or the ability of Department personnel to perform their duties.



ALBUQUERQUE POLICE DEPARTMENT  
GENERAL ORDERS

SOP 1-2

Effective: 01/14/16 Review Due: 01/14/17 Replaces: 04/27/15

6. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology, records management, Department, and City policies.

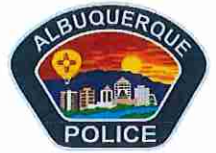
D. Department Sanctioned Use of Social Media

1. Department personnel representing the Department via social media outlets shall:
  - a. Conduct themselves at all times as representatives of the Department and adhere to all Department standards of conduct;
  - b. Identify themselves as a member or employee of the Department;
  - c. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecution, nor post, transmit, or otherwise disseminate confidential information;
  - d. Not conduct political activities or private business;
  - e. Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
2. Uses
  - a. Social media is a valuable investigative tool when seeking evidence or information and/or disseminating information.
  - b. Social media can be used for community outreach and engagement.
  - c. Social media can be used to make time-sensitive notifications.



## Policy Development Form

### Office of Policy Analysis



Name and Title: Detective John Gallegos

Phone: 768-2894

Email: [jcgalligos@cabq.gov](mailto:jcgalligos@cabq.gov)

SOP: 1-2

Date Completed:

In order to gain a clear understanding of the reason for the policy change, please answer the questions below with as much detail as possible as this information will be shared with internal and external stakeholders interested in participating in APD's policy development process.

Explain the rationale or purpose for the new policy or amended policy? Example: Best practices, case law, liability, conflicts with other policies or regulations, CASA related.

1-2-2B1 is redundant. Having a policy that says you can't violate policy is not needed in my opinion. Additionally, the line "can be accessed by the public" is not restrictive enough. Private messages, private groups, .etc, that aren't publicly accessible, yet use social media platforms are covered by case law. Privacy settings are irrelevant.

1-2-2B4d This contradicts 1-2-2B4b – b says you can't post data from criminal or administrative investigations (period). d says you can't post personal statements not included in an official police report. Either we can talk about it or not. I recommend no discussions of any police business as the code of conduct SOP says all things job (APD) related are confidential.

1-2-2C1 states: Where possible, each Department-created social media page shall include an introductory statement clearly specifying the purpose and scope of the agency's presence on the website. I can't think of a reason for it not to be possible to place this on any Department sanctioned site. I think we should take out the "where possible."

1-2-2C5 Another "where possible" statement. Same argument as above.

1-2-2C6 Another policy stating that social media should obey the law and policies. This is redundant as 1-2-B1 and with the same argument.

1-2-2D1a Another policy stating that social media should obey the law and policies. This is redundant as 1-2-B1 and with the same argument.

1-2-2D1e Another policy stating that social media should obey the law and policies. This is redundant as 1-2-B1 and with the same argument.

Please submit this form to [OPA@cabq.gov](mailto:OPA@cabq.gov)

If you need assistance completing this form, and for any questions or concerns please contact your SOP liaison @ [adgarcia@cabq.gov](mailto:adgarcia@cabq.gov).  
Updated 06/20/2018