



1-2 SOCIAL MEDIA

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

- 1-1 Personnel Code of Conduct
- 2-9 Use of Computer Systems

B. Form(s)

~~PD X Form Title None~~

C. Other Resource(s)

City of Albuquerque Administrative Instruction Number 2-25 Social Media Policy (2016)

~~City of Albuquerque Social Media Policy~~

~~NMSA 1978, § (Section Number Here) §§ 10-7E-1 to 10-7E-26 Section 7E Public~~

~~Employee Bargaining Act~~

~~Use of Computer Systems~~

D. Rescinded Special Order(s)

None

1-2-1 Purpose

The purpose of this ~~Division~~ policy is to establish employee rights and responsibilities as ~~they~~ it pertains to social media/~~employee speech~~. Additionally, it is intended to protect the Albuquerque Police Department (Department) from content or speech that would impair its efficiency or ~~damage the reputation and trust the Department has, or is building, with the community.~~ community trust. This policy will help guides Department personnel employees as they post content and speech on social media.

1-2-2 Policy

It is the policy of the ~~Albuquerque Police Department (Department)~~ to support employees' Department personnel's First Amendment rights while protecting the Department's ability to function in a manner that preserves the community's public trust ~~efficiently, harmoniously, and maintains relationships necessary to serve the public.~~

N/A 1-2-3 Definitions

A. Concerted Activity



The right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their choosing, and to engage in other concerted activities for collective bargaining or other mutual aid or protection, as well as the right to refrain from any or all such activities= (Refer to the Article 7E of the New Mexico State Statutes NMSA 1978, § (Section) Public Employee Bargaining Act).

B. Pornography

~~Pornography is p~~Printed or visual material containing the explicit description or display of sexual organs or activity, intended to stimulate erotic rather than aesthetic or emotional feelings.

C. Public Domain

~~The term "public domain" refers to c~~Creative materials that are not protected by intellectual property laws such as copyright, trademark, or patent laws. The public owns these works, not an individual author or artist. Anyone can use a public domain work without obtaining permission, but no one can ever own it.Inventions and creative works that are not protected by intellectual-property rights and are therefore available for anyone.

D. Protected Classes

~~Protected classes are a~~A group of people with a common characteristic who are legally protected from discrimination. -In this ~~section~~section, protected classes are race, color, national origin, religion, sex, age, citizenship status, sexual orientation, gender identity, and serious medical condition.

E. Social Media

A category of internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social network sites, microblogging sites, photo, and video sharing sites, wikis, blogs, and news sites.

~~From Haley's Draft: A category of Internet based resources that integrate user-generated content with user participation. This includes, but is not limited to Facebook, SnapChat, MySpace, Twitter, Flickr, Instagram, YouTube, Wikipedia, as well as web blogs, bulletin boards/message boards, and news sites (i.e., Nixle, Google News, Yahoo Groups, Reddit). The absence of, or lack of explicit reference to a specific site, does not limit the extent of the application of this policy.~~

F. Substantive Speech

Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication. A "like" or response to a post is considered substantive speech. Clicking on the like button suggests that the user concurs, supports, or agrees with the



speech. Similar responses such as ~~up-voting~~up voting, ~~down-voting~~down voting, or using an emoji are speech in favor of or against a post. ~~The title of defined word or unit.~~

~~From Haley's Draft: Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.~~

~~Describe terminology used.~~

~~G. The title of defined word or unit.~~

~~Describe terminology used.~~

1-2-4 Rules and Responsibilities

6

A. Permitted Social Media Use

1. Department personnel may speak out on issues of public concern when acting as a private citizen person. Department personnel shall include a disclaimer if he or she they are is commenting on City business in his or her their personal capacity and state the comments represent their own opinions and do not represent those of the City.

2. If social media use can be associated or identified as relating to the Department or its members personnel, that use should conform to the Mission Statement of the Department, as well as the Values and Code of Conduct of the organization Department. Individual employees shall members are be responsible for assessing potential social media content to ensure that it contributes to the values of the Department and neither could nor tend to cause harm or disruption to the mission and function of the Department. For any questions regarding the suitability of social media content, the Department PIO shall be contacted prior to any social media posts.

3. It is not possible to list every possible permitted use; therefore, employees Department personnel should contact their chain of command Public Information Officer's (PIO) office or Internal Affairs when they have questions doubt about speech that may violate this section of the Standard Operating Procedure (SOP). Refer to SOP the Use of Computer Systems and SOP Personnel Code of Conduct SOP and the City of Albuquerque's Social Media Policy regarding restrictions on using social media during work hours or using Department issued equipment for social media. Examples of permissible social media uses include but are not limited to:

a. Concerted activity;



- ~~b. 2-Politics, unless otherwise prohibited;~~
- ~~c. Social issues, unless otherwise prohibited;~~
- ~~d. Personal issues, unless otherwise prohibited;~~
- ~~e. Viewing legal content, adult or otherwise; or~~
- ~~f. Linking to and/or re-posting content unless otherwise prohibited.;~~
- ~~— Linking to and/or re-posting content from Department-sanction authorized websites; or~~
- ~~— Administering a Department-authorized website.~~

4. Refer to SOP Use of Computer Systems, and SOP Personnel Code of Conduct, and the City of Albuquerque's Administrative Instruction Number 2-25 Social Media Policy regarding restrictions on using social media during work hours or using Department-issued equipment for social media.

6

- ~~A. Paragraph Settings~~
- ~~B. _____~~
- ~~C. Ctrl+A to select all text.~~
- ~~D. _____~~
- ~~E. See screenshot.~~

F.B. Prohibited Social Media Use

1. Information posted on personal social media sites can be accessed by a wide audience and Department personnel should be aware of the limited ability to restrict access to posts. Personal social media posts may be viewed, copied, forwarded, printed or otherwise shared with the public, Department personnel, and Department supervisors.
2. Department personnel ~~Employees~~ citizens may only express themselves as private persons on matters of public concern to the degree that this expression does not violate the prohibitions laid out in this section. Department personnel must shall be mindful that they are public servants and should ensure that their personal social media activities do not interfere with their work or with their workplace environment.
3. Posting the below content is prohibited for Department personnel, regardless of whether the post is publicly accessible or not. Department ~~Personnel~~ using online aliases or otherwise ~~obfuscating~~ obscuring their employment and/or identity are still mandated to follow this SOP and are responsible for the content they post, substantive speech, or content they link to their social media post. ~~It is not possible to list every possible circumstance that may violate the SOP. Therefore, employees~~ Department personnel ~~should~~ shall contact the PIO's office or the Internal Affairs Professional Standards (IAPS) Division when they have doubt about speech that may violate this section of the SOP.



ALBUQUERQUE POLICE DEPARTMENT
GENERAL ORDERS

SOP 1-2

P&P Draft 06/30/2021

4. ~~Only when necessary during official investigations, such as internet crimes against children, narcotics, gangs, or intelligence investigations, may content be posted that would otherwise violate this policy.~~ The following use of social media on either personal or Department social media accounts is not permitted:

3

a. ~~Hate speech or or speech or content that ridicules maligns, disparages, or otherwise discriminates against a protected class of people;~~

1

~~Uploading, displaying, and/or distributing any pornography;~~

b. ~~Viewing, and/or downloading, or posting on a social media platform any content which would violate federal, state, or local law;~~

~~Speech that impairs working relations of disparages the Department for which loyalty and confidentiality are important;~~

c. ~~Speech that impedes the performance of duties;~~

d. ~~Speech that impairs discipline and harmony among Department personnel;~~

e. ~~Speech that negatively impacts or tends to impact the Department's ability to serve the public;~~

5

f. ~~Uploading, displaying, and/or distributing information about any Department, criminal or administrative investigation that is otherwise confidential or would compromise the investigation. -This excludes necessary conversations among employees that are part of the investigation and not publicly accessible, for example, text messaging on Department issued phones;~~

5

g. ~~Revealing the identities or displaying photographs of Department personnel who work in an undercover or covert capacity to non-employees of the Department;~~

h. ~~Disclosing information about any other member of the Department without permission of the affected member (to include posting photos, or "tagging" in text or photos);~~

i. ~~Uploading, displaying, and/or distributing any crime scene photographs, not in the public domain, without approval from the PIO's office;~~

~~Substantive speech, linking to, or reposting content that would violate this policy;~~

j. ~~Uploading, displaying, and/or distributing any copyrighted material not owned by the employee;~~

k. ~~The use of a City-issued email account or password in conjunction with a personal social media account;~~

5

l. ~~Revealing police practices or procedures, such as Special Weapons And Tactics (SWAT) or narcotics tactics, that could hinder the operation of the Department and/or jeopardize officer safety; or~~

~~Uploading, displaying, and/or distributing on social media, without approval from the PIO's office photographs of themselves in uniform or displaying official Department identification including, but not limited to, patches, badges, emblems, logos, or marked/unmarked vehicles on internet sites while engaging in conduct in violation of SOP Personnel Code of Conduct. This excludes photographs taken at official Department ceremonies (e.g., promotions, awards, medals/citations, etc.);~~



- m. Posting information that can be used as impeachment material.
 - i. Anything posted on personal or Department social media can be used to impeach you Department personnel in a case in which you are a witness.
 - ii. Because impeachment material can result in the dismissal of criminal cases, posting material that results in the inability to testify in court is subject to termination.

5. Department personnel shall not uploading, displaying, and/or distributing on social media photographs of themselves in uniform or displaying official Department identification and engaging in behavior that is not allowed while on-duty or that violates SOP Personnel Code of Conduct.

- a. By identifying yourself themselves as a Department employee, they you are creating perceptions about the Department. Therefore, the use of titles, logos, or identification as an member employee of the Department that creates the impression that the member employee is a spokesperson of the Department, without permission of the PIO's office, is prohibited.

6. Only when necessary during official investigations, such as internet crimes against children, narcotics, gangs, or intelligence investigations, may content be posted that would otherwise violate this policy SOP.

~~a.~~

7

C. Department Authorized Social Media Use

~~G.~~ Indent will be at .25 inches.

1. Department personnel approved to run or administer a Department-sanction authorized social media site and speak on behalf of the Department are reminded their speech is not protected by the First Amendment. Therefore, due diligence and coordination with the PIO's office should take place before releasing any information. All Department-sanction authorized social media use shall will comply with City of Albuquerque Administrative Instruction Number 2-25 (2016) and the City's Social Media Policy.

2. All Department-sanction authorized social media, not used for investigations, shall be approved by the PIO's office. The approval can be revoked at the discretion of the PIO's office at any time.

~~a.~~ Department personnel shall will forward all proposed Department posts to the PIO's office for approval and shall not upload the post within twenty-four (24) hours of sending it to the PIO.

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6

~~b.~~
4. Social media posts for individual officers (in their official capacity), units, sections, divisions, and bureaus, shall be approved by the PIO's office before being published. These websites shall:

- ~~i.~~ a. Include an introductory statement specifying the purpose and scope of the website;
- ~~ii.~~ b. Contain a link to the Department's official website;
- ~~iii.~~ c. Provide contact information for the website's administrator;
- d. Not promote products or political candidates; ~~and~~
- ~~iv.~~ e. Comply with all restrictions in this policy SOP; and
- ~~v.~~ f. Comply with all federal, state, and local laws.

REVIEW