



California Exposition and State Fair Police Department

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DEPARTMENTAL GENERAL ORDER

ORDER № 900.200

Mar. 2019 (Revised)

08/01/2006 (New)

INTERNET, WEBSITES, OR SOCIAL MEDIA POLICY

900.201 PURPOSE

- A. The purpose of this Order is to establish guidelines regarding the posting of confidential information on the internet, websites, or social media, in an off-duty capacity by California Exposition & State Fair Police Department employees.

900.202 GENERAL

- A. The police department recognizes that personal use of the internet and other on-line social media services by employees is increasing. This order addresses personal off-duty use of the internet and is not applicable to employees using the internet in an authorized manner within the scope of their assigned duties, during their normal working shift.

900.203 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

- A. To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer association(s), on a matter of public concern):
1. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the California Exposition & State Fair (Police Department) or its employees.
 2. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the California Exposition & State Fair (Police Department) and tends to compromise or damage the mission, function, reputation or professionalism of the California Exposition & State Fair (Police Department) or its employees. Examples may include:
 - a. Statements that indicate disregard for the law or the state or U.S. Constitution.
 - b. Expression that demonstrates support for criminal activity.
 - c. Participating in sexually explicit photographs or videos for compensation or distribution. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness (posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior).

The mission of the California Exposition & State Fair Police is to:

Provide for the safety and security of visitors, employees, and stakeholders; keep order and preserve the peace; and support the economic well-being of the California Exposition & State Fair.

3. Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department (a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape).
4. Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the California Exposition & State Fair (Police Department).
5. Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
6. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the California Exposition & State Fair (Police Department) on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.
7. Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 - a. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
 - b. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.
 - c. Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

900.204 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

- A. While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the or identify themselves in any way that could be reasonably perceived as representing the California Exposition & State Fair (Police Department) in order to do any of the following, unless specifically authorized by the Chief of Police (Government Code § 3206; Government Code § 3302):
 1. Endorse, support, oppose or contradict any political campaign or initiative.
 2. Endorse, support, oppose or contradict any social issue, cause or religion.
 3. Endorse, support or oppose any product, service, company or other commercial entity.
 4. Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.
- B. Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group or officer associations), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the California Exposition & State Fair (Police Department).

- C. Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty.
- D. Employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

900.207 PRIVACY EXPECTATION

- A. Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, Instagram) that is accessed, transmitted, received or reviewed on any department technology system.
- B. The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department. This includes the department e-mail system, computer network or any information placed into storage on any department system or device.
- C. It also includes records of all key strokes or web-browsing history made at any department computer or over any department network.
- D. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through a department computer or network. However, the Department may not require an employee to disclose a personal user name or password or open a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work related misconduct (Labor Code § 980).

900.208 CONSIDERATIONS

- A. In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:
 - 1. Whether the speech or conduct would negatively affect the efficiency of delivering public services.
 - 2. Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
 - 3. Whether the speech or conduct would reflect unfavorably upon the Department.
 - 4. Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
 - 5. Whether similar speech or conduct has been previously authorized.
 - 6. Whether the speech or conduct may be protected and outweighs any interest of the Department.