



Kern County Sheriff's Office
Policies and Procedures

TITLE: EMPLOYEE SPEECH, EXPRESSION AND SOCIAL NETWORKING		NO: J-3200	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: December 13, 2010	REVIEWED: 06/22/2018	REVISED: 08/21/2012	UPDATED: 08/13/2014

POLICY

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the legitimate needs of the Sheriff's Office. Nothing in this policy is intended to prohibit or infringe upon any employee's communication, speech or expression which has been clearly established as protected or privileged. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit about matters of public concern such as misconduct or corruption.

- This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Sheriff's Office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this agency be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Kern County Sheriff's Office will carefully balance the individual employee's rights against the Sheriff's Office needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Sheriff's Office employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, employee's family or associates.

Examples of the types of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working in an undercover capacity.
- Disclosing the address of another Sheriff's Office member.
- Otherwise disclosing where another member of the Sheriff's Office can be located off-duty.

DIRECTIVE A- PROHIBITED SPEECH, EXPRESSION AND CONDUCT

In order to meet the Sheriff's Office's safety, performance and public-trust needs, the following are prohibited. The following prohibitions are not applicable to speech that is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit 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 Sheriff's Office or its employees.
2. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Sheriff's Office and tends to compromise or damage the mission, function, reputation or professionalism of the Sheriff's Office or its employees.
3. Speech or expression that could reasonably be foreseen as creating a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.
4. Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of the employees of the Sheriff's Office. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
5. Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Sheriff's Office.
6. Disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Sheriff's Office for financial gain, or any disclosure of such materials without the expressed authorization of the Sheriff or his designee (Penal Code § 146g).
7. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of Sheriff's Office logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Sheriff's Office on any personal or social networking or other website or web page, without the express written permission of the Sheriff or his designee.
8. Failure to take reasonable and prompt action to remove any content that is in violation of this policy and/or posted by others from any web page or website maintained by the employee (e.g., social or personal website).

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