



KERN COUNTY PROBATION DEPARTMENT

Policies And Procedures

TITLE: Social Networking Sites		Article: 1411	
APPROVED: TR Merickel, Chief Probation Officer			
EFFECTIVE: March 2012	REVIEWED: August 2018	REVISED: March 2012	UPDATED: March 2012

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 Probation Department. 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.

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 Probation Department. 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 Probation Department will carefully balance the individual employee's rights against the Probation Department needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

I. SAFETY

- A. 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 Probation Department 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 or privacy of any employee, employee's family or associates.

II. PROHIBITED SPEECH, EXPRESSION AND CONDUCT

- A. In order to meet the Probation Department's safety, performance and public-trust needs, the following are prohibited:
 1. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Probation 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 Probation Department and tends to compromise or damage the mission, function, reputation or professionalism of the Probation Department 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.
 - a. 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 Probation Department.
 - a. 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. Disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Probation Department for financial gain, or any disclosure of such materials without the expressed authorization of the Chief Probation Officer or his designee (Penal Code § 146g).
6. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of Probation Department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Probation Department on any personal or social networking or other website or web page, without the express written permission of the Chief Probation Officer or his designee.
7. 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).