
Authorized by Sheriff Dallas Baldwin

Purpose: To set forth: (1) the policy of the Sheriff for the use of social media on behalf of the Sheriff or the Franklin County Sheriff's Office, and (2) limited prohibitions for the Sheriff's employees' personal use of social media.

Scope: This regulation applies to all employees. This regulation applies to any social media platform.

1. Definitions

- 1.1 "Confidential" means information, which if disclosed would pose a threat to another person, compromise an investigation, violate an administrative regulation, or be prohibited under federal or Ohio law.
- 1.2 "Duty" means an obligation to perform a service or task as part of the person's employment with the Sheriff. "Duty" does not include special-duty assignments.
- 1.3 "Social media" means a category of Internet-based resources that integrate user-generated content and user participation. "Social media" includes social networking sites (e.g., Facebook), microblogging sites (e.g., Twitter, Nixle), photo- and video-sharing sites (e.g., Flickr, YouTube), wikis (e.g., Wikipedia), blogs, and news sites (e.g., Digg, Reddit).
- 1.4 "Speech," "speak," and "state" mean the expression or communication of thoughts or opinions in spoken words, writing, expressive conduct, symbolism, photographs, video, or related forms of communication.

2. Social Media Accounts Authorized by the Sheriff

- 2.1 An employee may not post anything on the Sheriff's social media accounts in the name of the Sheriff or the Sheriff's Office or in a manner that could reasonably be attributed to the Sheriff or the Sheriff's Office without prior authorization of the Sheriff.
- 2.2 With the Sheriff's prior written authorization, the Public Information Officer or other person authorized by the Sheriff may establish and maintain one or more social media accounts on behalf of the Sheriff in the Sheriff's official capacity, the Sheriff's Office, or any component of the Sheriff's Office. For each social media account of the Sheriff or the Sheriff's Office (or component thereof), the Public Information Officer or other authorized person shall state on the account in a conspicuous location that the account is "an official account of the Franklin County Sheriff."
- 2.3 Those employees who have obtained the authorization set forth in Section 2.1 shall:
 - (1) Comply with any applicable administrative regulation, including the regulations regarding media relations, computer use, and the code of conduct;
 - (2) Comply with federal and state law;

Authorized by Sheriff Dallas Baldwin

- (3) Not include any defamatory, libelous, or obscene matter;
- (4) Not promote alcoholic beverages, tobacco products, or any illegal product, service, or activity;
- (5) Not promote or condone discrimination on the basis of race, color, religion, national origin, handicap, age, ancestry, sexual orientation, gender identity, or any other protected class of persons;
- (6) Not support or oppose any labor organization or any action by, on behalf of, or against any labor organization;
- (7) Not support or oppose the nomination or election of a candidate for public office, the investigation, prosecution, or recall of a public official, or the passage of a levy or bond issue; and
- (8) Not include any public record unless authorized to do so under an administrative regulation or other policy of the Sheriff regarding public records.

3. Employees' Personal Use of Social Media

- 3.1 Subject to state and federal law or collective bargaining agreements, an employee shall comply with this section 3 when speaking on social media accounts not covered by section 2.
- 3.2 An employee shall not speak using social media while the employee is on duty, unless during an authorized break.
- 3.3 In speaking on any external social media account, an employee shall not:
 - (1) Violate federal or state law;
 - (2) Violate any applicable administrative regulation, including the regulations regarding media relations, computer use, and the code of conduct;
 - (3) Speak in a manner that discriminates against or harasses another person or group of persons on the basis of any race, color, religion, national origin, handicap, age, ancestry, sexual orientation, gender identity, or any other protected class of persons;
 - (4) Include speech that could reasonably be viewed as obscene, malicious, threatening, intimidating, disparaging, or that might constitute harassment or bullying;
 - (5) Include photographs, videos, or audio recordings that document an activity or event in which the employee was involved as part of the employee's ordinary, official duties as an employee of the Sheriff, unless the inclusion of these items

Authorized by Sheriff Dallas Baldwin

is for the purpose of engaging in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety and/or working condition concerns or of work-related issues and/or other protected concerted activities;

- (6) State personal disputes about other employees with whom the employee interacts as part of the employee's duties, unless those statements rise to the level of protected concerted activity under the National Labor Relations Act or are a matter of public concern;
- (7) Disseminate confidential information that the employee learned through the course of the employee's employment with the Sheriff;
- (8) Make any speech regarding a deputy or other law enforcement officer that is in a covert assignment;
- (9) Speak in any manner that would disrupt or negatively affect the operations of the Franklin County Sheriff's Office, or any component thereof;
- (10) Speak in any manner that would affect negatively the close working relationships within the Sheriff's Office for which personal loyalty and confidence are necessary, unless the speech rise to the level of protected concerted activity under the National Labor Relations Act or are a matter of public concern;
- (11) Speak in any manner that would detrimentally impact the ability of the employee to perform the employee's job or other employees to perform theirs;
- (12) Make, knowingly or recklessly, any false statement regarding the Sheriff, the Sheriff's employees, or the operations of the Franklin County Sheriff's Office; and
- (13) Speak in the name of the Sheriff or the Sheriff's Office or in a manner that could reasonably be attributed to the Sheriff or the Sheriff's Office.

3.4 An employee shall not use or display on social media any logos, marks, or uniforms (or parts thereof) of the Franklin County Sheriff's Office or the Buckeye State Sheriffs' Association in a manner that would lead a reasonable person to believe that the speech contained on the social media: (1) was made as part of the employee's duties; (2) was an official message of the Sheriff or the Franklin County Sheriff's Office; or (3) represents the Sheriff's positions or opinions.

3.4.1 An employee shall not use or display on social media any logos, marks, or uniforms (or parts thereof) of the Franklin County Sheriff's Office or the Buckeye State Sheriffs' Association as part of the employee's avatar or other icon or figure that represents the employee on social media.

Authorized by Sheriff Dallas Baldwin

4. Reporting Violations

4.1 If an employee knows of a posting on social media that the employee believes violates this regulation, the employee shall notify the Director of Human Resources of the post.

4.2 If the Director of Human Resources determines that an employee's post on social media violates this regulation, the Director shall notify the Sheriff for appropriate action.

5. The Sheriff may monitor an employee's speech on social media.

6. This regulation is not intended, and will not be construed, to interfere with or restrict the rights of employees to engage in activity protected by the National Labor Relations Act, section 4117.03 of the Ohio Revised Code, or the First Amendment.