



CLACKAMAS COUNTY SHERIFF'S OFFICE

Policy # 17

**Printed copies are for reference only.
Please refer to the electronic copy for the latest version.**

References: [ORS 162.425](#); [ORS 260.432](#); [5 USC 1502 - Sec. 1502. Influencing elections: taking part in political campaigns: prohibitions: exceptions.](#)

SOCIAL NETWORKING, SPEECH, EXPRESSION AND PRIVACY

General

1. CCSO employees occupy a trusted position in the community and public speech, expression and involvement with social networking sites could place them and the Sheriff's Office in conflict. Consequently, CCSO employees need to be mindful of the nature of their work whenever speaking in public and/or utilizing social networking sites both on and off duty.

Employee Safety

2. Employees should carefully consider the implications of their speech or any other form of expression in public or when using the Internet and social media sites. Simply accessing some sites could expose information about the employee, his/her peers and CCSO operations, to criminal element exploitation. Posting personal information, pictures, etc., in an open forum could result in undermining employee safety both in the present and in the future (i.e. ability to conduct undercover operations). Employees, should therefore, not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety or privacy either of themselves, any employee, or employee's family and associates.

Speech, Expression and Conduct

3. The First Amendment to the U.S. Constitution protects most speech, both oral and written, or other forms of conduct and communication. In some instances, however, such communications or conduct may be deemed detrimental to the CCSO and the accomplishment of its mission. The CCSO must balance the interests of the employee as a citizen, in commenting upon matters of public concern and the interest of the County, as an employer, in promoting the efficiency of the public services it performs through its employees. Barring state law or binding employment contracts to the contrary, CCSO employees shall abide by the following when using social media:

- a. CCSO employees are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the Sheriff's Office for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and



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harmony among coworkers, or negatively affect the public perception of the CCSO and County;

- b. CCSO employees are cautioned that speech on or off duty, made pursuant to their official duties - that is, that owes its existence to the employee's professional duties and responsibilities - is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the CCSO. All employees should assume that their speech and related activity on social media sites will reflect upon their employment and the Sheriff's Office. See related training: Ten Rules for Police Officer Social Media Posts;
- c. CCSO employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Sheriff or his or her designee;
- d. for safety and security reasons, CCSO employees are not prohibited, but cautioned not to either disclose their employment with the Sheriff's Office or post information pertaining to any other employee of the CCSO without their permission. As such, CCSO employees are cautioned not to do the following:
 - (1). display logos, uniforms, or similar identifying items on personal web pages; and/or
 - (2). post personal photographs or provide similar means of personal recognition that may cause them to be identified as a law enforcement officer of the CCSO. Deputies who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
- e. when using social media, CCSO employees should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the CCSO's oath of office and CCSO written directives (policies and procedures) is required in the personal use of social media. In particular, CCSO employees are prohibited from:
 - (1). speech involving themselves or other employees detrimental to their status as an employee; and



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- (2). divulging information gained solely by reason of their employment; make any statements, speeches, appearances, and/or endorsements; or publish materials that could reasonably be considered to represent the views or positions of the CCSO without express authorization.
 - f. engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching a deputy's testimony in criminal proceedings. CCSO employees thus sanctioned are subject to discipline up to and including termination of office;
4. Reporting violations - any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.
5. Official use – this policy does not apply to CCSO employees utilizing social media sites for:
 - a. legitimate law enforcement investigative purposes;
 - b. disclosure of corruption or misconduct to appropriate authorities;
 - c. public outreach and communication by the Public Information Officer not in violation of this policy; and
 - d. employee communications regarding wages, hours, or other terms and conditions of employment.