



# Thurston County Fire Protection District 8

## DISTRICT PROCEDURE MANUAL

POLICY TITLE:	Social Media and Imagery
PROCEDURE NUMBER:	1-23-01
REVISION:	0
DATE ISSUED/REVISED:	<b>DRAFT</b>
FIRE CHIEF APPROVAL:	

### 1. Procedure:

**1.1. District Social Media Administration.** The Social Media Administrator shall insure that all District Social Media use complies with the following:

- (a). The District must be able to immediately edit or remove content from Social Media sites.
- (b). The District must be in compliance with the Terms of Service of the Social Media forum hosting the District's Social Media.
- (c). District Social Media content is managed consistent with the Public Use Guidelines with such guidelines being liberally construed in favor of the Public.
- (d). Objectionable Social Media content that is not in violation of the Public Use Guidelines may only be removed after consultation with the Fire Chief or District legal counsel.

**1.2. District Social Media Public Use Guidelines.** District Social Media shall include a prominent statement of or link to the following Public Use Guidelines:

- (a). Any individual accessing, using, posting or commenting on this site accepts without limitation or qualification, the District's Social Media Policy including but not limited to these Public Use Guidelines. The District retains the right to modify its Policies without notice and any such modification shall be effective immediately. Users of District Social Media further recognize that such use is governed by the terms of service and privacy policies of the underlying social media service provider.
- (b). Any individual accessing, using, posting or commenting on this site recognizes that Social Media use is not private and that the District is subject to the Washington State Public Records Act (chapter 42.56 RCW).
- (c). The District's Social Media constitutes a limited public forum. The District will monitor this site on a regular basis and reserves the right to restrict or remove any content that is deemed in violation of this Policy/Procedure, these Public Use Guidelines or any applicable law. Public posts, comments or links that contain any of the following forms of content shall not be allowed:
  - (i). Comments not topically related to the particular article/topic being commented upon;
  - (ii). Uses for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such a use of District Social Media is specifically prohibited by this Policy and RCW 42.17A.555, subject to the exceptions stated therein.
  - (iii). Profane language or content;
  - (iv). Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
  - (v). Sexual content or links to sexual content;
  - (vi). Solicitations of commerce;
  - (vii). Conduct or encouragement of illegal activity;
  - (viii). Information that may tend to compromise the safety or security of the public or public systems;
  - (ix). Content that violates a legal ownership interest of any other party; and/or
  - (x). Content that violates the privacy policies or terms of use of the specific social media platform being used.
- (d). Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.

- 2. Links:** The District may select links to other Social Media pages and outside websites that offer helpful resources for users. Once an individual links to another page or site, the District's Policy no longer applies and users become subject to any policies of that page or site. District Social Media is intended specifically to share information about District programs, events and services. The District is not responsible for the content that appears on outside links and provides links as a convenience only. Users should be aware that external pages and sites, and the information found on those pages and sites, are not controlled by, provided by or endorsed by the District. The District reserves the right to delete links posted by outside individuals that violate the District's Public Use Guidelines at any time without notice.

- 2.1.** The District specifically does not provide links to other pages or sites that are:

- (a). Associated with, sponsored by or serving a candidate for elected office;
- (b). Supporting, endorsing or seeking to defeat any candidate for elective office, or any ballot proposal;
- (c). Purely commercial pages with no affiliation to District projects, programs or objectives;
- (d). Individual personal homepages;
- (e). Individual religious pages' and/or
- (f). Contain information that violates the Public Use Guidelines.

### **3. Copyright Materials:**

- 3.1.** All information and materials generated by the District and provided on District Social Media pages are the property of the District. The District retains copyright on all text, graphic images and other content that was produced by the District and found on the page. District members may print copies of information and material for their own non-commercial use, provided that they retain the copyright symbol or other such proprietary notice intact on any copyrighted materials copied. A credit line reading: "credit: Thurston County Fire Protection District 8 Facebook (or Twitter or Instagram) Page" or "Courtesy of Thurston County Fire Protection District 8" shall be included.
- 3.2.** Commercial use of text, District logos, photos and other graphics is prohibited without the express written permission of the District Social Media Administrator and Fire Chief. Use of the District logo is prohibited for any non-governmental purpose. Any person reproducing or redistributing a third party copyright must adhere to the terms and conditions of the third party copyright holder. If a copyright holder feels that the District did not use an appropriate credit line they should notify the District Social Media Administrator with detailed information about the circumstances, so that the copyright information can be added or the material in question can be removed.

### **4. Use of Social Media by Members.**

- 4.1. District Sanctioned Use** – All members representing the District via Social Media or using District Social Media shall adhere to the Public Use Guidelines and to the following:
- (a). All use of District Social Media must be preapproved by the Social Media Administrator or designee;
  - (b). District members must have prior approval by the Fire Chief or designee before representing the positions of the District on Social Media;
  - (c). The use of District computers by members to access Social Media is prohibited without authorization by the Fire Chief or designee and is governed by any applicable District resource use policy;
  - (d). Members have no expectation to or right of privacy when using District electronic resources or District Social Media;
  - (e). Members shall conduct themselves at all times as representatives of the District and, accordingly, shall be respectful of others, professional in tone and adhere to this Policy (including the Public Use Guidelines) and all personnel policies, rules, regulations, and general orders or policies of the District, and local, state and federal law;
  - (f). Images or other representations of other members shall not be posted without prior permission of the Social Media Administrator or designee and the individual(s) depicted;
  - (g). Members must be identified as a bona-fide member of the District;
  - (h). Members shall not post, transmit or otherwise disseminate confidential information, including Images, related to District training, activities, or work-related assignments without advance written permission from the Fire Chief or designee;

- (i). In no event shall the District name, logos, uniforms, equipment or identifying information be used in a manner that gives the appearance of promoting a product, cause, political party, ballot measure or political candidate;
- (j). Political activities or private business shall not be conducted on District Social Media;
- (k). Use of personally owned devices to manage the District Social Media activities or in the course of official duties is prohibited without permission from the Fire Chief or designee;
- (l). Members must observe and abide by all copyright, trademark, and service mark restrictions in posting materials to District Social Media;
- (m). Social Media use is not private. Member's use of Social Media builds a record about the individual and the District. When using Social Media, the impact that the use will have on the District, the member and their fellow members, family members and the community must be considered;
- (n). All members must adhere to the terms of service any Social Media platform used; and
- (o). Members of the Board shall not communicate with each other regarding District business via Social Media or District Social Media.

**4.2. Personal Use** – This Procedure applies to personal Social Media use by any member when the member's affiliation with the District is identified, known or presumed and is intended to protect the professional reputation of the District. When using Social Media for personal use all members shall adhere to the following:

- (a). Members may not use Social Media for personal purposes during on-duty hours or with District resources including District computers and District internet access;
- (b). Members may use personal email accounts for personal Social Media activities but not District email accounts;
- (c). Members should not use personal Social Media to disseminate District information, District Images or conduct District business. Members must understand the using personal Social Media to conduct District business may convert personal Social Media into public Social Media subject to the Public Records Act and other laws governing the conduct of municipal government;
- (d). When members identify themselves as associated with the District while using Social Media for personal purposes, the member must comply with the use restrictions in this Procedure and the following requirements: if the comments relate in any way to the activities of the District the member must clarify that their comments are their own views and opinions and not those of the District with language substantially similar to the following: "The views expressed on this [blog, page, etc.] are my own and do not reflect the views of my employer."
- (e). Members are free to express themselves as private citizens on Social Media sites to the degree that their speech does not impair or impede the performances of their duties or negatively impact the District's legitimate interest in the efficient performance of the workplace.
- (f). Members may use social media and images as necessary to engage in union activities and whistleblower type activities as protected by state and federal law.
- (g). Members shall not post, transmit, or otherwise disseminate any information or District Images or video to which they have access as a result of their Fire District affiliation without advance written permission from the Fire Chief or designee.
- (h). Members shall not display District logos, uniforms, or similar identifying items on personal Social Media sites and web pages without advance written permission from the Fire Chief or designee. In the event a member does receive such permission, the use of such information shall be conditioned on compliance with this Procedure;
- (i). When using Social Media, members should be mindful that privacy does not exist in the world of Social Media.
- (j). Members may not directly or indirectly identify or disclose an association with the District through Social Media if the Social Media activities are inconsistent with, or would negatively impact the District's legitimate interest in the efficient performance of the workplace or the District's reputation or standing in the community.
- (k). Members of the Board shall not communicate with each other regarding District business via Social Media.

## **5. Creation and Use of Images:**

**5.1.** Members are prohibited from using Personal Images or District Images in any manner when such uses are inconsistent with, or would negatively impact the District's legitimate interest in the efficient performance of the workplace or the District's reputation or standing in the community.

- 5.2. On-duty members shall be permitted to capture Images for incident documentation, evidentiary, training, investigation, and/or public relations purposes when such images are necessary for members to perform their duties. Such Images shall be considered District Images regardless of the Imaging Device used to capture the Images
- 5.3. On-duty members shall use District owned Imaging Devices if available while responding to, operating at, or returning from, any District incident or response.
- 5.4. If District owned Imaging Devices are not available, on-duty members may use private Imaging Devices when necessary to capture the Images identified in this Procedure subject to the following restrictions:
- (a). Members acknowledge that on-duty creation of Images on private Imaging Devices create District Images that are subject to the Washington State Public Records Act and the Washington State Record Retention Schedules;
  - (b). Members that use private Imaging Devices shall transfer all District Images to the District Record Retention Officer (the District Secretary, refer to *District Policy 1-20 "Public Access to District Records"*) as soon as reasonably possible following the creation of the District Image. Such transferred Images shall constitute the District's primary record and any images remaining on the private Imaging Device shall be considered secondary transitory records with no retention value. Members are encouraged to delete such Images from their private Imaging Device after the Image has been transferred; and
  - (c). Members that fail to transfer District Images in accordance with this Procedure or that fail to delete such images from their private Imaging Device after such Images are transferred recognize that their private Imaging Devices may be subject to search by the District if necessary for the District to comply with its obligations under the Public Record Act.
- 5.5. On-duty members may use private Imaging Devices to create Personal Images for personal use while on-duty subject to the following restrictions. Personal Images created pursuant to this subsection and in compliance with the following restrictions shall not be considered District Images:
- (a). Such Personal Images are not being taken in the performance of the job duties of the person taking the photos.
  - (b). Creating the Personal Images does not interfere with the performance of the member's job duties or job performance.
  - (c). In no event shall on-duty member be allowed to create or retain Personal Images that include images or identifying features of District patients.
  - (d). Members that create Personal Images while on-duty recognize that, in certain situations, Personal Images taken while on-duty could be construed as District Images requiring disclosure of such Personal Images pursuant the Public Record Act. Members shall fully cooperate in producing such Images when requested and recognize that their private Imaging Device could, in certain situations, be subject to search by the District in order for the District to comply with its obligations under the Public Record Act.
  - (e). Use of Personal Images that identify the District or the member's association with the District shall be subject to the use limitations set forth in this Procedure.
- 5.6. All Images containing individually identifiable patient information shall be considered as protected health information under the Washington State Health Care Information Act and HIPAA. Failure to delete Images that contain individually identifiable patient information from a private Imaging Device after the District Image has been transferred pursuant to this Procedure may constitute grounds for discipline
- 5.7. The use of unauthorized helmet cams, dash cams or other Imaging Devices are strictly prohibited, and shall be considered a disciplinary breach for any member(s) involved.
- 5.8. The use of District owned Imagery Devices for personal purposes is strictly prohibited.

## **6. Control and Preservation of Digital Images:**

- 6.1. No District Images may be used, printed, copied, scanned, e-mailed, texted, forwarded, posted, uploaded, shared, reproduced or distributed in any manner, except as provided herein without advance written permission from the Fire Chief or designee. This prohibition specifically includes the posting of any images on personal Web sites or personal Social Media.
- 6.2. All digital District Images shall be downloaded from the Imaging Device as soon as possible after the Image is created into a District Digital Image secured database as established by the District Records Retention Officer. After such Digital Images are properly downloaded the Digital Images shall be securely erased from on the Digital Imaging Device's memory.

- 6.3. Non digital District Images, including negatives, prints, slides, etc. shall be transferred to the District Records Retention Officer on development of the image. If non digital District images are not developed, the undeveloped film shall be transferred to the District Records Retention Officer.
7. **Disciplinary Action:** Violation of the District's guidelines for the appropriate use of Social Media may be subject to appropriate disciplinary action in accordance with the *District Policy 3-07 "Disciplinary Process"* and other applicable regulations.