Social Media & Its Place
In The Fire Service

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Political & Legal Foundations of Fire Protection
Professor Larry Bennett
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Certification Statement

I certify that this paper for my applied research assignment is my own work. This paper is respectfully submitted to my instructor for Political & Legal Foundations of Fire Protection, Professor Larry Bennett. This paper is submitted as of April 9, 2013 as part of a required assignment for the previously mentioned course. This class is in accordance with the University Of Cincinnati’s Fire Science Program. All cited sources are accurately credited and listed in the paper.

Jeff Edrington
Abstract

Social media has become a mainstream way of transferring information in today’s societies. This platform has greatly increased the everyday person’s ability to learn, ability to communicate and the ability to become aware of social issues all around them. With this increase in information awareness has also come a growing problem of information overload and an encroachment of one’s privacy rights. As firefighters, we have the responsibility to protect one’s privacy but at what cost to our own? Does a firefighter’s right stop when it involves disclosing the privacy of someone else’s or when it clashes with the purpose of the entity that employees them? This paper uses previous court cases to help discuss the problems involved with several different types and forms of social media. It will state the social media policies of the West Chester Fire Department and it will provide recommendations for further procedures and policies in trying to regulate social media forums within the fire service.
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**Introduction**

In today’s fire service, mainstream social media is the norm for information sharing. No longer are fire departments relying on printed means of gathering information but with the hit of a keystroke they can have an unlimited amount of data at their fingertips. With the use of media sources such as email, Facebook, Twitter and with the use of tablets, cell phones and photo making devices, firefighters are instantaneously being connected to the outside world. Firefighters are no longer just linked by radios and scanners, but are aware of news and situations anywhere in the world at any moment. The “breaking news” is often times being relayed while crews are still responding to auto accidents and structure fires. Fire department functions and operations are being placed on digital billboards for all to see. Fire departments now have to worry about updating their websites just as much as they do updating their vehicles. Social media has changed the way the world operates and fire departments have to keep pace. The fire service must embrace these changes in media form and learn how to govern them and are being encouraged to use them to the department’s advantage.
Background and Significance

Social media refers to the means of interactions among people in which they create, share and exchange information in virtual communities and networks. This platform allows for real time information gathering and sharing. It now takes firefighters seconds to accumulate the same amount of information that it used to take hours and even days to find. Even though this allows for data gathering to become more efficient, it also makes it a lot easier for people to abuse their work time as they are paying more and more attention to these means. In layman’s terms, firefighters are spending more of their work day processing and transferring information via social media. Sometimes it is work related but often times this data is for personal use or gain. As of July 2012, the total time spent on social media in the United States was 121 billion minutes as compared to 88 billion in 2011. Even though this is for everyone who uses social media, it is easy to parallel this increase in usage in the general population to the use by firefighters as well. More and more time is being spent performing these

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2. Ibid.
activities. An ever increasing number of these minutes are for firefighters who are using these methods while on duty.

The question we must ask and prove to answer is, is social media an effective means of communicating for a fire department and should there be policies and procedures in place to combat their usage and abuse? The information and previous litigation cases state that it is absolutely imperative that employers produce policies which govern the use of social media while at work. Employees must be made aware of these policies, trained on these policies and must be made to follow the policies. Social media is not going anywhere anytime soon, so fire departments must get on board with them and learn to facilitate their usage.

Social media can take the shape of many forms. Fire departments are exposed to many different media methods and must learn to utilize them in order to stay on top of the fire service. The positives behind the social media storm are numerous. Much information can be shared to many people in a short amount of time. Firefighters can further their education in taking classes online and in a timely manner. Firefighters can complete reports and work assignments in a quicker manner and can share them to anyone simultaneously. Firefighters can participate in online blogs and discussion forums in order to widen their scope of
practice and to refresh their skills and knowledge. The negatives come into play when firefighters use these same methods for personal gain, complaining sessions and for amusement purposes. The pictures that were taken at the accident scene for evidence now fall into the wrong hands and may be placed on the internet for all to see. Here in lies the problem. Social media, no matter how well intended will always bring about a form of corruption and violation when accessed by the wrong people or by people with too much time on their hands. Fire department policies are the best way to govern these unofficial uses of social media during work hours or from working employees.

Types of Social Media

Social media encompasses a wide range and number of technologies which firefighters use on an everyday basis. These technologies are very useful as this paper will show but it will also show how these methods can be used in ways not approved by the employer. Some of these methods are cell phones, picture taking, blogging, Facebook, Twitter, email and you tube. Even though there are many more, these are the ones that are commonly recited in lawsuits and disciplinary hearings involving firefighters.
Cell Phones

Cell phone usage today is at an all-time high. Studies have shown that about 82% of all Americans have cell phones.³ Correlate this to firefighters and on a 4 man engine company at least three firefighters will have a cell phone on their body. Cell phones can provide a valuable personal resource in contacting people, updating your calendars and for other smart phone operations. Cell phones can be an extension of a landline phone when used properly. This usage of cell phones is not limited and is generally allowed by all departments. Employees are told to use their phones for what they were originally used for, phone functions. However, when reading a firefighter blog session by FF Brett Heidecker, a huge problem with cell phones and firefighters is two-fold. The first problem is firefighters using their phones on emergency scenes.⁴ There are many times when you are providing medical care to a patient and someone’s weird ring tone will sound. Not only is this unprofessional and very annoying to the patients, it distracts the care givers as unwanted attention is taken away from the patient. Firefighters are often times seen texting or checking email while on emergency

⁴ http://my.firefighternation.com/forum/topics/cell-phone-use?commentid=889755%3ACom
scenes as well. Once a crew leaves the station, there is no room or place for a phone for personal use. Cell phones are also used frequently to take pictures of emergency scenes. Sometimes these are taken with approval from chief officers. These pictures can be used for evidence, training and for reports. Most of the cell phone pictures however are from an unapproved source. These gruesome and graphic pictures have been known to show up on the internet and can violate a person’s privacy or even HIPPA laws. A good example of cell phone video misuse is from a Spalding County Fire Department member who took a video which showed a close up of a fatal auto accident victim. Fire Chief Kenneth West confirmed the video was from an unapproved firefighter on his personal phone.\(^5\) The video made its way to the internet and eventually it was sent to the victim’s father. Even though there was no law broken, in the court of public perception this was a death blow to the Spalding County Fire Department.

The second reason cell phones can be misused by firefighters is by using them while driving emergency vehicles. On FF Heidecker’s blog he also points out to the numerous firefighters who are talking or using their phones while operating emergency vehicles.\(^6\) Driving emergency vehicles is a very tough task when you are giving it 100% of your attention let alone when you are distracted by talking

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\(^6\) Ibid-firefighter nation
or texting on the cell phone. According to the National Safety Council, there are 1.6 million vehicle accidents caused every year by someone who is texting or talking on the phone. These accidents are totally preventable and cause way too many injuries and unnecessary deaths. Fire Chief Timothy McClelland of the California Department of Forestry and Fire Protection was charged with manslaughter in connection to an August 1, 2012 killing of Gregory Kirwin due to texting while driving an emergency vehicle. Departments must disallow this practice as there is nothing good that can come out of this scenario.

In looking at the West Chester Fire Department, you will find that they have several cell phone related policies in place. In the West Chester Fire Depart Rules and Regulations Manual there is a provision which prohibits the releasing or providing access to department or public information, documents, photos or records without complying with established management procedures or laws governing their release. In the West Chester Township Employee Policy and Procedure Manual there is a clause which states that township employees who drive while using cellular phones should use the highest caution and care.

Although this only limits the problem and doesn’t eliminate it, it is a good start in

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9 West Chester Fire Department Rules and Regulations Manual
10 West Chester Township Employee Policy and Procedure Manual
making sure employees use good judgment. It would be wise if they just banned the use of cell phones while driving all together. This would go far in helping to eliminate these costly vehicle accidents.

**You Tube**

Another means of social media is through the use of you tube. You tube is a forum where people can watch and share originally created videos. People can connect, inform and inspire others to be creative as well. Firefighters use you tube very often to show videos of actual fires and emergency scenes. These videos are often times used as training for other fire departments. Firefighters can see what goes right and what goes wrong during these videos in which they can then perform tabletop exercises in reviewing their own department’s tactics. Other videos can also show different techniques to performing fire tasks and firefighters can use this platform to form hands on training for themselves. These videos if used properly can be used as a great learning tool. The West Metro Fire Department created such a video. In this video, the firefighter combat challenge course is explained and demonstrated. After the course is ran, different training

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11 [www.youtube.com/t/about_youtube](http://www.youtube.com/t/about_youtube)
methods are discussed to show how a firefighter can improve their time. This forum allows many firefighters to further their training by seeing techniques that they might be unsure about or unfamiliar with. A little department in Ohio might now benefit from seeing a fire department in Montana providing a video on ventilation. You tube can open up many new avenues and dialects between departments who might not have ever crossed paths before.

As with all social media, you tube can also be seen in a dim light. If used unchecked or unregulated, you tube could bring litigation to firefighters and a department as well. You tube can be a negative proposition in two ways. The first way is when you tube videos are filmed on emergency scenes. Helmet cam videos and truck video cams can show the incident as it is happening. However, these cams are now public record and can show things that are done improperly thus putting a firefighter or a department at blame. When there is a shooting or a traffic stop that goes bad, the first thing you see on the news is the video of the scene. If proper procedures are not followed and the wrong doing is caught on video, there could be a storm of outrage and possible riots taking place. The most well known video of this type is the Rodney King video in 1991. Los Angeles Police were seen beating Rodney King. Riots began in LA after people began

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12 M.youtube.com/watch?v=k3DLQDVBq50
13 www.youtube.com/watch?v=SW1ZDIXiuS4
seeing the video. Here was an example of police going outside the lines and taking their own action against someone and it all being caught on video. With the popularity of YouTube today, it only takes seconds to get this video out to the world. Although fire departments can’t control every video that is taken from a scene, departments are able to regulate videos from their own employees. If taken, these videos should be filmed by department officers and for a specific function in mind. Careful scrutiny and diligence is required when filming a scene because it can be used against you. A good rule of thumb is to not say or write or video something that you wouldn’t want on the front page of a newspaper. If you don’t follow this guideline chances are you will see your work in places and at times you won’t be expecting.

You tube videos can also be destructive to a department when employees video people at the firehouse or by using fire department equipment and uniforms. Many firefighters have a lot of down time when on duty and they often times will fill their time by making videos. If no rules or policies are in place, firefighters will video unimaginable things. In 2009, several members of the Cincinnati Fire Department made a spoof video of the Budweiser’s men of genius commercial series. This video was shot at the firehouse, using a fire truck as a
backdrop and showing a female, scantily dressed spreading the jaws of life. ¹⁴

These types of videos cause nothing but bad publicity for the department and can lead to litigation in some cases. Strict video rules should be enforced. On duty video recording should be carefully assigned and be for a given purpose. At station videos and videos using department personnel or vehicles or equipment should be refrained from or at least guided by the department officers.

Firefighters need to remember that there is no changing a video once it is released. These videos filmed in any way to a fire department are public record and can be released without the approval of the department. For your eyes only doesn’t apply to you tube and these videos might just cause a member of a department their career.

West Chester Township has a policy in regards to you tube like forums. In the department rules and regulation manual there are clauses which deal with social media and like activity. These clauses include unbecoming conduct, communications with the public, general conduct and ethics. ¹⁵ The department also has a separate media relations standard operating procedure which encompasses a firefighters 2nd amendment right in regards to the firefighter

¹⁴ Statter911.com/2009/03/13/watch-the-videos-that-are-causing-trouble-for-cinci
¹⁵ West Chester Fire Department Rules and Regulations Manual
acting as a representative of the department.¹⁶ When acting as a member of the department, firefighters must not bring negative light or actions toward the fire department. This SOP also addresses the use of photography, printed word and also addresses how a firefighter may represent the department off duty. The township also provides guidance and regulations on computer use and internet usage in the employee policy and procedure manual.¹⁷ The directive states to use the computer type equipment for what it is intended for only. Again, firefighters should be well trained into doing what they are supposed to be doing. When it is not written or in policy form firefighters will create their own policies and will follow their own guidelines. Often times these guidelines don’t conform to the department’s ideologies.

West Chester Fire also has gone another step in creating a policy about using personal devices while on duty. This policy states what type devices can be used, what sites or apps are restricted while on duty and even spells out what time frames exists for allowance of limited usage.¹⁸ This policy was designed to allow some usage of social media during restricted hours but at the same time limiting the how these media forms are used. The department strictly prohibits using the

¹⁶ West Chester Standard Operating Procedure 2010-001-Media Relations
¹⁷ West Chester Township Employee Policy and Procedure Manual
¹⁸ West Chester Fire Department Standard Operating Guideline 2012-002- Use of Personal Devices
fire department, the township or the fire department personnel in any manner which brings negative attention or discussion to the forefront. Any type of department usage or marketing must first be approved by a chief officer. You Tube is commonly used at West Chester as a training and educational tool and the department has even produced several videos ourselves. You tube must be continually evaluated and regulated for proper application in order to limit a department’s exposure and possible future litigation.

**Twitter**

Firefighters now have yet another form of social media to use in positive and negative ways. Twitter is now gaining popularity as a social way of keeping in touch with people and updating specific details for just about anything. Twitter is an online social networking service and micro blogging service that enables its users to send and read text-based messages of up to 140 characters, known as "tweets".\(^{19}\) Twitter has grown to over 160 million tweets per day and is now the 3\(^{rd}\) largest social networking site.\(^{20}\) Twitter is an easy way to just send out your thoughts to any of your followers. People tend to tell where they are at, what they are doing and often times talk about their feelings after watching an event take

\(^{20}\) Ibid
place. Regarding public safety, Twitter can be used as a positive approach to inform the public about critical incidents that might affect them. Missing persons, auto accident scenes to avoid and public relations details to attend are just some of the information which could be tweeted to people to keep them informed of what is going on around them. If people know what areas to avoid due to an incident then they are more likely to avoid the area which helps police and firefighters safety. If people know the fire department is putting on a special event they will be more likely to attend. Twitter enables public safety officials to decide what information they want the public to know and they can distribute it instantaneously. Twitter has been used by departments to show the public their run volumes, types of calls and to inform them what their tax dollars pay for each day. Twitter can be used to help others see into the fire department and to learn what it is all about.

As with the other social media forms, Twitter can also be used as a detriment to the department. Firefighters, who are disgruntled, can also use twitter as a platform in criticizing or complaining about the fire department operations. One use that has grown exponentially lately has been the use of Twitter to show the everyday public what staffing levels a fire department has on certain days. Yes the public has the right to know but often times the firefighters on duty who are protecting these citizens are the ones putting this information out there. There is a very fine line between freedom of speech and conforming to a department’s right
of censorship for on duty members. Much litigation has taken place in regards to the dispute between where a firefighter’s rights end when their actions are considered detrimental to the department. The courts have been siding with the departments who have policies in place restricting these activities. Firefighters have the right to voice their concern but must learn when and how to do this. Biting the hand that feeds you is not a good idea in any occupation.

Five members of the Bel Air Volunteer Fire Company in Hartford Connecticut recently found this out. Three of the members were suspended, a fourth was demoted and one is facing termination for several tweets they sent. They complained about not getting a discount at a restaurant, joked about not making emergency runs there if they ever came in and teased about setting a fire in their trash receptacle.  

All members were on duty when the tweets were sent. Obviously this was supposed to be a joke but you can see what damage it can do to a department’s image. Last year, Pete Piringer who was the public information officer for Fire And Emergency Medical Services in Washington, was transferred to another city agency after damaging tweets were found on his computer complaining about his superior officers and questioning the acts of the administration. Here, the guy who was in charge of giving out information chose to give out damaging information which often times can be misleading and

21 http://articles.washingtonpost.com/2012-07-13/local/35488652_1_social-media-new-policy-postings
22 Ibid.
incorrect. Firefighters don’t realize that sometimes these tweets can endanger the police and firefighters who they are responding with. Tweets can also jeopardize criminal investigations which have to take place and they, like all forms of social media, are considered public record if sent while on duty or with department equipment.

Twitter if allowed to be used within a department must be regulated. Strict policies and procedures must be in place to ensure it is being used for the right reasons. The West Chester Fire Department has taken a proactive approach in developing rules for the use of Twitter. The township has created a policy which restricts the use of Twitter in regards to any department related function by any department employee. The Township Employee Policy and Procedure manual provides a clause that deals with ethics and states “township employees must avoid any conflict of interest or situations where their personal interest could conflict with the interest of the township”.\textsuperscript{23} This is a generic clause which could be involved in the use of twitter if differing or damaging statements are made. The township manual also has a clause which states that an employee shall not make any false, inaccurate or misleading entries or statements.\textsuperscript{24} As we all now know, a lot of what goes on Twitter is opinion and emotionally based and is often times inaccurate and is only sent to aggravate the ill feelings in others.

\textsuperscript{23} West Chester Employee Policy and Procedure Manual
\textsuperscript{24} Ibid.
The manual also contains an area that deals with all kinds of software and computer based usage. The main thought from this policy is that when acting as an employee from West Chester and either on duty or using department equipment or even being a representative of the department, employees shall have no expectation of privacy. When someone puts something on Twitter, it is for all to see.

Recently, all the officers at WCFD had to take a class regarding mapping software. One interesting thing we learned was how to use the “Raven 911” system to be able to see any tweets sent out in any area we chose. It was interesting to pick the Miami University campus in Oxford and sit back and watch what was being said. Firefighters need to know that this software does exist and you are being watched.

The West Chester Fire Department has also a stand alone standard operating guideline on the use of personal devices. This policy addresses which devices you may use, what time frames you can use them and what apps and websites you are able to utilize. Hopefully with the help of all these policies, no member of WCFD will ever be disciplined for any Twitter entry. However, as previous cases show us there will always be someone out there who will challenge the system. The key is to try and protect your department in the event it is one of your members.
Email

One of the easiest ways of using social media is through the use of email. Email is a method of exchanging digital messages from an author to one or more recipients. Most fire departments utilize the email system in being able to transfer information between its members. Email enables much information to be transferred immediately and can be distributed amongst every member. Email encompasses a big part of a fire officer’s day. According to the telephone company Fonality, a report suggests that an employee spends half of their average work day sending and reading emails. The problem is that most of this time is then used for personal usage and not work related. Firefighters are using the department’s email systems and getting into trouble doing it. As with all departments, all emails read or sent by department computers are matters of public record. Firefighters are getting into trouble when they send inappropriate personal emails from work.

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25 https://en.wikipedia.org/wiki/Email
Firefighter Rachael Sterude sued the Orange Township Fire department in 2012 over an email claiming that once she was off probation she was going to file a harassment suit against the department. She was terminated prior to her probation being completed. The email was sent by her supervisor to the chief officers. The email was sent by department computers and on department time and therefore are a matter of public record. This email was allowed as evidence in the case and was found to be damaging to the department. Firefighters must be continually reminded that emails are never erased and are there for anyone to see.

Another case which was emailed oriented occurred with the Spokane Valley Fire Department. Captain John Sprague, a 17 year veteran, was terminated for using the department’s computer to send out a private Christian based email to fellow employees. The chief stated that Sprague refused a direct order in using the department’s email system for private use. Once again, a firefighter is using work time and department resources for private gain. Firefighters need to realize that the only emails they should be sending on duty should be department oriented. If policies are already in place it makes it hard to justify these actions. A general rule of thumb is that if it doesn’t have your department name in the email then it probably shouldn’t be sent.

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28 http://www.theblaze.com/stories/2012/10/12/firefighter-fired-for-sending-christian-e-mails-to-fellow-employees/
West Chester has addressed the use of their email network in several policies and procedures. Simply stated, if it isn’t department related don’t send it on department computers. The Employee Policy and Procedure manual has a clause just on emails. Along with the ethics and confidentiality clauses, this clause limits the use of emails to department requirements only.\(^29\) This policy shows how to use the system, waves the right of privacy, defines what systems are to be used and lists all the rules in using the email. As with all other means of social media, firefighters should just do what they know they are supposed to do. If it isn’t department related then wait till you are off duty and using your own private computer.

**Facebook**

Facebook has become a huge problem in dealing with social media outlets and the use by firefighters. Facebook is a social networking service launched in February 2004 which enables people to keep in real time touch with any of their “friends”. It has over 1 billion users and is currently the largest social media service in the world.\(^30\) Facebook can be used in blogging, picture sharing, file sharing and general communication amongst people. When used appropriately, Facebook can keep people updated, informed and can create a platform for

\(^29\) West Chester Township Employee Policy and Procedure Manual  
\(^30\) http://en.wikipedia.org/wiki/Facebook
discussion groups on any topic. As is the case in any social media forum however, Facebook can create legal problems for firefighters. Colleton County Paramedic Jason Brown was terminated after he posted an animated video on Facebook. The short 3 minute video was an animated video of a conversation between a doctor and a paramedic. The doctor was representing the area hospital and the paramedic was represented as being from Colleton County. The department terminated Brown because they said he brought negative attention to the department and caused an embarrassing situation for all involved. Brown lost his appeal as the courts upheld his termination based upon the department’s rules and guidelines.

Christopher Baird was recently terminated by the Polk County Fire Department and charged with cyber bullying and charged with making threats on public officials all due to his recent Facebook postings. Baird was on medical leave and he decided to use Facebook postings as a way to show his displeasure with the fire department and the city officials. Baird made threatening gestures to the chief and office staff and to the city’s officials as well. Baird continually identified his department in the posting and also showed his badge and fire station. Baird took a

31 http://my.firefighternation.com/forum/topics/firefighter-fired-over?q=forum/topics/firefighter-fired-over
personal problem and included his fire department in the discussion or rant and therefore violated the department’s policy.\textsuperscript{32}

Facebook postings are a good way to keep your friends and family updated on your life actions but remember they can be held against you if you include discussions or talks about your employer. Employers are now doing background checks on future employees and are actually checking out their home page to see what kind of posts they are making. Often times, these posts keep employers from hiring individuals. Facebook is a public forum and there should be no expectation of privacy. Firefighters should not use department computers or even allude to their departments in posts. There is a need for Facebook posts but not to discredit, embarrass, harass or condemn your department.

West Chester has limited the use of Facebook by having a policy in place. The department has a personal device policy which states what websites can be used and the time frames allotted. The policy also states that no social media post or usage shall be affiliated with the WCFD unless given prior approval by the fire chief.\textsuperscript{33}

\textsuperscript{32} http://firelawblog.com/2011/06/florida-firefighter-fired-and-charged-following-facebook-rant/
\textsuperscript{33} West Chester Fire Department Personal Device Policy
Recommendations

Fire departments need to realize that social media is here to stay. Social media can serve a purpose in advertising, promoting and describing your fire department. In an effort to keep the use of social media positive, fire departments should develop policies and procedures which regulate such usage. Firefighters should be taught these rules, educated in their reasoning and enforced to abide by them. Social media is only as good as the firefighters who use them. These rules will ensure the department is not discredited by a disgruntled firefighter but rather is promoted by the actions they were originally intended for. The following is a list of some recommendations for departments to include in a social media policy:

- A statement of purpose for which the department intends the social media forum to be used for
- Definitions of social media types and jargon should be made available
- Each social media page should be linked to the department’s website
- Each social media page should be designed for the specific target audience
- All social media sites that are being used should be approved by the fire chief
- All social media pages should have the department logo represented
- All pages should disclose the fact that all submissions are public record
- All personnel shall have prior approval to use any social media site
- All site submissions should be for department use only
- All submissions must not bring negative actions toward the department
- All submissions must be approved prior to being sent
- All departments should have a public information officer
- Uses for social media might include the following: road closures, weather updates, special events, employment opportunities, background checks
- All members should receive initial training in the social media policy
- All members should receive continuing education on the social media policy
- All members should be advised of recent and ongoing litigation cases in regards to social media cases

In an effort to avoid litigation, departments should also encourage their employees to use these specific rules when using social media

- Don’t post inappropriate pictures or images or videos
- Don’t link personal home pages to your workplace
- Don’t complain about your job, boss etc.
- Remember negative comments can be used against you
- Know your privacy settings and the rules within
- Don’t engage in social networking while performing work activities
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- Don’t lie and misrepresent yourself
- Respect and abide by copyright laws

Conclusion

Social media forums are a major part of today’s communication process. Social media encompasses many different types of communications and can be used to spread and transfer information immediately. Social medias are networking sites which promote the opportunity for fire sharing, blogging and networking. Fire departments must be able to use these mediums to keep in contact with the outside world. Most people are now only linked to communities through these groups and networks. If fire departments want to reach out to the masses, social media is the way to do it. However, social media has a downside in the fire service. Firefighters, who have some down time, are often times representing the department while they access these sights. Inaccurate and misleading information is capable of being given out by a member who is not acting in the best wishes of a department. Strict rules and policies must be created in order to limit a department’s responsibility and exposure to such falsities. Employees must be trained on the use of social media and then educated on the policies concerning
them. A department public information officer should be appointed and they should be the leading consultant to say what employees have the right to access and partake of concerning media and information technology issues. Firefighters should remember where they are at and who they represent anytime they access these social media platforms. Previous and ongoing litigation has proven that departments can be protected if rules and policies are in place. A firefighter has rights to free speech but they can be limited when they are representing a department or public entity. Firefighters should look at the front page of a newspaper. If they don’t want what they say or write to end up here, they shouldn’t comment. If they took this to heart then less and less litigation would be involving firefighters. Firefighters are now in the courts more for what they are doing and saying at the firehouse and in public forums rather than for their actions on emergency scenes. By looking at the numerous cases however, I would say we are now dealing with a preventable emergency of our own. Simply stated, firefighters should just do what they know they should be doing and should stop doing the things they know are wrong. Firefighters need to quit pushing the law as far as they can just so they can get pleasure out of something. The pleasure should be coming from saving lives, not ruining them.
Appendices

I- West Chester Township Ethics Policy

II- West Chester Township Confidentiality Policy

III- West Chester Township Safety Policy

IV- West Chester Township Email Policy

V- West Chester Issued Cell Phone Policy

VI- WCFD Social Media Rules and Regulations

VII-WCFD Media Relations SOP-2010-001

VIII- WCFD Personal Devices SOG-2012-002

IX- Social Media Litigation Cases

X- Bibliography
Ethics

Effective: January 24, 2006

Township employees are bound and expected to maintain the highest ethical standards, to serve the public skillfully and effectively, and to ensure that actions as public employees are governed by applicable laws and regulations and the public interests, and are never influenced by private interests or gain.

Accordingly, Township employees must:

- Avoid any conflict of interest, or situations where their personal interest could conflict with, or appear to conflict with, the interest of the Trustees;
- Accept no private compensation or reward in the performance of their duties, as provided under state ethics laws;
- Avoid using the Township assets for any unlawful or improper purpose;
- Avoid making false entries into the books for any reason, and no employee shall engage in any arrangement that results in such prohibited act;
- Avoid approving payments with the intention that any part is to be used for any purpose other than that described in the supporting documents;
- Report any unrecorded assets or any prohibited act promptly to the Department Director;
- Maintain the confidentiality of information learned in the course of work that is not properly part of the public realm;
- Serve all members of the public with honesty, diligence, respect, equity, courtesy, and fairness.

The conduct of personal business on Township work time or the use of Township facilities, equipment or supplies for personal gain is strictly prohibited.
Confidentiality

Effective: January 24, 2006

Each person who works for West Chester Township holds a position of trust in the matter of access to confidential information.

Every employee is expected to recognize the responsibilities entrusted to him or her in preserving the security and confidentiality of this information, and is required to abide by the following code:

- An employee must not exhibit or divulge the contents of any record to any person, except in the conduct of his or her work assignments, or in accordance with the policies of the Township and Ohio law concerning release of information.
- An employee must not remove, or cause to be removed, copies of any record or document from any file from the office where it is kept, except in the performance of his or her duties or with the express, prior approval of management.
- An employee must not seek to benefit personally, or permit others to benefit personally, from any confidential information that has become available by virtue of his or her work assignment.
- An employee must not knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry.

Employees are further expected to refrain from participating in any discussion or gossip about a person, or his or her individual circumstances, that might be perceived by others to be information obtained from Township records or otherwise in the scope of employment with West Chester Township. Discussion of any such information, even if not technically a breach of confidentiality may create the perception of impropriety, which is to be conscientiously avoided.

Violation of any portion of this policy may result in disciplinary action up to and including termination.
Safety

Effective: January 24, 2006

West Chester Township provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager, or bring them to the attention of the Personnel Office. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

It is the responsibility of each employee to use all required safety equipment and to follow all safe work practices, policies, rules and regulations. Failure to do so will result in disciplinary action up to and including discharge.

All employees and, in particular, supervisory personnel, shall report the existence of any hazardous condition or unsafe work practice observed in the workplace to either the employee’s immediate supervisor, the Department Director, or to the Township Administrator. Supervisory and management employees will then make every effort to abate the unsafe or hazardous condition or to correct the unsafe work practice immediately, or as soon as possible.

Supervisors bear special responsibility to ensure that the Township’s workplaces are safe. A supervisor found to be negligent in correcting unsafe work conditions or work practices, or in the use of prescribed safety equipment, or in the enforcement of safety rules and regulations will be subject to disciplinary action, up to and including discharge.

Any employee found to be careless or negligent in operation of equipment or vehicles shall be subject to disciplinary action, up to and including discharge.

Any employee or supervisor who intentionally violates or disregards safety rules, requirements, or procedures shall be subject to immediate termination from employment.

Any employee found to be reckless or deliberately destructive in equipment or vehicle operation, shall be subject to immediate termination.

All employees who drive Township vehicles or personal vehicles on Township business shall maintain the appropriate speed limits and traffic regulations and wear safety belts provided at all times. Violators are subject to disciplinary action, up to and including discharge.
termination.

Township employees using cellular phones while driving should use the highest caution and care to ensure responsible driving.

Employees working on road, bridge, and/or other construction or maintenance crews are required to wear the prescribed safety equipment as directed (e.g., hard hats in areas of overhead hazard, and reflective hats and vests in vehicle traffic areas. Flaggers are required to wear reflective hats and vests at all times).

Any accident occurring during working hours, whether or not it appears that injuries were incurred, shall be reported to the immediate supervisor at once. A West Chester Township Incident/Injury Report shall be filled out for Workers’ Compensation purposes and turned into the Personnel Department within twenty-four hours of the incident/injury. The supervisor shall, notify the Department Director at the earliest opportunity. In cases involving personal injury or illness, no matter how minor, the supervisor must notify the Department Director.

Each employee shall obey safety rules and exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action. It is also the responsibility of each employee to use all required safety equipment and to follow all safe work practices, policies, rules and regulations. Failure to do so will results in disciplinary action up to and including discharge.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their Department Director or the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and Workers’ Compensation benefits procedures.
E-Mail, Internet and Software Use

Effective: November 27, 2007

The purpose of this policy is to ensure the proper use of the West Chester Township email, internet or online services systems, and software, and to make Township Employees aware of what the Township deems to be acceptable and unacceptable use of its email, internet or online services systems, and software. The Township reserves the right to amend this policy at its discretion. In case of amendments, Employees will be informed appropriately.

Township Internet, email or online services Users expressly waive any right of privacy in anything they create, store, send or receive on the Township computer system.

The Township can, but is not obliged to, monitor internet, email or online services usage without prior notification. If there is evidence that you are not adhering to the guidelines set out in this policy, the Township reserves the right to take disciplinary action, including termination and/or legal action.

The Internet, email or online services systems, and software User policy does not grant the Employee any contractual rights.

- "User" means West Chester Township Employees and independent contractors.
- "E-Mail" means any software application used to exchange files and messages with clients and others inside and outside West Chester Township. Examples are: Microsoft Outlook, Microsoft Exchange, AOL, Yahoo, Google, and Hotmail.
- "Internet" means any online system accessible from West Chester Township Workstations. This includes all Internet sites as well as online services such as AOL and Google.
- "Software" means programs and applications that can be run on a computer system, such as word processing or database packages.

Email, internet or online services systems, and software are business communication tools and Employees are obliged to use these tools in a responsible, effective and lawful manner. Although by their nature email and/or online services seem to be less formal than other written communication the same laws apply. The following rules are hereby created by the Township and are to be strictly adhered to:

- The Internet, email and online services are intended to be used primarily for business purposes. Uses that interfere with normal business activities, involve solicitation, are associated with any for-profit business activities or could potentially embarrass the Township are strictly forbidden.
Employees shall not use the Internet, email or online services for operating a business for personal gain, sending chain letters or soliciting money for religious and/or political causes.

Employees shall not use the Internet, email and online services to transmit or download material that is offensive, obscene, pornographic, threatening or racially or sexually harassing.

Employees shall not use the Internet, email and online services to disseminate or print copyrighted materials (including articles and software) in violation of copyright laws.

Employees shall not use the Internet, email and online services to provide access to confidential information. Employees shall not use these services to provide access to public information without following the existing rules and procedures of the Township for dissemination.

Employees shall not use an Internet, email or online service account or signature line other than their own.

Employees shall take all reasonable precautions to prevent the inadvertent dissemination of anyone else's information via the Internet, email or online services.

Internet, email or online services usage are subject to limitations as imposed by supervisors to prevent excessive or improper use. Internet, email or online services systems are meant for business use and the sending of chain letters, junk mail, jokes and executables is unacceptable because of the technical issues caused by such messages including congestion of the Township network.

All messages distributed via the Township's email system and all email accounts maintained on Township email systems are property of the Township.

Email messages addressed to “All West Chester Township” must first be approved by supervisor before being sent.

Employees are also reminded that access to and use of the Internet, including communication by email, is not confidential. Internet access can and will be monitored. Web browsers leave traceable "footprints" to all sites visited.

Employees shall not delete an email message that has not met or exceeded the appropriate retention period as set forth by the Township Records Commission and in conformance with Ohio Public Records Law.

Township email is subject to Ohio Public Records Law and must be treated as such.

Use of passwords or other security measures does not in any way diminish the Township's right to access materials on its system, and neither does it create any privacy rights of Employees in the messages and files on the system.

Even if an Employee uses a password to access the email system or the Internet, the confidentiality of any message stored, created, received, or sent by using the West Chester Township email system or Internet access still cannot be assured and should not be expected.

Unless to conduct Township business (i.e. investigatory purposes approved by department supervisor) no email messages shall be created, sent, received, or forwarded if inadvertently received, and no Internet sites shall be accessed if they contain material inappropriate under
these policies such as offensive material concerning sex, race, national origin, religion, sexual orientation, ancestry, age, or disability, or obscene, derogatory, belligerent, threatening, defamatory, or otherwise inappropriate material. This prohibition includes, for example, pornographic material as well as sexually connotative or profane jokes or stories.

- Written Township management approval is required before a User may post (upload and send) any information on commercial on-line systems or the Internet or on Internet news groups.

- All outgoing messages that include any confidential information shall include the following legend:

  NOTICE: The information contained in this electronic mail transmission is intended for the use of the named individual or entity to which it is directed and may contain information that is privileged or otherwise confidential. It is not intended for transmission to, or receipt by, anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It should not be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying or forwarding it, and notify the sender of the error by reply email or by calling (513) 777-5900 (collect), so that our address record can be corrected.

- Any User who discovers misuse of the Township email system or Internet shall immediately contact the Township Administrator or Department Director.

- Users are prohibited from downloading software from Internet sites without the approval of the Communications and Information Technology Department.

- All software shall be used in accordance with the software license agreement. Unless otherwise provided in the license agreement, any duplication of copyrighted software, except for backup and archival purposes, is prohibited.

- All software used on Township-owned computers must be installed by the Information Technology Department, not by Employees.

- All software used on Township computers and network must be registered to West Chester Township.

- Employees are not permitted to bring a private computer into work and such devices may not be connected to the Township network.

- Employees are not permitted to use personal devices or access USB ports on Township computers without the express permission of the Communications and Information Technology Department.

- If an Employee believes there may be a virus on their Workstation, they should contact the Communications and Information Technology Department immediately.

- Personal use must be consistent with any other applicable provisions of this policy and with the decorum of a professional office. Any abuse of this privilege may result in the elimination or limitation of access to email and the Internet, or other discipline as appropriate.
Employees are required to be courteous to other Users of the system and always to conduct themselves in a professional manner. Emails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should prepare and send email communications with no less care, judgment, and responsibility than they would use for letters or internal memoranda written on Township letterhead.

All Users of West Chester Township’s network system ("Network") should understand that security guidelines must be adhered to. Users should have received a LOGIN NAME and PASSWORD to access the Network. Both LOGIN NAME and PASSWORD must be kept confidential for system security and User's own security. Anyone obtaining a Township password could very easily destroy all of Employee's files as well as endanger system integrity. Dial-in to the Network is restricted to authorized Employees. Giving passwords to anyone for remote access to the Network is strictly prohibited. Giving passwords to family members, friends or anyone else is strictly prohibited. Allowing anyone else to use Employee password or dial-in access is a violation of software licensing agreements which the Township has made with software providers, and allowing others to use Employee’s password jeopardizes our Network security and could breach the client sensitive information that is stored on our system.
Permissible Use of Township Issued Cellular Phones

Effective: November 27, 2007

A fiscally responsible Township government is accountable to the public trust and must use its resources wisely, therefore, employees will be assigned a cell phone only when the needs of the position clearly indicates such a tool will improve job performance and productivity.

Cell phone service, due to the cost of acquisition and operation, should be used generally when normal telephone service is not reasonably available to initiate or receive calls, inclusive of when:

- Mobile communications are essential to assigned job responsibilities and performance would be impaired without the use of a cell phone;
- Telephone calls are necessary and other normal landline services are not readily available;
- Cell phones are a more effective and undisturbing alternative to mobile radio;
- Job related time, travel and safety factors dictate use of a cell phone as the most prudent and cost effective communication option.

To avoid overages on monthly bills for Township issued cell phones, calls should be placed on a non-cell phone if one is accessible, non-essential calls should be delayed until a non-cell phone is accessible, directory assistance calls should be avoided, and text messaging is prohibited unless approved by Department Director for work related use.

In order to manage appropriate cell phone use and benefits the following rules apply:

A. Appropriate monthly packages for cell phone air minutes for employees will be determined by the Department Director, unless it is misused; then the Township Administrator will establish guidelines for a position’s granted air time minutes.

B. Township issued cell phones shall be for Township business purposes. The Finance Department will review the monthly phone bill and forward billing statements to the Payroll & Employee Benefit Coordinator for review.

Department Directors will be notified by the Payroll & Employee Benefits Coordinator of any excessive monthly usage. Diminutive personal use is permissible; however, if the Department Director or the Township Administrator determines personal use was excessive, the employee shall be responsible for reimbursing the township for the excessive use at the current billed rate of airtime. Reimbursement shall be made by either direct payment or by payroll deduction if the direct payment is not made within thirty (30) days of the reimbursement order.
C. The Township Administrator may assign other advanced technology communication devices to employees and, in some cases, will determine the amount of any additional charges the employee must pay to the Township for using such a device.

D. The employee assigned to a Township cell phone is responsible for the safekeeping, care and custody of the cell phone assigned to them. The cell phone must be surrendered to the employee’s Department Director and the monthly service package immediately discontinued if the employee’s term of employment ends.

E. Township employees should not use cell phones or other such devices while driving if at all avoidable. Employees shall make every effort to pull over and stop in a safe place in order to complete the conversation without jeopardizing themselves and others to unsafe driving practices.

PHOTOGRAPHS AND VIDEO RECORDINGS

Because photographs, videos, and other forms of electronic images become public records, employees are strictly prohibited from creating such images without prior permission from the Township Administrator or the employee’s Department Director.

Even upon receiving permission, any approved images may only be created for purposes of official Township business. Such images will immediately become property of the Township, regardless of whether they are created with a Township issued cell phone, camera or an employee’s personal cell phone or camera.

if you want to take a picture get permission first!
Take their position without reservation or evasion.

ARTICLE I – INTRODUCTION

.1 Introduction. These rules and regulations are adopted to ensure the professional operation of the Department. Members are expected to follow all rules and regulations. If the application of a rule or regulation is unclear, the member should consult with his or her supervisor or the Fire Chief for clarification before taking action.

.2 Scope. These rules and regulations apply to all members of the Department. Civilian members of the Department shall be held accountable to those tenets in this manual that are applicable to their duties and responsibilities.

.3 Amendments. Amendments to these rules and regulations shall be made by the Board of Trustees. The Board of Trustees may consult with the Township Administrator, Fire Chief, Department supervisors, or other knowledgeable persons prior to making recommendations and amendments.

.4 Collective Bargaining Agreement. To the extent contractual obligations exist, these rules and regulations shall provide details where the agreement is silent, but shall not supersede the express provisions of the collective bargaining agreement.

.5 Equal Opportunity Employer/American with Disabilities Act. These policies will be implemented in accordance with the letter and the spirit of federal, state, and local laws and regulations prohibiting discrimination on the basis of race, color, religion, national origin, citizenship, sex, age, and disabilities, both in the employment and supervision of members.

.6 Gender Neutral Interpretation. In compliance with Equal Opportunity Regulations, whenever a male gender pronoun appears, it shall apply equally as a female gender pronoun when applicable.

ARTICLE II - STANDARDS OF CONDUCT

.1 High Standard of Conduct. All members shall conduct themselves at all times in a manner that reflects most favorably on the Department. Members represent the Department at all times. Members' conduct must be beyond suspicion of any unethical, illegal, or immoral conduct. Off duty conduct that harms the reputation of the Department or the Township will not be tolerated.

.2 Conduct Unbecoming. Conduct unbecoming a member is any misconduct, on duty or off duty or the appearance of such misconduct that impairs the image of or brings discredit upon the Department. Examples of conduct unbecoming include, but are not limited to:
(a) Improper grooming, uniform, dress, or appearance (as defined by Township or Departmental policy, procedure, or directive) while on duty or representing the Department.

(b) Improper, vulgar, obscene, or violent language or discourteous behavior towards other members or before members of the public.

(c) The expression of any prejudice concerning race, sex, religion, national origin, lifestyle or similar personnel characteristics.

(d) Fraudulent, dishonest, or otherwise unethical conduct.

(e) Public criticism of the Department or the Township that tends to impair the operation of the Department by interfering with efficiency, the ability of supervisors to maintain discipline, or statements made with reckless disregard for truth or falsity.

(f) Supporting, joining, or being a member of any organization or society designed to interfere with the orderly process of government by illegal acts or designed to disrupt the discipline and control of members of the Department.

(g) Unreasonable use of force.

(h) Physical or verbal abuse or mistreatment of persons in a member’s care.

(i) Disclosure of confidential or investigative information to the public.

(j) A violation of a rule or regulation of the Department or the Township.

(k) A violation of a criminal law that is the result of an act of violence or dishonesty, an act that shows a reckless disregard to safety, or an act that otherwise harms the reputation of the Department.

(l) Any other act that brings discredit to the Department or the Township.

.3 Enforcement. A member guilty of conduct unbecoming, depending on the severity of the misconduct, may be subject to discipline up to and including termination in accordance with the procedures described in Articles X and XI of these Rules and Regulations.

ARTICLE III - PERFORMANCE OF JOB DUTIES

.1 Assignments. Members shall exercise the responsibility and authority of the position to which they are assigned in accordance with the applicable job specifications and work rules of that assignment.

.2 Availability. While on duty, members shall be available for service at all times.
3. Reports. Members shall submit all necessary reports on time and in accordance with the directives of the Fire Chief and/or established Departmental procedures. Reports submitted by members, as well as official statements, shall be truthful and complete. No member shall knowingly state, enter or cause to be entered any inaccurate, false, incomplete, misleading or improper information.

4. Communications with and Requests by the Public. Members must recognize the importance of proper communications with the public. Members of the Department shall provide necessary advice and/or assistance to citizens in a prompt and courteous manner, whether the request is made by telephone or in person. Information from citizens relating to complaints or reports will be thoroughly documented in accordance with the directives of the Fire Chief and/or existing Department procedure.

5. Responses to Radio Calls. Members of the Department shall at all times respond promptly and safely to radio calls. As soon as practical, they shall make themselves available for further service. Members shall use radios for Departmental purposes only and shall conduct themselves in a professional manner while using radios.

6. Emergency Situations. Members are obligated to take action in any emergency situation coming to their attention, whether on or off duty, in accordance with state law and Department policy. Members shall respond promptly whenever ordered to emergency service.

7. Safety. Members are expected to perform all duties in a safe and professional manner and follow all safety guidelines.

8. Vehicles and Other Equipment. Members shall operate all Department vehicles and equipment in a careful and professional manner and shall conform to the directives of the Fire Chief and/or Department procedures pertaining to such operations. Members must obey the following rules regarding vehicles and other equipment:

(a) Members shall not use vehicles or other equipment unless qualified and authorized to do so.

(b) Members must inspect and examine vehicles and other equipment prior to use and must report any damage, malfunction, or suspected defect to their supervisor.

(c) Members must keep the interiors and exteriors of all vehicles clean.

(d) Members shall not use vehicles or other equipment for unauthorized personal use.

(e) Members of the Department shall not transport anyone of the opposite sex in a Fire Department vehicle without first notifying communications by radio, except that transporting a person of the opposite sex in connection with an emergency run and transporting a person of the opposite sex who is a member of a government agency are permitted.
.8 **Enforcement.** A member guilty of insubordination may, depending on the severity of the infraction, be subject to discipline up to and including termination in accordance with Articles X and XI of these Rules and Regulations.

**ARTICLE V – ETHICS**

.1 **Confidentiality.** Members shall treat the official business of the Department as confidential. They shall not disclose information concerning Department activities when such disclosures would hinder accomplishment of Fire Department objectives.

.2 **Honesty.** Members shall be honest in all matters. Members of the Department shall not remove or attempt to remove any official report, record or citation/notice of hazard from any file or take any official record from the office where it is kept except in the performance of their duties.

.3 **Political Activity.** Members are prohibited from displaying political materials on Department property. Political solicitation cannot occur while on duty. Other lawful political activities are not prohibited, but such activities must be confined to non-working hours and shall not take place on Department property.

.4 **Conflict of Interest.** Members must avoid all actual conflicts of interests and the appearance of a conflict of interest. Examples of conflicts of interest include, but are not limited to, the following:

(a) Fixing Department-related citations.

(b) Supervisors who place themselves in a financial obligation to a subordinate violate this standard if the subordinate attempts to use such circumstances to gain special favors.

(c) Incurring the Department's financial liability or obligation without job authority or written permission.

(d) Recommending a specific, private service professional or company to a victim or patient.

(e) Giving out unauthorized information or unlisted telephone numbers to a non-member.

(f) Interfering with or influencing business being conducted in a lawful manner, or attempting to do so, without the authorization of the Department.

(g) Owning a business in whole or in part that provides a service or product that conflicts with or jeopardizes the ethics or mission of this Department.

(h) Releasing or providing access to management or public information, documents or records without complying with established management procedures or laws governing their release.

(i) Accepting gratuities from any business or person who offers a personal service to obtain


West Chester Fire Department
Standard Operating Procedure

Title: Media Relations
Date Adopted: April 19, 2010
Pages: 6

S.O.P. #: 2010-001
Date Effective: April 26, 2010
Due for Review: April 26, 2013

PURPOSE:
To provide procedures and guidelines for coordinating and disseminating information to the public via the electronic and print media.

POLICY:
It is the policy of the West Chester Fire Department to promote an open relationship with the media, based on professional respect for their needs and recognition of their role as an effective means of communicating with citizens. The fire department shall maintain an internal process that maximizes message consistency, factual accuracy, transparency of government, and advocacy of the fire department’s message.

1.0 PROCEDURES:

1.1 Primary Fire Department Contact
The Fire Chief in coordination with the Township Public Information Officer functions as the central resource for the media, facilitating access to the appropriate person for the information requested. This process enables the Township Public Information Officer to coordinate with reporters and staff to ensure deadlines are honored and to manage follow-up questions and photography requests.

1.2 Spokesperson
Generally there will be one spokesperson designated for response to each inquiry. For department wide issues, the spokesperson will most often be the Fire Chief. For bureau-related issues, the spokesperson will most often be the Bureau Head or designee. The spokesperson will work directly with the Public Information Officer to ensure that information for specific media issues is communicated appropriately.

1.3 Fire Department Employee Responsibilities and Guidelines
Fire Department employees are expected to exercise good judgment and common courtesy in response to media inquiries. Fire Department employees shall immediately notify their supervisor of any incident, event or issue that may be of interest to the general public. Inquiries about policy issues shall be referred to the Fire Chief. All requests for information about incidents or investigations shall be referred to the Fire Chief or designee.

1.4 Fire Chief Responsibilities and Guidelines
Fire Chief or designee shall, in a timely manner, notify the Township Public Information Officer of significant events that occur within the department that may be of major interest to the general public. Examples include but are not limited to:
1.4.1 Positive activities such as programs and employees receiving awards

1.4.2 Emergencies of a media interest,

The Township Public Information Officer is available to work with the Fire Chief or designee to help develop a response.

1.5 Responding to Media Inquiries

1.5.1 Routine Media Requests
The Fire Chief or designee is encouraged to respond promptly to routine media requests. Routine media requests include information such as hours of operation, schedule for a special event, scope of a fire department service, etc.

1.5.2 Non-routine Media Requests
All non-routine media requests shall be forwarded to the Fire Chief. The Fire Chief or designee will then notify the Township Public Information Officer and Township Administrator prior to response. These requests may include responses that require the interpretation of policy, employee information and emergency situations. If the inquiry is regarding a general Township issue (as opposed to an issue regarding the department), a policy decision, or a topic that is before Township Trustees, the media shall be referred to the Township Administrators Office.

Responses to any media inquiry shall be provided in a courteous and professional manner. All employees represent the Township and serve the public.

If an employee who is not designated as a spokesperson is contacted by the media, they shall refer the call to the Fire Chief or designee. A proper response to this type of inquiry is:

- “Thank you for calling. I want to be sure you have the most accurate information, so let me put you through to (Fire Chief, Assistant Fire Chief or Shift Commander).”

Ask which media outlet (newspaper, TV station, radio station, etc.) the caller is representing, the story's focus, the reporter's deadline and the story publication date so this information can be provided to the Fire Chief or designee and the Township Public Information Officer.

Media inquiries shall be responded to within a reasonable time frame. If research time is necessary, a courtesy call shall be placed to let the reporter know when a response might be anticipated.

1.6 Other general guidelines include:

1.6.1 Media inquiries regarding sensitive and controversial issues pertaining to internal operations and management shall be forwarded to the Fire Chief.

1.6.2 Refrain from making judgmental comments.

1.6.3 Employees shall not offer legal opinions on Fire Department policies or activities.

1.6.4 Employees shall refer media inquiries regarding issues currently under litigation or relating to threatened litigation to the Fire Chief.
1.6.5 Employees shall provide media interviews only after approval by the Fire Chief and consultation with the Township Public Information Officer.

1.6.6 At no time shall information relative to the names of victims, their medical condition, or treatment given be released to the media. i.e. HIPAA

1.6.7 Under no circumstance shall the home address and/or telephone number of a member be released to the media.

1.6.8 The department has no control with regard to the media on releasing photos or identifying information of members from such public sites as Facebook etc.

1.6.9 Refer to Policy on Public Records Policy for requests for public records.

1.7 Emergency Media Relations and Critical Incidents
In the event of a disaster or emergency, the Fire Chief, and Township Public Information Officer will coordinate primary media relations efforts on behalf of the fire department with the Township Administrator. After normal business hours the Shift Commander shall notify the Fire Chief and the Township Public Information Officer before doing an on-scene media release for fires and other related instances. The Fire Chief and Township Public Information Officer shall coordinate the notification of the Township Administrator.

1.8 Guidelines for Employees Acting as Private Citizens
The following guidelines are offered to employees who may choose to contact the media as a private citizen. These guidelines do not prohibit such contact but support other fire department policies deemed necessary by state and federal law regarding improper use of fire department equipment and property.

1.8.1 Letters to the Editor may not be prepared on fire department time, printed on department letterhead stationery, or mailed at department expense.

1.8.2 Telephone contact may not be made on department time using department telephones.

1.8.3 Use of Township e-mail for this purpose is prohibited.

1.8.4 Use of department facilities or supplies is prohibited.

1.8.5 Responses or letters cannot include the employee's Township official title or imply that the response is on behalf of the West Chester Fire Department.

1.8.6 Personal statements or opinions made to the media cannot be made on department time.

1.9 Media and Commercial Photography
If a fire department employee is contacted by a representative of the public or the media requesting access to a public facility to videotape or take photographs for information or editorial purposes, employees shall have them contact the Fire Chief or designee. Photography or videography for commercial purposes by non-news personnel (i.e., photographs that will be used in a retail sales brochure or magazine ad, video for a TV commercial or documentary, etc.) requires written permission from the Chief.
1.10 Correcting Misinformation
The Fire Department has the right to clarify any information released by the media that contains factual inaccuracies or quotes taken out of context relating to a Fire Department issue.

1.10.1 Factual Discrepancies
The Township Public Information Officer may contact the media when a story has been published or aired containing factual error that significantly impacts the public’s perception of the issue being addressed. Employees are encouraged to notify the Fire Chief or designee when they believe incorrect information is being communicated by the press regarding a West Chester Fire Department issue or program.

1.10.2 Editorial Discrepancies
The Fire Chief or designee shall contact the Township Public Information Officer when there is evidence that a specific editorial comment or news story does not appropriately represent a balanced perspective of the issue being discussed. The Fire Chief, in consultation with the Township Administrator, will determine if an official rebuttal or response is appropriate.

1.11 Dissemination of News
All Fire Department-initiated contacts with the news media shall be coordinated through the Fire Chief, or designee and the Township Public Information Officer. Employees may suggest news/public information stories, but these suggestions and any follow-up contact with the media must be coordinated and/or approved by the Fire Chief or designee.

1.11.1 News Releases
News releases will be prepared and issued electronically or by fax by the Fire Chief or designee in coordination with the Township Public Information Officer.

1.11.2 News Briefings
News briefings may be conducted to educate the media about newsworthy issues and provide reporters an opportunity to ask in-depth questions. In most briefings the Fire Department will provide extensive background materials, fact sheets and explanatory materials. The Township Public Information Officer will be responsible for scheduling any such briefings. Individual employees will be invited to participate as appropriate.

1.11.3 News Conferences
A news conference will be held at the direction of the Township Administrator to announce or respond to an issue of significance pertaining to facts, information, rules, and emergency or crisis situations. Additional personnel who can provide background information and details may be required to attend.

1.12 Media Relations Training
The Township Public Information Officer will coordinate media training for management and supervisory staff, on an as-needed basis.
PURPOSE: Establish general administrative guidelines for permitted and prohibitive uses of personal devices while on duty. The standard operating guideline (SOG) will identify proper use of personal devices and ensure Township or departmental business or operations are not hindered or adversely affected. The SOG will outline acceptable application of and expected behavior and character when exercising the permitted uses of personal devices.

DEFINITIONS: Personal devices shall be defined as Desktops, Laptops, Tablets, PDA’s, Smart Phones (excluding telephone operations) and similar devices either already available in the market or not yet developed, and hereinafter be referred to as Device(s).

ADMINISTRATIVE GUIDELINES:

1) Township policy does not permit the use of Devices while working, on duty, or performing or conducting Employer business or operations. However, recognizing the work schedule of the Employee subject to the SOG limits interaction and communication, the Employer will consider on a limited twelve (12) month basis, effective the date of the SOG, the personal use of Devices for permitted purposes and terms and conditions.

2) Use of Devices shall be limited between the hours of 2000hrs to 0600hrs to ensure the Employer’s business and operations are not affected or impaired.
   a. All guidelines are subject to the time period allotted for use of Devices.
   b. Use of Devices shall not interfere with or impair Township or departmental business or operations and may not be used during departmental functions, even if conducted during allotted time for use of Devices, including but not limited to trainings, special details, tours, inspections, assigned details, i.e., station maintenance, plan review, etc.
   c. Use of Devices shall not interfere with or impair an Employee’s rest/sleep period or the rest/sleep of co-workers.

3) Township work including departmental business, professional development, or education programs paid by the Employer shall not be conducted on Devices. Such uses shall subject the Devices and information to the Public Records Law O.R.C. 149.43.
4) Employee acknowledges use of Devices shall not disrupt the professional work environment expected and practiced by the Employer. Devices are strictly prohibited from unacceptable site viewing as specifically defined in the Township Employee Policy and Procedure Manual and as generally interpreted by a reasonable person. Sites interpreting or creating a hostile work environment are strictly prohibited from viewing and include, but are not limited to sexual, pornographic, and other forms of harassment; dating or matchmaking websites; gambling; bullying or cyber bullying; violence and inappropriate use of force; and material that is obscene, derogatory, belligerent, threatening, defamatory, intimidating, abusive, or otherwise inappropriate material that is reasonably expected to create a substantial disruption or interference with the work of the Township or department or the rights of other individuals.

5) While on duty, including downtime for which the Employee is paid, the Employee may not do any of the following while using a Device: (a) state that he or she represents the Township or identify himself or herself as an employee of the Township; (b) blog or engage in online journaling; (c) access Facebook accounts; (d) tweet or participate in any other social media outlet; (e) conduct commercial ventures or for profit business activities; (f) engage in any activity for personal gain; (g) conduct or engage in political activity or provide any political opinion, endorsement, or related activity; (h) conduct any Union business or activity.

6) Viewing or creating offensive material concerning sex, race, national origin, religion, sexual orientation, ancestry, and age, or disability, threatening, defamatory or otherwise inappropriate material is strictly prohibited.

7) Upon the allegation/accusation by another Employee that the use of a Device creates an uncomfortable or hostile work environment, an investigation will be conducted and the Device as part of the allegation/accusation will be searched and may be taken for such purpose. Employees shall surrender the Device for the investigation, and records resulting from the investigation could become public records. Employees will also provide any and all relevant passwords necessary for the Township to conduct its investigation.
   a. Any attempt by an Employee to manipulate the Device or delete material which may interfere with the investigation shall be subject to discipline.

8) Spoofing, spamming, hacking/cracking, sniffing or similar activity is prohibited on the Device.
9) Use of the Device which causes obstruction or delay of any Township or departmental business or operations, in any manner, shall result in further limitations to or elimination of Devices for the Employee and/or the personnel of the applicable fire station as determined by the Employer.

10) Any abuse of this privilege shall immediately be reported to the Shift Captain. Any violation of the SOG may result in further limitations to or elimination of Devices for the Employee and/or the personnel of the applicable fire station as determined by the Employer.

11) The Device shall not access or interface with any Township equipment, including but not limited to, e-mail, internet access, Township wireless access network, computers or printers owned, leased or managed by the Employer. Access to Township owned USB ports, wired, or wireless connections through the Device is strictly prohibited.

12) Employee shall maintain password protected access on their Device. If for any reason the Employee is called away from their Device, Employee shall immediately activate such password and close the Device. This will ensure the Employee’s Device will not be used or accessed to prevent unauthorized use.

13) The Employer shall not be responsible for any software, confidentiality or security issues arising as a result of an Employee’s use of Device. The responsibility remains with the Employee.

14) The Employer shall not be responsible for any lost, damaged, or stolen Device.

15) No technology of any kind shall be attached, adhered, installed, or erected to any Township facility or property or personal property while stored, parked, staged, or otherwise located on Township property.

16) The Employee may not use the Device to record audio or video while on duty or on Township property to post on any social network, including but not limited to Facebook, YouTube, Twitter, or similar sites.

17) The Township reserves the right to at any time discontinue the Employee’s privilege to use the Device. The Township's decision to discontinue Employee’s use of Device shall not be subject to the grievance and arbitration procedure of the labor contract or an unfair labor practice.
18) The Township reserves the right to terminate the SOG after the limited twelve (12) month basis with no explanation or justification.

19) No Employee shall violate any privacy act, confidentiality requirement, or identity theft provisions such as Red Flag Regulations or HIPAA. Violations will constitute termination of all rights to use Devices and Employee shall be responsible for all damages incurred by the Township as a result of said violations.

20) Any Employee violating the SOG may be subject to further limitations of use or the elimination of Devices for the Employee and/or the fire station and, depending upon the severity of the infraction, be subject to discipline in accordance with the Township’s policies and procedures, including Articles X, XI and XIII of the West Chester Fire Department’s Rules and Regulations.

21) No Employee shall have any expectations of privacy in any Device kept or brought into Township property or premises.

[Signature]

Fire Chief Anthony Goller

[Date]

Date
Social Media and Firefighters Litigation Cases

http://www.litigationandtrial.com/2012/08/articles/attorney/philly-fire-department/- questioning the constitutionality of the Philadelphia Fire Departments social media policy

http://www.firerescue1.com/fire-department-management/articles/1362562-Baltimore-FD-implement-strict-social-media-policy/- argument over Baltimore Fire Department’s new social media policy

http://statter911.com/2013/01/04/raw-video-controversy-over-actions-of-police-officers-firefighters-as-man-drowns-after-jumping-into-champaign-illinois-pond/- debate over video footage which shows lack of fire department action

www.aele.org/los2011mjm-cellphones.pdf- first arriving officer takes pictures on personal cell phone, now phone is taken for evidence

http://statter911.com/2010/10/18/firefighters-close-up-cell-phone-video-at-deadly-crash-leads-to-trouble-clip-is-sent-to-dad-of-dead-woman/- pictures are taken by responders posted on Facebook and make their way to victim’s father

http://my.firefighternation.com/forum/topics/cell-phone-use- case where firefighter using cell phone crashes truck and dies
http://www.nytimes.com/2013/03/19/nyregion/son-of-salvatore-cassano-resigns-in-wake-of-twitter-posts.html?_r=0 fire official’s son is terminated after tweeting offensive racial slurs


http://www.firefightingnews.com/article.cfm?articleID=104631 firefighter is terminated for his posts on Facebook

http://blog.cleveland.com/metro/2011/12/lawsuit_by_bay_village_firefig.html- firefighter is disciplined for publically questioning his department’s safety
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http://firelawblog.com/2013/02/cal-fire-chief-charged-with-vehicular-manslaughter-over-texting-related-crash/

West Chester Fire Department Rules and Regulations Manual

West Chester Township Employee Policy and Procedure Manual

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www.youtube.com/watch?v=SW1ZDiXiuS4

http://statter911.com/2009/03/13/watch-the-videos-that-are-causing-trouble-for-cinci

West Chester Standard Operating Procedure 2010-001 - Media Relations

West Chester Fire Department Standard Operating Guideline 2012-002 - Use of Personal Devices

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http://en.wikipedia.org/wiki/email


http://www.dispatch.com/content/stories/local/2013/03/06/jury-sides-with-woman-firefighter-in-lawsuit.html

http://www.theblaze.com/stories/2012/10/12/firefighter-fired-for-sending-christian-e-mails-to-fellow-employees/
http://en.wikipedia.org/wiki/facebook

http://my.firefighternation.com/forum/topics/firefighter-fired-over?q=forum/topics/firefighter-fired-over


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www.aele.org/los2011mjm-cellphones.pdf-


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http://www.nytimes.com/2013/03/19/nyregion/son-of-salvatore-cassano-resigns-in-wake-of-twitter-posts.html?_r=0-


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