



Ethics and Blogging in Public Safety

BY SARAH K. MILLER • WASHINGTON CHAPTER

Blogging is a form of Internet technology that lets individuals share information easily with a wide audience. It is essentially an online diary or journal posted to the Internet by an individual. The term itself came from the words “Web log,” indicating a Web site with dynamic, constantly changing content. Originally, Web logs were the domain of the ultra-technical community, because creating and updating them required specific skills. The popularity of blogging has brought with it a wide variety of blogging services, many of which are free and simple to use. These services have brought the ability to blog to a new set of people.

With the increasing popularity of blogs, an entirely new set of ethical dilemmas has arisen for individuals and organizations. Individuals must decide what they should and should not share in the public forums of their blogs, while employers must decide whether to regulate or censor what employees can say.

While the majority of bloggers make wise choices regarding their posts, others do not. With increasing frequency, bloggers are losing their jobs due to information on their blogs. A Google search based on the words “blog” and “fired” returned 11 million hits, the first several pages of which were accounts of individuals fired because of their blogging activities. High-profile companies including Microsoft, Google, and Delta Airlines have all fired employees recently due to blogging.

Not My Problem?

If you think this doesn't apply to you, think again.

The spread of blogging is not limited to the private business sector. Government, including public safety, has seen the effects of blogging in the workplace as well. For example, in 2004, a public safety communications center director was relieved from duty after sharing personal opinions regarding employees on his blog.

A quick Web search reveals blogs created by police officers, firefighters, EMS personnel and 9-1-1 dispatchers. In them, they share everything from their personal issues and opinions to details of calls they have handled.

And blogs are being used by outsiders to reveal the personal lives of public safety personnel, as well as to reveal inside information regarding police investigations.

Looking for Ethical Answers

How should individuals and public employers handle the issue of blogging? Is it ethical for employees to share details of calls for service? Is it ethical for employers to monitor employee blogs? Is it ethical for employees to criticize their agencies? Is it ethical for employers to punish employees for personal opinions expressed on their personal blogs? Do any of these questions have clear answers?

The first thing you find in searching for information related to the ethics of blogging in the government sector is that there is none. So far, government-related magazines and journals have ignored it altogether. The business sector, however, has produced a great deal of information on the subject.

We must address several pertinent issues regarding ethics and blogging. First is ethics itself. What does it mean to act ethically?

One scholar describes ethical conflicts as arising when “the actions of one person or a group of people interfere with the interests of another person, group of people, or the community as a whole.” This definition seems relevant to the issue of public safety employees and blogs.

Blogging itself is not really an issue, except in cases where the blogger in some way interferes with the interests of another individual or organization. Interference can take on a variety of meanings. Sharing confidential information or bad-mouthing co-workers might be among them. The Internet has a long memory, with messages archived by a variety of sources and made available years after they were posted, making what you put out there today a long-term reflection of you.

Issues of freedom of the press and due process can have implications for public safety bloggers. One article in *Criminal Justice Ethics* (2002) pointed out that the public has a great desire to learn about the inside workings of police organizations, as evidenced by the high numbers of police- and crime-oriented TV shows, as well as the content of the nightly news. There is also a common perception that the public has the right to know about a wide variety of issues. Conflict is created when this right interferes with a suspect's right to due process. This means bloggers must be aware that, although they are not representing the official views of their agencies, they are in a position to harm private citizens who have not yet had their due process. Posting information about crimes or individuals under investigation could harm those individuals and create a liability for the blogger and the blogger's agency.

Police officers are under scrutiny both on and off-duty. This is true for other public safety professionals as well and applies specifically to blogging. Although the majority of blogging takes place off duty and blogs almost certainly are housed somewhere other than the department's Internet servers, the content posted by public safety employees during their off-duty hours could come under scrutiny as a reflection of the employee and the employer, too.

Legal Implications

Technology, with all its associated benefits and problems, tends to make its way from the private sector to the public sector. Blogging is no exception. The public and private sectors share many of the same concerns over privacy, information security and the law. Where public safety employees may have access to private and damaging information about individuals, private-sector employees have access to inside information regarding their companies and their clients that can be just as damaging if released, not to mention illegal.

Some private companies have begun to consider blogs to be part of their corporate records, which could have serious implications for public safety agencies. If public safety employees are allowed to post personal blog entries while on duty or while using publicly owned computers, those entries could be considered public record.

Blogging is a new phenomenon and, as such, a lack of precedents or guidelines exists throughout the business and public

communities. Companies must take the initiative to create policies, educate employees and find ways to manage blogs that represent company records. The same should hold true for public employers.

In an editorial in InforWorld (2005) on the legal implications of blogging, E. Schwartz indicated that blogging presented a large gray area for companies and attorneys alike. No case law yet exists that establishes liability for blogging or clarifies whether bloggers are journalists or whether bloggers might be held accountable for supporting political candidates. It has been suggested that blog support of political candidates may amount to monetary contributions to campaigns. As the law prohibits public employees from using their positions or public resources to participate in political campaigns, it is not difficult to imagine a situation where a public safety employee's blog could be misconstrued as an official endorsement of a candidate or ballot measure.

Common Sense

First Amendment issues notwithstanding, just because you can say something, this does not mean that you should. The Electronic Frontier Foundation (EFF) has produced two specific documents to assist bloggers in understanding both their rights and the legal implications of their blogging activities. (See sidebar for links.) EFF is involved in the legal protection and defense of bloggers and bloggers' rights, however they advocate common sense and discretion in blogging. They provide a comprehensive list of protected activities employers may find helpful as they develop policies for their workplaces.

P. Piazza pointed out in an article in Security Management (2005) that people say things on blogs they normally would not share publicly. This happens because blogs are non-structured and personal, causing people to "let down their guards" and share things they previously might only have said to their closest confidants. It can be easy to become comfortable enough with a blog that you accidentally slide into a legal pitfall.

Policy Time

Employers need clear policies that cover all communications with the outside world, including phones, e-mail and blogs. Employees have to be well informed of these policies, however, or they are useless. Blogging presents many of the same problems that came with e-mail and then Internet access in the workplace and many agencies only now are starting to deal with those issues.

Successful organizations anticipate changes in technology and prepare for them ahead of time, instead of reacting to them after it's too late. Government, and public safety in particular, traditionally have been late adopters of technology. In this instance, though, government employees are far more technologically savvy than many of their employers and already use more advanced technology – in this case, blogs. Public safety organizations must ensure they are not behind the times on this issue.

Policies and rules must be put in place to protect organizations and employees. Well-thought-out guidelines, developed

with input from employees, could prevent harmful incidents from occurring. For example, it is reasonably clear from research that, to avoid liability and other pitfalls, public safety employees must not be allowed to use public property to create or maintain their blogs.

Employees must learn their own rights and responsibilities regarding blogging. Just because you can do, say or post something, this doesn't mean you should. Employees must be aware of what they can and cannot do, then choose the ethical thing to do. Employers must be respectful of their employees' rights, while fulfilling their organizational responsibilities.

On the Bright Side

Blogs can be used to generate positive community outreach and publicity. A great number of public safety organizations have created Web sites to reach out to the public. Officially sanctioned blogs could be used in this effort, as well. Making public safety more approachable is something all organizations should be striving for.

The impact of blogging on the public safety community cannot be ignored. If used properly, blogging can enhance the overall image and effectiveness of public safety. If used incorrectly, lives and livelihoods – maybe yours – could be at stake. That is something that every public safety employee should try to avoid.

About the Author

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Resources

Electronic Frontier Foundation Resources
eff.org/bloggers/lgl/
eff.org/Privacy/Anonymity/blog-anonymously.php