Social Media

Twitter, Texting, and Instagram... Oh My!

Show of Hands

Agenda

I. Basic Social Media Overview
II. Citizen Engagement Tools & Strategies
III. SM Investigatory Tools
IV. Legal Issues Re: Social Media
   I. Organizational SM Accounts
   II. Personal SM usage & Employees

How RU Social?

RU ReD 4 gNR8N c

www.lingo2word.com

DIGITAL AROUND THE WORLD IN 2018

Shannon Tufts
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A Little Facebook Story

Do You Know This One?

SYPHILIS CASES SPIKE IN WAKE COUNTY, DATING APPS MAY BE TO BLAME
(MAY 20, 2015)

Social Media for Citizen Engagement

SM Purposes for Govt
1. Building a trustworthy relationship and a sense of community by engaging with each other
2. Gaining control over the gov'ts reputation with the community
3. Providing a forum for people to ask questions and for you to share tips you otherwise wouldn’t share
4. Spread knowledge quickly and with minimal effort that could protect your community
5. Mine data for various public purposes

Social Media and Technology to Disseminate Information and Provide Transparency
Monitoring Social Media During Crisis Events. What #hashtag do people use to talk about you?

Create a Human Touch and Engagement

How fast can you get your message out?

How about a lil’

Chicago Crimes – Daily Crime Data on top of Google Maps, sent by RSS

District 4 / Beat 0423

Latest reported crimes

- Robbery
- Burglary
- Motor vehicle theft
- Assault
- Battery
- Disorderly conduct
- Residential burglary
- Trespass
- Criminal damage or destruction
- Larceny
- Prostitution
- Vandalism
- Disorderly conduct.

Most common crimes in this beat:

- Motor vehicle theft
- Larceny
- Burglary
- Residential burglary

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Lovely Burlington

Fun Stuff on the Horizon

What else are you using?

How to Increase Citizen Engagement

Group Exercise

Would you rather…
Other Common Strategies

1. Be a good follower
2. Have a good bio and profile pic
3. Make your content stream relevant and value-add
4. "Pin" your latest content when possible
5. Be active and engaged
6. Use humor

More on Strategies

7. Share opinions, data, and news/trends
8. Post regularly (based on platform & algorithms)
9. Include your SM accounts on emails
10. Use hashtags
11. When presenting, use your Twitter handle at the bottom
12. Develop partnership content

What About the Actual Content?

- Pictures of your workplace get attention!
- Highlight a client, customer, citizen or group
- Video is always good! (so are vintage throwbacks)
- Answer a question!

Social Media “Investigative” Tools

- socialmention.com, social-searcher.com
- pipl.com, spokeo, etc
- Knowem.com (i.e. ladykilla96)
- Facebook’s graph search
- Google Advanced Search:
  site:www.facebook.com��url:<name you are looking for>

Get To Know These Tools!
**Get To Know These Tools!**

- UVRX.com (searches online file repositories)
- Google's reverse image search

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**Drugs, Sex, and Booze, We Got ‘Em**

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**Other Useful Apps**

- Epocrates for pill ID
- Urban Dictionary for terms (cause I just can’t keep up)
- CommunityCrimeMap.com (aka RaidsOnline)
- LiveSafe
- Geo360: location based SM monitoring
- DigitalStakeout
- Emotive
- NextDoor (or FB groups)

The latest PS resources are found at [http://appcomm.org/](http://appcomm.org/)

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**The Legal Stuff**

- Can we restrict, limit, delete comments made on government-sponsored SM accounts?
- Must we archive comments, twitter posts, blog posts?
  - Is everything a public record?
- Can we restrict employee behavior?

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**Organization Facebook Pages**
Censor Me!
The worst part of censorship is

Type of Forum Determines Government Control of Speech

Traditional Public Forum
- Open to all types of expression
- Government limited to regulating time, place and manner

Non Public Forum
- Not open for public expression
- Government can deny all access

Limited or Designated Forum
- Government opens a nonpublic forum for specific purpose and defines acceptable use

Rules of the Game: Limited/Designated Forum
- Government defines purpose and allowed expression.
- Courts defer to government’s choices if rational in relation to the stated purpose.
- Viewpoint discrimination is always prohibited.

Is It a Public Forum?
- Probably! (at least a limited one)
- Purpose statements/policies are needed!
- See Frayda’s blog on this topic @

A Sample Disclaimer/Policy

We welcome you and your comments to Fairfax County’s Facebook Pages.

The purpose of this site is to present matters of public interest in Fairfax County, including its many residents, businesses and visitors. We encourage you to submit your questions, comments, and concerns, but please note this is a moderated online discussion site and not a public forum.

Once posted, the Fairfax County reserves the right to delete submissions that contain:
(i) vulgar language;
(ii) personal attacks of any kind;
(iii) offensive comments that target or disparage any ethnic, racial, or religious group.
Further, the County also reserves the right to delete comments that are:
(i) spam or include links to other sites;
(ii) clearly off topic;
(iii) advocate illegal activity;
(iv) promote particular services, products, or political organizations;
(v) infringe on copyrights or trademarks;
(vi) use personally identifiable medical information; We recommend you not share any of your medical information on our Facebook Pages.

Please note that the comments expressed on this site do not reflect the opinions and position of the Fairfax County government or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact the Office of Public Affairs at publicaffairs@fairfaxcounty.gov.

**Blocking Followers?**

- Can I?
- Should I?

- Two recent court rulings re: First Amendment
  - Both related to elected officials' SM pages
  - Several other lawsuits pending or settled

**When & What Could You Block?**

**Facebook Postings and Public Records Guidelines**

**Is it a public record?**

1. Work-related texts, emails, documents, voicemails, etc., sent/received over work-owned devices?
2. Personal texts, emails, etc., sent/received over work devices?
3. Work-related texts, emails, etc., sent/received over personally-owned devices?
4. Work-related social media postings sent/received on work-sponsored social media accounts?
5. Work-related social media postings sent/received on personal social media accounts?
Definition of a Public Record (NCGS 132-1)

- All documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions.

- Agency of North Carolina government or its subdivisions shall mean and include every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government.

Basic Information

- Government SM postings are public records.
- The retention period for the record is determined by the content of the posting (not the type of media).
  - The schedule related to website retention does not apply to SM postings.
- Most SM postings will be of short-term value or considered under the Routine Correspondence and Memoranda.
- Retention requirements under litigation holds (e-discovery) are different than public records requirements.
- Metadata associated with social media postings remains a concern, as most archiving methods do not capture it.

Examples of Facebook Postings and Retention Requirements

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Correspondence and Memoranda

The “likes” would either be considered public records of “Short-Term Value or “Routine Correspondence and Memoranda” per the County/Municipal Agency retention schedules. The record can be destroyed per the jurisdiction’s defined “short term or administrative value” policy.

Public Safety “Daily Bulletins”

The nature of this posting and the citizen tips would be considered “Daily Bulletins” per the County Sheriff’s and Municipal Law Enforcement retention schedules. The record can be destroyed when administrative value or reference value ends, as defined in policy.

And This One?

How To Retain the Public Record

- Archiving services
- Download features on SM platforms
- POP (with time/date stamps)

What About My Personal SM Accounts & Public Records?

- If you are transacting public business, then it constitutes a public record, be it a FB post and comments, private message, etc.

And here we go…
NC Public Records Retention Schedule


Personal Pages and Opinions

CIRCLE OF TRUST

Employee Behavior?

Government Workers are DIFFERENT!

First Amendment

- Three prong test (Pickering, Garcetti cases)
  - Is the issue a matter of public concern?
  - Is the employee speaking as a function of their job duties?
  - Whose interests are more important—government or individual?
    - Location/time of posting matters
    - Position matters
  - Two blog postings at sog.unc.edu

Conduct Becoming

- The more important you are, the more your behavior matters
- Blurring of personal and professional lines
- Many issues are emerging
  - Judicial behavior
  - Teacher actions
  - Public safety professionals (Savannah firefighter case)
- Policies governing speechbehavior cannot be overly broad

HSPD Social Media Policy Section V. Personal Use

A. Precautions and Prohibitions
   Barricading state law or binding employment contracts to the contrary, department personnel shall abide by the following when using social media.

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.
2. As public employees, department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee’s professional duties and responsibilities—is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.

3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the chief executive or his or her designee.

4. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission. As such, department personnel are cautioned not to do the following:
   a) Display department logos, uniforms, or similar identifying items on personal web pages.
   b) Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.

5. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department’s code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:
   a) Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
   b) Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.

6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer’s testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.

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**Officer A’s FB Posting**

“Sitting here reading posts referencing rookie cops becoming instructors. Give me a freaking break, over 15 years of data collected by the FBI in reference to assaults on officers and officer deaths shows that on average it takes at least 5 years for an officer to acquire the necessary skill set to know the job and perhaps even longer to acquire the knowledge to teach other officers. But in today’s world of instant gratification and political correctness we have rookies in specialty units, working as field training officer’s and even as instructors. Becoming a master of your trade is essential, not only does your life depend on it but more importantly the lives of others. Leadership is first learning, knowing and then doing.”

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**Officer B’s FB Response**

Well said bro, I agree 110%... Not to mention you are seeing more and more younger Officers being promoted in a Supervisor/ or roll. It’s disgusting and makes me sick to my stomach DAILY. LEO Supervisors should be promoted by experience... And what comes with experience are “experiences” that “they” can pass around to the Rookies and younger less experienced Officers. Perfect example, and you know who I’m talking about...... How can ANYONE look up, or give respect to a SGT in Patrol with ONLY 1 1/2 yrs experience in the street? Or less as a matter of fact. It’s a Law Suit waiting to happen. And you know who will be responsible for that Law Suit? A Police Vet, who knew tried telling and warn the admin for promoting the young Rookie who was too inexperienced for that roll to begin with. Im with ya bro....smh“
Policy Violation?

Apply the Policy: Round 2

Policy Violation?

Apply the Policy: Round 3

My Apologies in Advance

These are a police officer's public FB postings

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Policy Violation?

Apply the Policy:
Round 4

Profile Pictures

Policy Violation?

Fourth Amendment

• Let people know that you are monitoring
  – Esp if you allow de minimus use
• Establish “No Expectation of Privacy in the Workplace” through policies and routine enforcement/practice
• Blog posting: http://canons.sog.unc.edu/a-reasonable-search-of-employee-records-city-of-ontario-v-quon/

Other Items

• Requiring employees to identify their association with the agency whenever they are commenting on official services/products as part of official job duties (example: FB engagement)
• If postings are not officially sanctioned and reviewed by agency Executive, then the employee should be required to use clear disclaimers that his/her views do not represent the views of the agency
• Use caution when posting photographs and names of co-workers or citizens (i.e. gain consent from co-workers/citizens)
• Reminder that agency has the right to lawfully and respectfully monitor employee social media postings and other online activities for compliance with agency policies. This monitoring usually occurs if the agency staff have “friended” one another or if a citizen brings in material from a person’s postings
Bottom line: this should not be ur profile pic

Side Note: Check Your SM Settings!

- Turn on “Approve all tagged posts or photos prior to posting to my page"
- Limit who can send you a friend request
- Limit searching for your account on search engines