

# **E-HOSTILITY**

**ILCMA 2016 Winter Conference**

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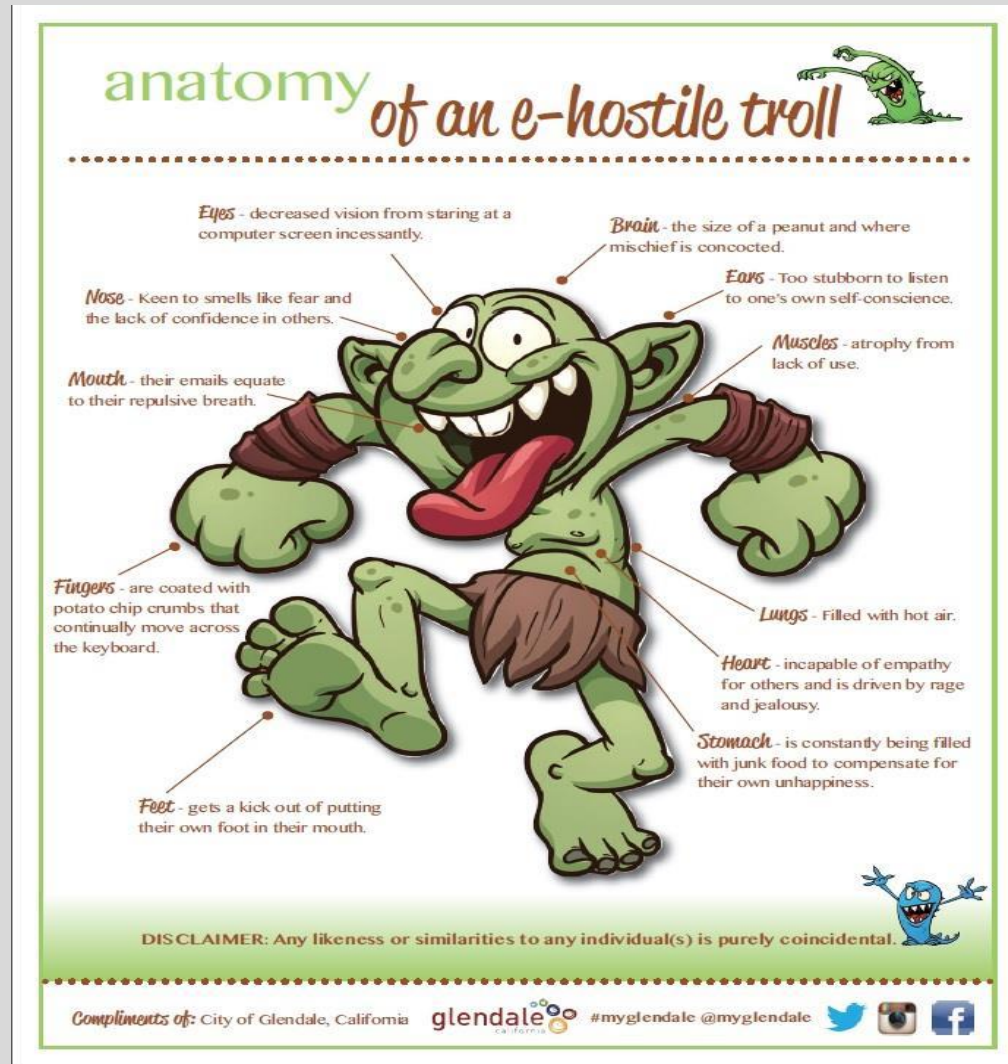
A light gray silhouette of the state of Wisconsin is centered on a white background. Overlaid on the map is the word "Waukesha" in a large, dark blue, cursive script font. Below the word, the letters "WI" are printed in a smaller, dark blue, sans-serif font. In the bottom right corner of the Wisconsin map, a solid red five-pointed star marks the location of Waukesha.

*Waukesha*

WI



# WHAT IS E-HOSTILITY?



# WHAT IS E-HOSTILITY?

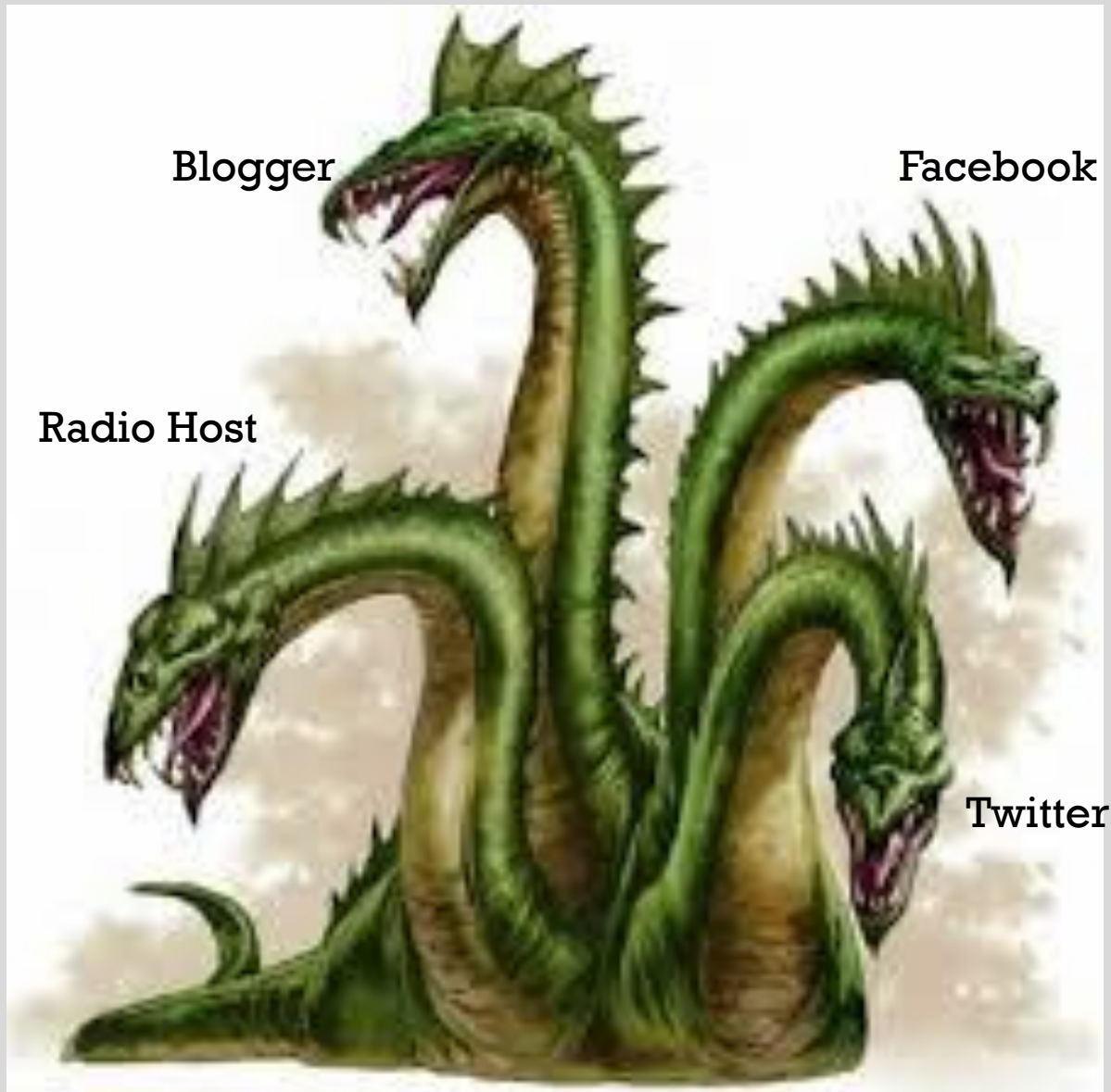
- Chicago Sun Times:

"morass of negativity, racism, hate speech and general trollish behaviors that detract from the content"...

- For City folks:

- Blogs, Facebook posts, newspaper comments, Twitter feeds etc... that generally seek to criticize the local government institution on the basis of emotion, misinformation, name-calling, and/or general criticism
- Focus on Elected Leadership or City Staff

# WHAT IS E-HOSTILITY?





# **I HATE THE TAJ MAHAL**



# REALLY?



# LESSON #1





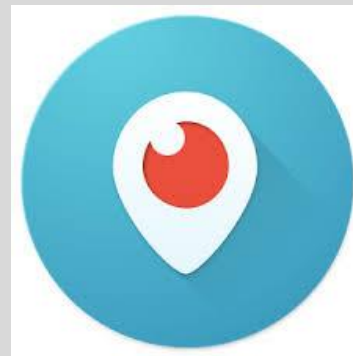
# ALL IS FAIR GAME



# LESSON #2



**24/7/365**

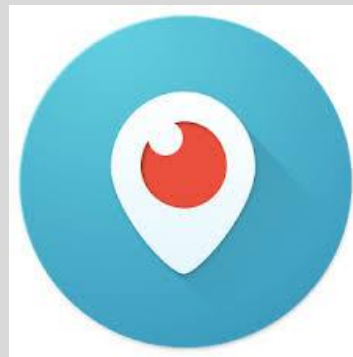




# LESSON #3



# SO, WHAT DO YOU DO?



With a twist...



# SO, WHAT DO YOU DO?



# SO, WHAT DO YOU DO?



# **SO, WHAT DO YOU DO?**

- Start a Rumor Page

**SO, WHAT DO YOU DO?**





over

communicate

under





# E-Hostility Strategies

It's not as scary as you think!



@LukeStowe

@governmentSM

# Why are we afraid?







**NYPD NEWS** ✓  
@NYPDnews



 Follow

Do you have a photo w/ a member of the NYPD? Tweet us & tag it [#myNYPD](#). It may be featured on our Facebook.

 Reply  Retweet  Favorite  More



RETWEETS  
429

FAVORITES  
224





CIA   
@CIA



Following

We can neither confirm nor deny that this is our first tweet.

 Reply  Retweet  Favorite  More

RETWEETS

299,709

FAVORITES

184,960



10:49 AM - 6 Jun 2014





**@sniperjoeNV**

sniperjoeNV

Boo @CityofReno for closing down Forest St. tomorrow. Thanks for the 1 day notice and hurting our family business.

3 Oct via web ☆ Favorite ↗ Retweet ↻ Reply



**@CityofReno**  
City of Reno

**@sniperjoenv** Thx for heads-up! We talked to business owner & contractor and made arrangements to maintain access for customers

Q. What if people just don't like my agency?





# Tips for ‘unliked’ agencies

(heading off negative feedback before you get it)

- Usually it’s not you – it’s just that you run a service that people don’t like using
- Be cautious of using humor
- Avoid cutesy phrases
- Focus on process & how-to’s
- Focus on how their feedback is making your agency better
- Focus big time on PEOPLE



City of Evanston Illinois Government

October 17, 2013 · 🌐

How about a Like for "stickerless" vehicle registration in Evanston? No more scraping old stickers off your windshield! Here's how the new process will work.



### 2014 Evanston Vehicle Registration Goes Stickerless | City of Evanston

All vehicles registered through the Illinois Secretary of State to an Evanston address are required to pay an annual wheel tax. Traditionally, residents who paid...

CITYOFEVANSTON.ORG

Like · Comment · Share · Hootlet · Storify

You and 30 others like this.

Top Comments ▾



**Doug Hood** Parking Officers = Revenue Enhancement Agents. I don't go to downtown Evanston anymore, I'd rather park for free at Old Orchard than pay exorbitant rates for inconvenient parking, and then, if I'm a few minutes late returning, finding I've been tagged by your Revenue Enhancement Agents. Such a delight here in the Peoples Republic of Evanston.

Like · Reply · Storify · October 17, 2013 at 4:27pm



**Neal Daringer** How much do you guys think a sticker really costs? I see value in this. I don't have to mess with the sticker now. Don't want to pay the tax? Repeal it, stop driving, or register your vehicle in another city.

Like · Reply · Storify · October 17, 2013 at 10:34am



**Neal Daringer** Disabled Veteran and Active-Duty Military Personnel  
In 2013, Evanston's City Council amended the City Code so any disabled veteran or an active-duty service member of the U.S. Armed Forces who makes application for a wheel tax license for a motor vehicle that he/she owns shall not be required to pay the usual fee for one such wheel tax license.

What documentation do I need for this?

Like · Reply · Storify · October 17, 2013 at 10:27am



**City of Evanston Illinois Government** We just need a copy of your Military ID. Thank you for your service!

Like · Reply · Storify · 🍷 2 · October 17, 2013 at 10:57am



Write a reply...



# Citizens to the Rescue!

## Building Community



### Gainesville Police Department

10 hrs · 🌐

Gainesville, Florida Police Officer Bobby White aka "Basketball Cop" made good on his promise to return for a street basketball rematch! He also brought backup as promised: SHAQ! #HoopsNotCrime



Q. What if we make a  
mistake?



# It's Okay to Be Human

Q. What can we do  
right now?

# Action Steps

- Work on internal process for resolving issues
- Craft a couple of crisis messages
- Craft follow-up comments
- Community ambassadors
- Employee advocacy programs

**"I've learned that people will forget what you  
said, people will forget what you did,  
but people will never forget  
how you made them feel"**

~ Maya Angelou



# THANK YOU!

<http://GovernmentSocialMedia.com>

# **E-HOSTILITY – THE LEGAL PERSPECTIVE**



Julie A. Tappendorf

Ancel Glink

# 5 TAKE HOME TIPS

1. Gov't social media is probably a public record, so be careful when deleting comments
2. Be careful not to “censor” comments as they may be protected under First Amendment
3. Don't put the intern in charge of moderating comments
4. It's not just the public who “behaves badly” on social media – sometimes, it's your own officials/employees
5. Adopt a social media policy to set guidelines for moderating comments

# FREEDOM OF INFORMATION ACT

Is information on your social media sites (posted by you and others) subject to release under FOIA?

TAKE HOME TIP: In Illinois, “electronic communications” would appear to include social media content.



# RECORDS RETENTION

Are communications and other information posted on your sites subject to local record retention laws?

TAKE HOME TIP: Last year, the Illinois state archivist published guidelines for government agencies on what content on social media may be subject to records retention laws.

# FIRST AMENDMENT

- Are postings on government social media sites protected by the First Amendment?
- Is a government social media site a “public forum” or government speech?
- Are comments posted by public employees/officials protected speech?

TAKE HOME TIP: Don't be South Pittsburg, Honolulu Police Department, Harris County Sheriff, Indiana Governor

# **DON'T - SOUTH PITTSBURG**

Town commissioner's defense of South Pittsburg's comment policy which prohibits all negative comments on the town's social media sites:

“The first thing everyone wants to say is, ‘I can’t post anything on Facebook.’ Well, you can. Just not [anything] that sheds a negative light on any person, entity, board, or things of that nature.”

# **DON'T – HONOLULU POLICE DEPARTMENT**

- [Hawaii Defense Foundation, et al. v. City and County of Honolulu, et al., CV 12 00469 \(filed August 21, 2012\)](#) – complaint filed alleging as follows:
  - The HPD created a public forum on Facebook
  - Removal of comments critical of the police department violated First Amendment
- This resulted in a \$31K lesson to the City of Honolulu

# **DON'T - HARRIS COUNTY**

- [Pittman v. Garcia \(S. Dist. Texas, 2014\)](#) – complaint filed challenging the Harris County Sheriff's Office's (HCSO) social media policy that provided as follows:
  - An employee's actions must never bring the HCSO in disrepute
  - 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 the HCSO
  - Personnel shall not post any information pertaining to any other member of the HCSO
  - Employees cannot engage in negative speech about the HCSO



# **DON'T – INDIANA GOVERNOR**

- Governor's staff deleted hundreds of comments on his official Facebook page that the governor's office deemed uncivil
- Posters argued their posts were removed because they disagreed with the Governor's statement of support for a proposed state constitutional ban on gay marriage
- News reporters had "screen shots" of the posts before they were deleted – press backlash

# THE ANONYMOUS POSTER

- The identity of an anonymous poster on social media may be disclosed by court order if the individual requesting disclosure can establish that the anonymous posts meet the standard for “defamation.”

# PARODY SITES

- Twitter site @peoriamayor – \$125K lesson to the City of Peoria
- Others:



**Sitnexto Kim Davis**  
@nexttokimdavis

Follow

1:14 PM - 3 Sep 2015

311 613



**Not Jim Ardis**

@NotPeoriaMayor

Not the mayor or Peoria, IL. Parody account. Mayor Jim Ardis and the Peoria Police can suck it. E-mail: notjimardis@gmail.com

Peoria IL

# **PRIVATE VS. OFFICIAL SITES – EMPLOYEES/OFFICIALS**

- Is the site private or an official site of the government?
- If private, do visitors perceive the site as an official site of the government?
  - Is the site misleading?
  - Is there authority to represent the government?
  - Is there government control over the site?

# SITE VERIFICATION –



## Request a Verified Badge

A verified Page has a blue checkmark next to its name.

Select people, sports, media, entertainment and government Pages may be eligible for verification if they can show their authenticity and meet Facebook's requirements for having a Verified Badge.

### Page you're requesting to verify

Note: Right now, we don't support verification requests for other types of Pages (ex: businesses, brands, organizations).

You have no eligible admined pages.

To confirm your request, please attach one of the following official documents:

- Drivers License
- Passport
- Birth Certificate
- Articles of Incorporation (if you represent a media, entertainment or sports company)

### Official website

If applicable, please provide a link to your official website

[Learn more about verified Pages and profiles.](#)



# PURPOSE OF A SOCIAL MEDIA POLICY

- Social media policies are important to:
  - Govern the administration, monitoring, and retention of site content
  - Set ground rules for public input and comments
  - Establish policies for employee use of social media

**TAKE HOME TIP:** Draft your purpose statement first – all of the substantive policies should further your purpose.

Ex: The purpose of the government's Facebook page is to disseminate information to residents and others about government activities and events.

# COMMENT POLICY

The policy should identify the type of content that is not allowed and will be subject to removal.

TAKE HOME TIP: Make sure your comment policy/TOS (or a link to that policy) is posted on your social media sites.

BONUS TAKE HOME TIP: Be specific if you plan to remove comments.

THIS: Discriminatory or racist comments will be removed.

NOT THIS: Criticism of the government will not be tolerated.

# **EXAMPLE - COMMENT POLICY**

Comments containing any of the following inappropriate content will not be permitted and are subject to removal and/or restriction:

1. Comments not related to the original topic, including random or unintelligible comments;
2. Profane, obscene, violent, sexual, or pornographic content and/or language;
3. Content that promotes, fosters, or perpetuates discrimination on the basis of race, color, age, religion, gender, sexual orientation, or national origin;
4. Defamatory statements or personal attacks;
5. Threats to any person or organization;
6. Solicitation of commerce, including advertising of any business or product for sale;
7. Conduct in violation of any federal, state, or local law;
8. Encouragement of illegal activity;
9. Information that may tend to compromise the safety or security of public or public systems;
10. Spam or links to other sites;
11. The promotion of services, products, or activities not related to government business;
12. Content in support of or opposition to political campaigns or ballot measures;
13. Information about a user that is private or personal; or
14. Content that violates a legal ownership interest, such as a copyright or trademark.

# **APPROVAL AND ADMINISTRATION**

- An administrator should be appointed to oversee and supervise your social media sites.
- The administrator should be trained on the policy and his or her responsibilities.

TAKE HOME TIP: The intern should not be in charge of your social media sites.

# EMPLOYEE USAGE POLICY

- Establish clear guidelines and boundaries for employee social media activities.
- Protect confidential and sensitive government information.
- Remember that public employees have “special” protections for their activities – (1) right to engage in protected concerted activity and (2) right to speak on matters of public concern.

# QUESTIONS

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