

BLOCKED LISTS MANAGEMENT

OVERVIEW

Social media has become an essential communication tool for public entities to keep their community informed and engaged. And while there are tremendous benefits to social media, it also brings an avalanche of misinformation, opposing viewpoints, and extremist speech. Which makes it more extremely tempting for public officials to block users. And as we've seen occur so often in the news, blocking users is also the number one way folks get afoul with First Amendment lawsuits. The fact is, public entities are responsible for identifying any records that have been hidden or deleted, as well as any users that have been blocked and when.

In order to protect your entity from trolls or First Amendment related requests, ArchiveSocial created Blocked Lists. Blocked Lists is a feature of the ArchiveSocial archiving product that provides the lists of users and pages blocked by a social media account, as well as when and why the block occurred. Because we know that trying to remember everyone you've blocked across your social media can be A LOT to manage. And since social networks don't report this information, it can be very difficult to tell when something has been hidden or edited. Not only does this lead to a compliance gap, but it can also remove any examples of trolling that caused you to block a user.

Blocked Lists lets you get a handle on who you've blocked, when it happened, and the records associated with these users. As well as who everyone else in your organization is blocking, even for accounts you may not normally have access to, so you can ensure your internal policy is followed correctly and even help avoid legal risk. With Blocked Lists, you can monitor and manage every blocked user and page in one secure place - your archive! And with advanced search, you can quickly find and export this data whenever you need it, along with the comments that resulted in the block.

BENEFITS

Blocked Lists helps you:

- 1. ELIMINATE MANUAL WORK.** Create and maintain a single list of all blocked users and pages, for all of your managed accounts in one secure location, that is updated daily and available to access and export at any time.
- 2. MANAGE TROLLS.** Keep track of the timeline for when a particular user or page was blocked or unblocked from an account, as well as your account's communications to and from a blocked user or page.
- 3. PROVIDE EVIDENCE.** Have confidence in your block and equip your entity with clear timelines and strong supporting evidence to defend your actions and prove a false claim, timeline of events, or if your social media policy was followed correctly.
- 4. GAIN FULL SUPERVISION.** Leverage insight you may not normally have to see who's blocking users for every account across your entire organization, so you can ensure your internal policy is followed correctly and even help avoid legal risk.



Why Your Public Entity Needs Blocked Lists

IN THE NEWS



"Irvine Mayor Sued Over Facebook Blocking & Deleting of Comments"

The City of Irvine, CA settled a lawsuit against former Mayor, Christina Shea over blocking constituents on social media following protests. The Knight First Amendment Institute said, "The First Amendment applies to public officials who use their social media accounts as an extension of their office." Mayor Shea was asked to unblock the constituents and "The city settled for nearly \$40,000. Irvine also spent more than \$80,000 in legal fees." As social media posts are public records, preserving them and what users have been blocked may be critical to protecting your entity from lawsuit or erosion of trust.

LATimes.com "Irvine settles lawsuit that accused former Irvine mayor of violating a resident's 1st Amendment rights," Jan. 12, 2021



"Orland Park Violated FOIA, Lists of Blocked Social Media Accounts are Public Records"

The IL State Attorney General determined Orland Park, IL violated FOIA laws after it failed to fulfill a record request for a list of blocked users on its social media accounts. The village of Orland Park argued that the lists are not subject to records law, but The Attorney General determined that as the owner of the accounts, The Village chooses which users to block, thus creating the record they are obligated to fill. Having a policy in place, an archive, and an alerting tool can help protect your entity against social media misuse.

The Wichita Eagle, "Woman sues a Kansas city and mayor over deleted Facebook posts on COVID-19 response", May 25, 2020



"Federal Lawsuits Filed Against Savannah Mayor Over Free Speech Violations"

A second federal lawsuit has been filed against Savannah Mayor Van Johnson alleging free speech concerns and the First Amendment for censoring a woman and more than 200 others on his official 'Mayor Van Johnson' communications pages where he conducts official city business. When Johnson refused to unblock these users, they went to court. There, the courts established that citizens have a First Amendment right to interact with government officials in a political forum. Public officials are held accountable the same way their agencies are.

AllOnGeorgia, "Federal Lawsuits Filed Against Savannah Mayor Over Free Speech Violations", July 24, 2020



"Records request filed for superintendent blocking on Twitter"

Superintendent of Elmhurst School District 205, Dave Moyer, blocked users from his Twitter account, which is linked to the school district's website. A public records request was filed with the school district to get the list of Twitter users blocked from Moyer's account. School district social media posts & messages, as well as replies and comments to these posts, are public record and may be subject to public record laws, eDiscovery requests, First Amendment protections, and other related lawsuits.

Patch.com, "Who Is D-205 Leader Blocking on Twitter?", Aug 31, 2020

