Elected Officials and Social Media

September 24, 2019

Dear Amazon, I bought a toilet seat because I needed one. Necessity, not desire. I do not collect them. I am not a toilet seat addict. No matter how temptingly you email me, I'm not going to think, oh go on then, just one more toilet seat, I'll treat myself.
Social Media Issues

• Grand juror informed suspect’s girlfriend through Facebook to warn that her boyfriend had been set up by a snitch and sent photos of proposed indictment.
  • https://www.justice.gov/usao-sdfl/pr/former-grand-juror-pleads-guilty-obstruction-justice

• Judge reprimanded for issuing a comment on the release of a suspected murderer from jail awaiting trial.
  • https://courts.ky.gov/commissionscommittees/JCC/Documents/Public_Information/PublicReprimandMcLaughlin061218.pdf
Official Social Media

- Personal v. Official
    - With one broad stroke, *North Carolina* bars access to what for many are the principal sources for knowing current events, checking ads for employment, speaking and listening in the modern public square, and otherwise exploring the vast realms of human thought and knowledge. Foreclosing access to social media altogether thus prevents users from engaging in the legitimate exercise of First Amendment rights. at 1732.

- Blocking v. Muting

Blocking on Twitter

- "The irony in all of this is that we write at a time in the history of this nation when the conduct of our government and its officials is subject to wide-open, robust debate," they wrote. “This debate encompasses an extraordinarily broad range of ideas and viewpoints and generates a level of passion and intensity the likes of which have rarely been seen. This debate, as uncomfortable and as unpleasant as it frequently may be, is nonetheless a good thing. In resolving this appeal, we remind the litigants and the public that if the First Amendment means anything, it means that the best response to disfavored speech on matters of public concern is more speech, not less.” *Knight et al v. Trump*, slip op. at 29, (4th Cir. July 9, 2019).
Personal v. Official

- Trappings of office
  - Title/Seal
  - Name only
- Content
  - Official—policy positions/ribbon cuttings
  - Personal—family pics
- Security Settings
  - Open page (except...)
  - Private with limited followers
- Beware crossover

Confidentiality

- Apps/Phones/Internet are constantly listening
  - Hey Siri/Alexa/Cortana/Ok Google
  - Apps link with other apps
  - Understand universal login
    - Login with Facebook/Google
    - Often carries an express or implicit information sharing consent
  - Can you reconcile “reasonable efforts” to protect confidentiality with the knowledge that this sharing/listening is occurring?
- DNA/Genetic testing
Reality check

• How concerned are we...
  • Transaction: “free use” in exchange for information...
  • Convenience trade off
• Cambridge Analytica/#deletefacebook
  • Unique users increased 7%
  • Ad targeting continues to increase
  • Little to no impact...

Check/Wipe your listening devices

• Alexa, Google Home, Siri
• Understand what information is being logged
  • Alexa: App, go to Menu > Settings > History
    • View all of your questions/commands/orders
  • Amazon Devices Page
    • Your Devices Tab, click ellipsis button next to your Alexa, Manage Voice Recordings, Delete to wipe.
• Google Home—Factory reset wipes to default and requires setting up again
  • Press and hold microphone mute for 15 seconds, hear assistant confirm reset.
Cross Logins

Google: Email login = Google login—automatically logging you in across Google universe.

Have you read app privacy policy lately?

Note:
Location and beacon services access
Access to address book/contacts
Access and sharing of user names, passwords, addresses, email addresses, financial information, employer name
Referred to as “user information.”
Requirements to have functionality within the app = the convenience transaction!
Who is tracking you...

Protecting Yourself

• Password protect
  • Password strength/uniqueness/length
• Check Privacy/Location Settings
• Wipe old/trashed/recycled devices
• Keep OS up to date
• Delete stored information from shared platforms
  • Rental car
• Encryption?
• Public Wifi
“We need to rethink our strategy of hoping the Internet will just go away.”