

CITY OF LOMA LINDA
ADMINISTRATIVE PROCEDURE/POLICY

SUBJECT: SOCIAL MEDIA COMMENT AND CONTENT MODERATION POLICY

POLICY OBJECTIVE

The City of Loma Linda maintains multiple city sponsored social media sites as a way to provide communication on events and information important to those inside and outside the community.

This document establishes citywide social media use policies, protocols and procedures intended to mitigate associated risks from use of this technology where possible. Should the City change its direction on social media use, this policy will be revised and social media activity shall be adjusted accordingly.

The following guidelines refer to official social media pages of the City of Loma Linda.

PROCEDURE/POLICY

COMMENT AND CONTENT MODERATION POLICY

THIS SITE IS *NOT* MONITORED IN REAL TIME. IF YOU HAVE AN EMERGENCY OR KNOW OF A CRIME IN PROGRESS, PLEASE CALL 911 IMMEDIATELY.

OUR SOCIAL MEDIA SITE IS A MODERATED ONLINE DISCUSSION SITE AND IS DESIGNATED AS A LIMITED PUBLIC FORUM.

The purpose of City of Loma Linda's social media page is to share news, information, and updates regarding the activities, policies and programs of City of Loma Linda. However, the information and content contained in our social media site is only intended to supplement, not to replace, the information available through official City of Loma Linda channels, in general, and City of Loma Linda's official website (www.lomalinda-ca.gov).

If you are a reporter, please direct your inquiries to pio@lomalinda-ca.gov we do not post nor respond to reporters' questions on our social media sites.

City of Loma Linda is not responsible for comments, remarks, messages, or other material posted to its social media site and does not, in any way, guarantee, ensure, or warrant the content, accuracy, or use of social media content from anyone else. City of Loma Linda specifically disclaims all liability for claims or damages that may result from any posting on its social media site. Opinions expressed on our social media site are those of the person posting and do not reflect the opinions, practices, or policies of City of Loma Linda. In no event shall City of Loma Linda be liable to you or anyone else for any decision made or action taken in reliance on information on our social media site.

By accessing, viewing and/or posting content to our social media page, you accept, without limitation or qualification, these terms and conditions of use, as well as any other terms of use required by the company that owns and operates the social media site. If you do not agree to the terms of this Policy, do not view or post any content. Your use of our social

media site is deemed acceptance of these terms and conditions and to have the same effect as if you had actually signed a written agreement.

These terms and conditions are in addition to the third-party policies, terms, and conditions of any social media provider (i.e. Facebook, LinkedIn, Twitter, YouTube, etc.). City of Loma Linda does not operate or control this social media site and is subject to the terms of use for this site by the provider. City of Loma Linda does not control the terms and conditions of the social media site provider.

Your Comments Are Public and Reviewed

Our social media site is a public page and viewable by anyone. Comments and shared information also become part of a public record and may be archived in order to abide with applicable laws, e-discovery requirements, and document retention policies. **Information shared through our social media site may be subject to release to those who request it through the California Public Records Act or other public information statutes.** Your use of our social media site and the posting of any content is deemed a waiver by you of any rights to privacy or confidentiality.

Please be aware that we review all comments after you post them. Because the site is visible to all ages, we expect persons who leave comments to do so with respect, good manners, and careful thought as to who might be viewing them.

Consistent with the purpose of this Limited Public Forum, we reserve the right to moderate, monitor, remove, prohibit, restrict, block, suspend, terminate, delete, discontinue or reject comments and access to comments if they are:

- i. Profane, obscene, pornographic, abusive, threatening, racist, defamatory, and offensive or contain violent language;
- ii. Trolling (posts that are deliberately offensive, provocative, or disruptive and intended to hijack our content, deflect our information off-track, upset someone or create angry responses from other individuals);
- iii. Messages that violate or encourage violation of existing laws or regulations, including the legal rights of others;
- iv. Violations of the intellectual property rights of others;
- v. Messages that contain advertisements or spam (unsolicited messages that are usually intended as advertising or messages that are repeatedly posted on the same site);
- vi. Attacks or calls-to-action for attacks on specific groups or any individual;

- vii. Intended to harass, threaten or abuse an individual or are defamatory, derogatory, or are personal attacks on any City of Loma Linda official, employee, resident, or business person;
- viii. Hateful or discriminatory comments regarding or comments that promote, foster, or perpetuate discrimination or harassment on the basis of race, ethnicity, religion, gender, age, disability, sexual orientation, political beliefs, or any other protected class under local, state, or federal law;
- ix. Links or comments containing sexually explicit content or material;
- x. Links to malicious software or sites;
- xi. Cyber-stalking or threats to an individual or organization, or intended to collect or post private information and data without disclosure (e.g., doxxing);
- xii. Messages that contain any personal information, except to the names and City contact information for specified City personnel that are available for contact by the public;
- xiii. Messages that relate to confidential, private, or proprietary information;
- xiv. Messages that contain content that is not directly related to or in furtherance of the purpose of the City's social media sites, or that is otherwise unrelated to City business;
- xv. Messages that relate to personnel matters, or matters implicating personal privacy rights;
- xvi. Messages that contain content of a political nature, of any kind, including but not limited to comments in support of, or opposition to, political campaigns, candidates or ballot measures;
- xvii. Self-promotion;
- xviii. Solicitation of funds;
- xix. Unsolicited business proposals and inquiries;
- xx. Messages that contain links to websites or links that do not directly relate to City service, issues, news, and events;
- xxi. Reports of criminal or suspicious activity (please contact your local police agency directly with this type of information);

- xxii. Comments which may reasonably interfere with, inhibit, or compromise law enforcement investigations, police tactics, police responses to incidents and/or the safety of law enforcements staff and officers;
- xxiii. Encouragement of illegal or unlawful activity;
- xxiv. Any form of legal and/or administrative notices or processes;
- xxv. Posts not in compliance with our social media host's own terms and conditions; and
- xxvi. Posts that attempt to or do take over a thread in ways that are contrary to these terms and conditions (including random or unintelligible posts).

The above list is not necessarily exhaustive and City of Loma Linda reserves the right to remove or restrict any post or comment that violates the purpose or spirit of these terms and conditions.

Individuals who comment or post to our social media site and who repeatedly violate these terms and conditions may, among other actions, be blocked, prohibited from posting future comments, or be reported to the social media provider.

We do not edit or modify comments for the purpose of removing objectionable or inappropriate content and leaving non-objectionable or appropriate content. If you want your comments to remain posted, please ensure that you comply with this policy.

While comments may be posted at any time because of the nature of social media, we will review and screen comments during regular business hours, Monday through Thursday, 7:00 am to 5:30 pm Pacific Standard Time.

Information contained on our social media site may be intercepted, recorded, read, copied, and disclosed by and to authorized personnel for any official purpose, including criminal investigations. Unauthorized access or use of our social media site, including attempting unauthorized copying, altering, destroying, or damaging site content may violate the Federal Computer Fraud and Abuse Act of 1986 and may subject violators to criminal, civil, and/or administrative action.

Privacy

Do not include personally identifiable information in the body of your social media comments. This is for your own protection and privacy.

Endorsements

City of Loma Linda does not endorse commercial entities, products, services, or other non-governmental organizations or individuals through social media. Any references to commercial entities, products, services, or non-governmental organizations or individuals are solely for informational purposes or posted by the social media provider.

Our Comments Are Not Legal Advice and Your Comments Are Not Official Notice

Postings, interactions, and messages made through social media sites do not constitute legal advice. Likewise, anything you post is not considered an official notice or comment to City of Loma Linda or to any official or to any City staff for any purpose. City of Loma Linda disclaims all warranties, expressed or implied, for any of the information and content provided in its social media site.

You can contact the City of Loma Linda Public Information Officer (PIO) by visiting www.lomalinda-ca.gov or calling 909-799-2850.

You May Own Your Comments but We Can Use Them

You own all of the comments, content, messages, and similar information that *you* post on our social media site (subject to any terms or conditions of the social media provider). You are responsible for how you control the sharing of that content through the privacy and application settings of the social media provider.

By posting on our social media site, you grant City of Loma Linda a non-exclusive, transferable, sub-licensable, royalty-free, worldwide license to use that content. That means City of Loma Linda can reproduce, distribute, publish, display, and otherwise use your content. **If you do not wish to have the content you have posted used, published, copied and/or reprinted, please do not post on our social media page.**

Advertisement and Link Disclaimer

The information provided on our social media site and any links or references thereon are provided as a courtesy to our visitors. City of Loma Linda does not endorse, recommend, nor approve of any person, any product, or any service mentioned on our social media site nor referenced or contained on any other website or social media page.

City of Loma Linda does not endorse nor support any advertising that may be contained on its social media site nor on any of the pages of any linked or referenced sites. City of Loma Linda does not generally link to the following:

Candidate or nominee sites nor sites advocating a position on Loma Linda City Council or ballot issues;

Corporate commercial sites (Please note that organizations may include links to member or sponsor organizations, as well as special events. However, such links are not an endorsement or recommendation by City of Loma Linda); or

Personal home pages.

External links may be provided at times and are posted only as additional information or resource material.

City of Loma Linda does not attest to the accuracy of information provided by any links. Should you access another site through a link, you are subject to that destination site's own privacy policy and terms of use.

Intellectual Property Use

Images, photographs, written works and graphics used by us on our social media site, unless otherwise noted, are the property of City of Loma Linda and are protected under both United States and International Copyright Laws. Our images, photographs, written works and graphics may not be reproduced, copied, transmitted or manipulated without the written permission of City of Loma Linda. Use of any image or content from our social media site as the basis for any other, literary writing, photograph or illustration (in any format) is a violation of the United States and International Copyright laws.

For questions pertaining to our intellectual property rights or for permission to reproduce our social media please contact us at 909-799-2850 or pio@lomalinda-ca.gov

Indemnification

By using our social media site, you agree that you must defend, indemnify, and hold City of Loma Linda and its officers, directors, employees, contractors, representatives, agents, successors and assigns harmless from and against any and all losses, claims, damages, settlements, costs, and liabilities of any nature whatsoever (including reasonable attorneys' fees) to which they may become subject and which arise out of, are based upon, are as a result of, or are in any way connected with your use of our social media site, including any third party claims of infringement or any breach of these terms and conditions.

Jurisdiction

By using our social media site, you agree that any claim or dispute relating to the posting of any content on our social media site shall be construed in accordance with the laws of the State of California without regard to its conflict of laws provisions, and you agree to be bound and shall be subject to the exclusive jurisdiction of the state and federal courts located in San Bernardino County, California.

This Policy Is Subject to Amendment

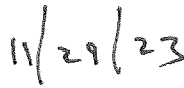
This policy may be updated or amended at any time without notice. Each time you access or use our social media site, the policy then in place at the time of such access or use will govern your usage and posting.

AUTHORITY/RESPONSIBILITY

The City Manager, or his designee, is responsible for facilitating the City's Social Media Policy in compliance with established rules and protocols.



T. Jarb Thaipejr, City Manager



Date