

State of Utah
Office of the Lieutenant Governor



Spencer J. Cox
Lieutenant Governor

**Office of the Lieutenant Governor of Utah
Social Media Public Comment Policy**

This document constitutes the Office of the Lieutenant Governor (“LG’s Office”) of Utah’s Social Media Public Comment Policy. The LG’s Office reserves the right to modify this policy without notice. Any changes will become effective upon publication.

STANDARDS

The purpose of the Office of the Lieutenant Governor of Utah’s official social media platforms is to provide information of public interest to Utahns and other members of the general public. The posts, photos, tweets, and other original content and direct reposts are controlled by the Lt. Governor, Office of the Lt. Governor or members of staff and are provided to fulfill this purpose. We encourage commenters to submit comments and questions regarding posted topics and to share posted information with others.

The LG’s Office welcomes participation on the issues presented and encourages commenters to use a civil tone, appropriate for a broad audience.

Comments may be moderated or removed if they contain, constitute, or link to content that:

- Is off-topic or unrelated to the LG’s Office and its services, projects, initiatives, events, or activities;
- Undertakes, promotes, fosters, or perpetuates:
 - illegal activity or violence;
 - sexual or personal harassment;
 - slanderous or defamatory attacks; or
 - discrimination against protected classes;

- Violates a legal ownership interest of any other party (e.g., copyright or trademark infringement);
- Improperly discloses private, protected, or confidential information as defined by State law;
- Tends or attempts to compromise the safety or security of the public or public systems;
- Includes profanity, nudity, indecency, or obscenity;
- Advertises, promotes, or solicits commercial activities or products;
- Promotes a candidate for public office; or
- Is disruptively repetitive.

GUIDANCE AND TENOR

The LG's Office will promote a level of commenting decorum conducive to a culture of participatory local self-governance. Except as described in this policy, the LG's Office does not discriminate on the basis of a commenter's identity or viewpoint. Comments that express disagreement with a particular position will not be removed, so long as the comment meets the standards listed above.

VIOLATIONS

The standards outlined above will be monitored and enforced. Violators of this policy may have their comments removed from the LG's Office's official social media platforms as described below. Continued or egregious violations of this policy may prompt the agency to further restrict an individual's ability to participate on official social media platforms, as described below.

PROCESS FOR REMOVING COMMENTS OR BANNING USERS

When there may be a violation of the policy standards, the moderator may invite the commenter to engage in a more productive manner or may request the commenter to voluntarily remove the improper content. Alternatively, the moderator may capture the content to create a record and then remove the content, subject to reinstatement either through discussion with the moderator, staff designee or through appeal. If a commenter commits more than three violations in one month, the Lieutenant Governor's Office will block or mute the commenter's account.

Additionally, the LG's Office reserves the right to forward or report to the social media platform any content that may violate the terms of service of the provider, and will forward all content that may violate state or federal law to the appropriate law enforcement agency for prosecution.

APPEAL AND ACCESS RESTORATION PROCESS

A commenter whose comment or account has been hidden or blocked may submit a notice of appeal to restore or unblock the comment or account by sending an e-mail within five business

days of the adverse action to the Lt. Governor's special assistant (staff designee) at tricks@utah.gov.

Within ten business days of receipt of a timely appeal, the staff designee will make a decision on the appeal and send written notice of the decision to the commenter who submitted the appeal. If the designee fails to make a decision or the LG's Office fails to send written notice within ten business days of receipt of a timely appeal, the failure is the equivalent of a decision to deny the appeal.

A commenter may appeal a decision of the staff designee to the Chief of Staff for the Lieutenant Governor by sending an e-mail to rappleye@utah.gov within five business days after receipt of the PIO's decision.

Within ten business days after receipt of a timely appeal of the staff designee's decision, the Chief of Staff will make a decision on the appeal and send written notice of the decision to the commenter who submitted the appeal. If the Chief of Staff fails to make a decision or the LG's Office fails to send written notice within ten business days of receipt of a timely appeal, the failure is the equivalent of a decision to deny the appeal.

The LG's Office will restore a hidden comment to public view within ten business days of receipt of a timely appeal if the staff designee or Chief of Staff determines that the comment did not violate the standards described above.

The LG's Office will unblock a blocked account within ten business days of receipt of a timely appeal if the staff designee or Chief of Staff determines (a) that there are sufficient grounds for reinstatement or (b) a sufficient period of time has passed.

"Sufficient grounds for reinstatement" include, but are not limited to, a statement indicating that the user will abide by this policy in the future. However, if a user violates the policy after having made such a statement, further statements as grounds for reinstatement may be deemed insufficient.

"A sufficient period of time" is any time after (a) one month after the account was blocked for the first violation of these standards or (b) six months if the account had previously been blocked for violation of these standards.

REPORTING INAPPROPRIATE CONDUCT

The LG's Office does not guarantee that comments are monitored regularly. Users may report inappropriate content to the moderators of the social media website, or contact the Lt.

Governor's Office to identify comments or other conduct in violation of this policy or of the law. Regardless of whether a comment is removed, any comments made in response to the alleged inappropriate conduct are expected to comply with this policy.

GENERAL NOTICES

While the LG's Office may respond to constituent requests made in comments, it is under no obligation to do so. Individuals seeking help from the LG's Office should contact the office by sending an e-mail to spencercox@utah.gov or calling (801)-538-1000.

The LG's Office may or may not participate in public discussions due in part to court-granted protective orders on certain topics such as ongoing investigations, pending litigation, or other legal or ethical obligations.

Comments are the opinion of the commenter and do not necessarily reflect the opinion or policy of the Lieutenant Governor of Utah, the LG's Office, its officers, employees, or agents.

Comments may be public record subject to public disclosure under the Utah Government Records Access and Management Act (GRAMA).

Legal notices and other requests, such as requests for records under GRAMA, Notices of Claim required as a condition to bring suit against the State, an arm of the State, or its employees, or service of summonses or subpoenas may not be made through social media comments and will not constitute valid compliance with statutory notice and service requirements.

Comments made on this page do not constitute official notice or comment for any rulemaking.

Any information posted on any LG's Office social media platform is provided on an "as is" basis, and all individuals who view the material assume the risk of use or reliance on such information. The Lieutenant Governor of Utah, the LG's Office, and its officers, employees, or agents are not liable for any injury or damage resulting from viewing, distributing, or copying materials on a social media platform or account, including without limitation, liability for indirect, special, incidental, or consequential damages. The LG's Office makes no warranty that information posted, or comments amended to any postings, are free of copyright claims or other restrictions on free use.

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