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Facebook vs. the First Amendment

For public agencies, the intersection of the First Amendment and social media raises novel legal issues. In every aspect of social media use involving public agencies or public employees, the First Amendment plays a role. Whether it is the question of when a public comment can be deleted off an agency's Facebook page or whether an employee's Tweet is entitled to First Amendment protections, public agencies need to consider the impact of the First Amendment when dealing with social media issues. In this session, we will delve into the impact of the First Amendment on both a public agency's presence on social media and a public employee's personal use of social media. We will address recent case developments involving take-down litigation, as well as banning and blocking users.

Public Agency Risk Management Association

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