



November 11, 2021

Chief Michel R. Moore
100 West 1st Street
Los Angeles, CA 90012

Dear Chief Moore,

According to the Brennan Center for Justice and media reports the Los Angeles Police Department (“LAPD”) has been instructing its officers to create fake (or “dummy”) Facebook accounts and impersonate legitimate users. Not only do LAPD instructional documents use Facebook as an explicit example in advising officers to set up fake social media accounts, but documents also indicate that LAPD policies simply allow officers to create fake accounts for “online investigative activity.”¹ To the extent these practices are ongoing they violate our terms of service. While the legitimacy of such policies may be up to the LAPD, officers must abide by Facebook’s policies when creating accounts on our services. The Police Department should cease all activities on Facebook that involve the use of fake accounts, impersonation of others, and collection of data for surveillance purposes.

People come to the Facebook platform to connect and share with real people using their authentic identities. This core principle is what differentiates Facebook from other services on the Internet. We believe strongly in the principle of free expression and strive to create an environment where people can act on their freedoms. People on our platforms speak their minds, connect with others to promote common causes, share their personal experiences, and organize First Amendment protected activities. It is our intention that they do so in a space that is free from unlawful surveillance by the government or agents acting in inauthentic ways.

Our authenticity policies are intended to create a safe environment where people can trust and hold one another accountable. Operating fake accounts violates the terms and policies that govern the Facebook service, and undermines trust in our community (<https://transparency.fb.com/policies/community-standards/account-integrity-and-authentic-identity/>).

Anyone who creates a Facebook account agrees to abide by our Community Standards, which expressly prohibit the creation and use of fake accounts. Facebook has made clear

¹ *LAPD Social Media Monitoring Documents*, Brennan Center (Sept. 15, 2021) available at <https://www.brennancenter.org/our-work/research-reports/lapd-social-media-monitoring-documents>.

that law enforcement authorities are subject to these policies. The Community Standards provide as follows:

- Do not misrepresent your identity by using a name that does not abide by our name policies (<https://www.facebook.com/help/112146705538576>) or providing a false date of birth.
- Do not misuse our profiles product by:
 - Creating a profile for someone under thirteen years old
 - Maintaining multiple accounts
 - Creating inauthentic profiles
 - Sharing an account with any other person
 - Creating another account after being banned from the site
 - Evading the registration requirements outlined in our Terms of Service (<https://www.facebook.com/legal/terms>)
- Do not impersonate others by:
 - Using their images with the explicit aim to deceive people
 - Creating a profile assuming the persona of or speaking for another person or entity
 - Creating a Page assuming to be or speak for another person or entity for whom the user is not authorized to do so.
- Do not engage in inauthentic behavior (<https://transparency.fb.com/policies/community-standards/inauthentic-behavior/>), including by creating, managing, or otherwise perpetuating:
 - Accounts that are fake
 - Accounts that have fake names
 - Accounts that participate in, or claim to engage in, inauthentic behavior, meaning the use of Facebook or Instagram accounts are working together to mislead people or Facebook:
 - About the identity, purpose, or origin of the entity that they represent.
 - About the popularity of Facebook or Instagram content or assets.
 - About the purpose of an audience or community.
 - About the source or origin of content.
 - To evade enforcement under our Community Standards.
 - Accounts that engage in, or claim to engage in, Coordinated Inauthentic Behavior, defined as the use of multiple Facebook or Instagram accounts working in concert to engage in Inauthentic Behavior (as defined above) where the use of fake accounts is central to the operation.

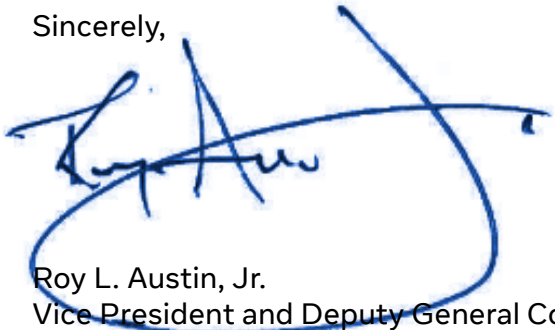
It has also come to our attention that the LAPD has used a third-party vendor to collect data on our platforms regarding our users. Under our policies, developers are prohibited from using data obtained on our platforms for surveillance, including the processing of platform data about people, groups, or events for law enforcement or national security purposes (<https://developers.facebook.com/terms/#control>).

We regard the above activity as a breach of Facebook's terms and policies, and as such, we will disable any fake accounts that we identify and take action against third-party vendor conduct that violates our terms.

In closing, the LAPD, its members, and any others acting on its behalf should immediately cease all activities on Facebook that involve impersonation or that otherwise violate our policies.

Please contact us if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roy L. Austin, Jr.", with a large, stylized flourish extending from the end of the signature.

Roy L. Austin, Jr.
Vice President and Deputy General Counsel
Civil Rights - Legal