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**DOI'S OFFICE OF THE INSPECTOR GENERAL FOR THE NYPD CONCLUDES THAT CERTAIN SOCIAL MEDIA POSTS
BY SEVERAL NYPD EXECUTIVES WERE IRRESPONSIBLE AND UNPROFESSIONAL AND
RECOMMENDS IMPROVEMENTS TO NYPD'S SOCIAL MEDIA USE POLICY**

The Department of Investigation's ("DOI") Office of the Inspector General for the New York City Police Department ("OIG-NYPD") released a Report today concerning the policies related to the New York City Police Department's ("NYPD") social media use and several troubling social media posts that were made by NYPD executives in the first half of calendar year 2024. On May 3, 2024, DOI received a request from New York City Council Speaker Adrienne E. Adams that OIG-NYPD investigate NYPD's "policies, practices, and operations related to its use of social media." The Speaker alleged that the Department's use of its official social media accounts demonstrated "a deeply troubling pattern and practice" of "target[ing] public officials and members of the public with invective that can plainly be construed as intimidating and dangerous." Speaker Adams included several examples of posts by NYPD leadership that in her view were part of that pattern.

DOI's investigation primarily focused on the policies, procedures, practices of NYPD, as well as certain NYPD social media posts and the broader social media conversations — with a City Council Member, journalists and other members of the public — in which those posts occurred.

DOI Commissioner Jocelyn E. Strauber said, "New York City deserves public officials who use social media responsibly, to communicate accurate information and to prompt respectful dialogue on issues of importance to the community, and not as a means to ridicule those with whom they disagree. No aspect of the social media exchanges that DOI reviewed in this investigation served the public. While NYPD rightly has refrained from such exchanges since early May 2024, the Department should strengthen its social media policies, particularly with respect to oversight of executive posts, to ensure that all posts on the Department's social media accounts meet the NYPD's standards of courtesy and professionalism."

OIG-NYPD Inspector General Jeanene L. Barrett said, "In light of NYPD's significance, power, and authority within the City, the Department must maintain a consistently respectful and courteous level of discourse in its official communications. It is inappropriate for NYPD to use its platform to target and demean journalists, elected officials, and other members of the public. The measures NYPD has taken to improve oversight and depersonalize interactions reflect steps in the right direction; however, consistent oversight is key. The advancement of NYPD's policy positions and missions in public statements should always be informative, accurate, and professional."

OIG-NYPD reviewed all of the X posts made between January 2022 through August 2024 for @NYPDChiefofPatrol, @NYPDDaughtry, and @NYPDnews, accounts specifically identified in Speaker Adams' request, as well as the posts of other individuals including journalists and Councilmembers to which these NYPD posts at times were responding. OIG-NYPD also reviewed the NYPD's social media policies, as well as Citywide media policies, among others. OIG-NYPD determined that NYPD's social media policies and practices do not fully comply with the Citywide Policy and that NYPD did not provide sufficient oversight of posts made on executive accounts. This lack of compliance and, in particular, the absence of an internal approval process for executive account posts, contributed, in part, to NYPD's failure to ensure that the

posts on its official executive accounts were courteous, accurate, and fully in compliance with relevant laws and regulations.

The investigation found:

- Certain X posts made by members of NYPD's executive staff on official City accounts were unprofessional and encouraged an unproductive public discourse. They violated Department policies related to being courteous and civil, and raise questions with respect to whether they may be deemed prohibited engagement in political activity by City employees, but DOI reaches no conclusion on this issue.
- Several of NYPD's practices regarding social media are not in compliance with the Citywide Social Media Policy, applicable to all City agencies.
- NYPD's official use of social media policy (dated December 2, 2022) has not been updated to include all of the requirements of the most recent Citywide Social Media Policy that was issued on June 2023. Also, NYPD's use of social media policy does not provide rules or guidance about what content and language is appropriate to be posted from an official Department account.
- NYPD executives with individual social media accounts operate their accounts without sufficient oversight and outside the supervision of the office of NYPD's Deputy Commissioner of Public Information.
- NYPD does not provide formal training to NYPD executives with individual social media accounts regarding appropriate content for posting and the public impact of social media communications.

DOI issued six policy and procedure recommendations, specifically that NYPD should:

- Memorialize in writing an internal review and approval process for posts on executive accounts.
- Update all relevant Patrol Guide Procedure and Administrative Guide Procedure sections to align with the requirements of the Citywide Social Media Policy.
- Review the Citywide Social Media Policy and ensure NYPD is in compliance with all of its requirements.
- Update the Department's social media use policy to include rules and guidance about appropriate content and language for posting on official Department social media accounts.
- Assign Digital Communications Officers to all social media accounts, including at the executive level, to ensure that social media posts are consistent with Citywide and Department policy. This requirement should be memorialized in writing.
- Train all staff that use official agency social media as to the requirements of the Citywide Social Media Policy, the Department's social media policy, and best practices.

This Report was prepared by Deputy Inspector General Percival Rennie of DOI's Office of the Inspector General for the NYPD, with the assistance of Investigative Project Analyst Crystal Ynoa, Data Analyst Stephen Elin, and guidance provided by Special Counsel to the Inspectors General Maria Paolillo, and Director of Intergovernmental Affairs and Special Counsel Rebecca Chasan. The Report was supervised by Inspector General Jeanene L. Barrett, First Deputy Inspector General Annette B. Almazan, Deputy Commissioner of Strategic Initiatives Christopher Ryan, and Deputy Commissioner/Chief of Investigations Dominick Zarrella.

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New York City Department of Investigation
Office of the Inspector General for the NYPD



An Assessment of NYPD's Use of Social Media

January 2025

Jocelyn E. Strauber
Commissioner

Jeanene L. Barrett
Inspector General

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I. Executive Summary

“We can disagree without being disagreeable. It takes courage to stick to your convictions, but it takes humility and wisdom to recognize the humanity of those who hold opposing views.”— former United States Secretary of State Madeleine Albright

In today's digital landscape, social media has become a dominant platform for public discourse, enabling private citizens, public officials, and government agencies to exchange ideas, voice opinions, and engage with one another on critical issues. Social media has expanded opportunities for public and private individuals to express their views and to communicate directly with one another. Indeed, these platforms have become effective vehicles for transparent, constructive, and informative engagement between government agencies and the communities they serve. But use of social media can also heighten emotions and escalate conflicts, leading to disrespectful interactions that might not occur in face-to-face conversations, thereby alienating individuals and groups, and diminishing trust in government. It is therefore critical that government entities use social media respectfully and thoughtfully, in order to foster understanding, dispel misinformation, and to diffuse conflict rather than intensify it.

New York City is fortunate to be home to diverse communities and individuals who hold a wide range of opinions. Our municipal institutions are responsible for serving each and every person. To that end, New York City residents expect and deserve respectful and courteous communication from their public officials—elected and appointed—when they are speaking to the public and to each other, including with respect to matters on which public officials may strongly disagree. This investigation, prompted by a request from New York City Council (“City Council”) Speaker Adrienne Adams, has focused on certain conversations via social media between members of the New York City Police Department’s (“NYPD” or “the Department”) leadership and City Council Members, journalists, and other members of the public. It is the Office of the Inspector General for the New York City Police Department’s (“OIG-NYPD” or “the Office”) view that those conversations on which this report focuses were at times disrespectful and discourteous. This report explores those conversations and proposes policy and procedural reforms to improve the level of conversation involving public officials via social media.

* DOI Commissioner Jocelyn E. Strauber and Inspector General Jeanene L. Barrett thank the staff of OIG-NYPD for their work on this investigation and Report, specifically, Percival Rennie, Deputy Inspector General; Crystal Ynoa, Investigative Project Analyst; Annette B. Almazan, First Deputy Inspector General; Maria Paolillo, Special Counsel to the Inspectors General; and Rebecca Chasan, Director of Intergovernmental Affairs and Special Counsel. Commissioner Strauber and Inspector General Barrett also thank the New York City Police Department and representatives of other organizations for their assistance and cooperation in this investigation.

On May 3, 2024, DOI's OIG-NYPD received a letter from Speaker Adams requesting that the Office investigate NYPD's "policies, practices, and operations related to its use of social media." In the letter, the Speaker alleged that the Department's use of its official social media accounts demonstrated "a deeply troubling pattern and practice" of "target[ing] public officials and members of the public with invective that can plainly be construed as intimidating and dangerous." Speaker Adams included several examples of posts by NYPD leadership that in her view were part of that pattern.

In response to Speaker Adams's request for an investigation of NYPD's use of social media, the Mayor's office publicly requested that any investigation also take into consideration "the small number of council members" who use "social media to make disparaging comments against the hardworking public servants of our city."¹

In light of the jurisdiction and mandate of the Office of the Inspector General for NYPD, this investigation primarily focused on the policies, procedures, and practices of NYPD, as well as certain NYPD social media posts and the broader social media conversations in which those posts occurred. These broader conversations included posts by a City Council Member, journalists, and other members of the public. For NYPD, social media—and specifically the platform X (formerly known as Twitter)—has become an essential tool for communicating crime prevention efforts, addressing community safety, highlighting the good work of the Department, as well as countering what the Department perceives as misinformation and clarifying relevant facts.² NYPD views X as particularly valuable for these purposes due to X's real-time communication capabilities and wide reach.

In light of NYPD's broad and consequential mission "to enhance the quality of life in New York City by working in partnership with the community to enforce the law, preserve peace, protect the people, reduce fear, and maintain order,"³ the Department has a special relationship with, and duty to, the public. NYPD must be mindful that the content and tenor of its public communications can cause fear, and can otherwise negatively impact its relationship with the community, particularly if senior NYPD leadership are deemed to be targeting and ridiculing community leaders and members with whom they disagree. Over the past year, there have been complaints and reports that a small number of the social media posts made by NYPD or its

¹ Rivoli, Dan, NYPD social media posts under probe by city investigator, Spectrum News, (May 8, 2024, 8:35 PM, <https://ny1.com/nyc/all-boroughs/politics/2024/05/08/nypd-social-media-investigation>).

² Meeting with then-Deputy Commissioner of Public Information Tarik Sheppard on August 30, 2024.

³ See PG §200-02, Mission, Vision, and Values of the New York City Police Department, Apr. 3, 2019, page 1. Values. <https://www.nyc.gov/site/nypd/about/about-nypd/mission.page>

executives have been aggressive, combative, and generally not conducive to a productive public discourse.⁴

To provide context for its review of NYPD's social media use and policies, and to inform the findings and recommendations in this report, OIG-NYPD also reviewed the policies and practices of other City agencies. Additionally, the Office analyzed social media posts linked to "conversations" involving NYPD senior leadership, as well as posts to which NYPD responded and that were referenced in the complaints mentioned above. As detailed in this report, NYPD is subject to different policies and regulations than elected officials and members of the public with respect to its use of social media, as well as different legal restrictions with respect to political communications. Similarly, journalists are subject to professional standards with respect to their public communications, but their speech is not governed by the same set of laws, rules, and policies that apply to government officials.

For purposes of social media use, NYPD is governed by the federal Hatch Act, the City's conflicts of interest laws and regulations, NYPD policies, and Citywide policies. OIG-NYPD's investigation revealed a need for NYPD to strengthen its policies and procedures, specifically regarding social content creation and approval, to ensure that Department officials communicating from official Department accounts speak in a manner that is respectful and professional. City officials, including NYPD executives, City Council Members, and others should use social media to convey valuable information to the public, to build trust and to be transparent, and to further a respectful public dialogue and disagreement—not to insult and diminish those with different points of view.

OIG-NYPD's findings include:

1. Certain X posts made by members of NYPD's executive staff on official City accounts were unprofessional and encouraged an unproductive public discourse. The posts violated Department policies related to acting with courtesy and civility. The posts raise questions with respect to whether they may be deemed prohibited engagement in political activity by City employees, but DOI reaches no conclusion on this issue.
2. Several of NYPD's practices regarding social media are not in compliance with the Citywide Social Media Policy to which all City agencies are required to adhere. For example, some NYPD social media accounts are not registered with the Mayor's Office of Creative Communications nor did NYPD seek or

⁴ [Ngo, Emily. With backing of Eric Adams, NYPD brass escalates social media brawls. Politico \(May 8, 2024, 7:53 PM\). https://www.politico.com/news/2024/05/08/eric-adams-nypd-escalate-social-media-brawl-00156895.](https://www.politico.com/news/2024/05/08/eric-adams-nypd-escalate-social-media-brawl-00156895)

receive approval from that office for the creation of individual official social media accounts for executives other than the Commissioner.

3. NYPD's official use of social media policy (dated December 2, 2022) has not been updated to include all of the requirements of the most recent Citywide Social Media Policy that was issued in June 2023. Notably, NYPD's policy does not describe the roles and responsibilities of the staff members who manage the agency's social media communications, the internal approval process for content, or how complaints about NYPD's social media communications should be addressed.
4. NYPD's use of social media policy does not provide rules or guidance about what content and language is appropriate to be posted from an official Department account.
5. NYPD executives with individual social media accounts operate their accounts without sufficient oversight and outside the supervision of the office of NYPD's Deputy Commissioner of Public Information.
6. Aside from a discussion during the Department's Basic Management Operations Course, NYPD does not provide formal training to NYPD executives with individual social media accounts regarding appropriate content for posting and the public impact of social media communications, although it does do so for Digital Communications Officers who are responsible for managing command-level social media accounts.
7. NYPD ceased to engage in social media exchanges that used discourteous language and targeted particular individuals in early May 2024, following public criticism of the posts discussed in this report and a request for a DOI investigation by City Council Speaker Adrienne Adams.

Based on these findings, OIG-NYPD makes the following six recommendations.

1. Memorialize in writing an internal review and approval process for posts on executive accounts.
2. Update all relevant Patrol Guide Procedure and Administrative Guide Procedure sections to align with the requirements of the Citywide Social Media Policy.
3. Review the Citywide Social Media Policy and ensure NYPD complies with all of its requirements.

4. Update the Department's social media use policy to include rules and guidance about appropriate content and language for posting on official Department social media accounts.
5. Assign Digital Communications Officers to all social media accounts, including at the executive level, to ensure that social media posts are consistent with citywide and department policy, and memorialize this requirement in writing.
6. Provide training to all staff using official agency social media regarding the Citywide Social Media Policy, the Department's social media policy, and best practices.

II. Introduction and Background

A. Investigation Initiation

On May 3, 2024, the Office of the Inspector General for the NYPD ("OIG-NYPD" or "the Office") received a letter from City Council Speaker Adrienne Adams requesting that the Office investigate New York City Police Department's ("NYPD" or "the Department") "policies, practices and operations related to its use of social media." In the letter, the Speaker alleged that the Department's use of its official social media accounts demonstrated "a deeply troubling pattern and practice" of "target[ing] public officials and members of the public with invective that can plainly be construed as intimidating and dangerous." The Speaker further alleged that some posts contained inaccurate information, appeared to veer into political activity, and/or violated City laws or policies. Attached to the letter were seven X (formerly known as Twitter) posts that raised concerns about NYPD's use of social media. The posts were associated with the official NYPD X accounts for the Department as a whole (@NYPDnews), then-NYPD Chief of Patrol John Chell (@NYPDChiefPatrol), and NYPD Deputy Commissioner of Operations Kaz Daughtry (@NYPDDaughtry). Five of the referenced posts were made by Chief Chell; three responded to posts made by City Council Member Tiffany Cabán; one criticized a decision allegedly made by Judge J. Mabelle Sweeting; and one responded to a post made by Olayemi Olurin, an attorney and political commentator. One of the referenced posts was made by Deputy Commissioner Daughtry and tagged Harry Siegel, a New York Daily News reporter. The last referenced post was made by NYPDNews and also related to Siegel. Both posts were responding to the reporter's criticism of NYPD efforts on public safety specifically in the transit system.

On May 6, 2024, the Office received a letter from the Legal Aid Society's Cop Accountability Project expressing, among other things, support for Speaker Adams's request for an investigation into NYPD's use of its official social media accounts.

Separately, in response to Speaker Adams's request, the Mayor's Office publicly requested that any investigation also take into consideration "the small number of council members" who use "social media to make disparaging comments against the hardworking public servants of our city."

B. Scope and Methodology

As set forth in the New York City Charter, OIG-NYPD is mandated to investigate, review, study, audit, and make recommendations relating to the operations, policies, programs, and practices of NYPD.⁵ Pursuant to this mandate, and in response to the request from the Speaker, the Office initiated an investigation focused on the Department's policies, procedures, and activities with respect to its use of social media. Specifically, OIG-NYPD reviewed whether NYPD's social media use complied with the Official New York City Citywide Social Media Policy, the Department's own policies, and the City's conflicts of interest laws and regulations. The Office also reviewed other City agencies' social media policies and their use of X.⁶

In addition, the Office conducted a comprehensive review of all the posts made on NYPD X accounts identified in Speaker Adams's letter—the agency-wide account, Chief Chell's account, and Deputy Commissioner Daughtry's account—between January 2022 through August 2024. As part of this review, OIG-NYPD evaluated not only NYPD's X posts, but also the posts to which they responded. While the focus of the analysis was particular to NYPD executive X accounts and the agency-wide account, OIG-NYPD also reviewed command-level policies with relation to social media use. To aid in its review, OIG-NYPD requested records related to NYPD's official social media accounts and met with NYPD leadership, Council Member Cabán, and others who play a role in using or overseeing official City agency social media accounts to understand the intended use of social media citywide, by the Department, and by other City agencies.

⁵ See Local Law 70 of 2013. See also N.Y.C. Charter Ch. 34 §803(b).

⁶ The official use of social media policies of the New York City Council, Administration for Children's Services, the Department of Corrections, the Department of Education, the Department of Investigation, the Department of Sanitation, the Department of Youth and Community Development, and the Fire Department of the City of New York were reviewed and are discussed below.

III. An Analysis Part I – Review of Applicable Laws and Policies

Government speech and the use of social media by government entities and officials is governed by a framework of laws, policies, and procedures. This section of the report reviews the applicable law as relevant to NYPD's social media posts.

A. City Conflicts of Interest Laws, Rules, and Advisory Opinions

In order to “maintain the perception and reality of integrity in City government,” New York City has enacted conflicts of interest laws prohibiting certain conduct by its employees, specifically Chapter 68 of the New York City Charter.⁷ Pursuant to its authority under Chapter 68, the Conflicts of Interest Board (“COIB” or “the Board”), which enforces these laws, has adopted rules and issued advisory opinions to further explain the parameters of such laws.

Among other things, Chapter 68 regulates the appropriate use of City resources and positions and the political activity of public officials in their official capacities. Board Rules §§ 1-13(a) and 1-13(b) prohibit the use of City time and City resources for any non-City purpose. Board Rule § 1-13(a) states that “it shall be a violation of City Charter § 2604(b)(2) for any public servant to pursue personal and private activities during times when the public servant is required to perform services for the City.” Board Rule § 1-13(b) states that “it shall be a violation of City Charter § 2604(b)(2) for any public servant to use City letterhead, personnel, equipment, resources, or supplies for any non-City purpose.”

COIB, through its advisory opinions, has made it clear that political activity always falls within the prohibition of use of City time or resources for any non-City purpose and that there is no “incidental use” exception for political activities.⁸ COIB has also advised that City agencies and elected or high-level appointed officials that operate official City social media accounts (and appropriately use City time, resources, and subordinate personnel to do so) must use these social media accounts only for official business, not for political purposes.⁹ While the rules do not provide an exhaustive definition of a political purpose, political endorsements or campaign fundraisers clearly fall within that definition and therefore cannot be announced via official City social media accounts.¹⁰

The Board distinguishes between different types of social media accounts, including:

⁷ NYC Charter, Chapter 68, Sections 2604(b)(9)-(11)

⁸ See Conflicts of Interest Board Advisory Opinions 2017-1 and 2012-5.

⁹ See Conflicts of Interest Board Advisory Opinion 2017-1, at 4.

¹⁰ See Conflicts of Interest Board Advisory Opinion 2017-1, at 4-7.

- **Official Accounts:** Accounts established for City-related duties, such as an agency's social media page, must contain City business information only, and are considered government property. These accounts cannot be used for political endorsements, fundraising, or campaign activities. For example, "a public servant's political endorsement is a personal action, not an official action, so that a public servant may not issue political endorsements on City letterhead and may not otherwise use City resources [such as an official social media account] or staff in connection with a political endorsement."¹¹
- **Personal Accounts:** While personal accounts are generally separate from City resources, elected officials are permitted to repost content from their official City account on their personal account. However, their staff, who are City employees, cannot contribute content to the official's personal account. If that occurs, that may be a violation of conflicts of interest laws and rules.¹²

B. Federal Hatch Act

The Hatch Act, a federal law passed in 1939, limits certain political activities of federal employees, as well as some states, the District of Columbia, and local government employees who work in connection with federally funded programs.¹³ The law, in part, seeks to ensure that federal programs are administered in a nonpartisan fashion.¹⁴ NYPD employees are covered by the Hatch Act.¹⁵

Among other things, the Hatch Act forbids covered employees from using their authority or influence to interfere with or affect the results of an election.¹⁶ Use of covered employees' official social media accounts are governed by the Hatch Act. According to federal guidance, any social media account created in a covered employee's official capacity should be limited to official business matters in order to

¹¹ Conflicts of Interest Board Advisory Opinion 2017-1, at 4.

¹² *Id.*

¹³ USCS § 1501.

¹⁴ U.S. Office of Special Counsel, Hatch Act Overview, available at: Hatch Act Overview (osc.gov).

¹⁵ Individuals employed by a state or local agency whose principal employment is in connection with an activity financed in whole or in part by loans or grants made by the United States or federal agency are covered by the Hatch Act. Local police department employees are covered by the Hatch Act unless, there exists a "compliance program to shield [the officer] from activities connected to the use of federal funds." US Office of Special Counsel, Advisory Opinion 2015, available at <https://osc.gov/Documents/Hatch%20Act/Advisory%20Opinions/Federal/Social%20Media%20and%20Email%20FAQs.pdf> NYPD receives federal funding and this exception does not apply, therefore its employees are covered by the Hatch Act.

¹⁶ The Hatch Act forbids using social media accounts to engage in political activity. Covered employees may not (1) use their authority or influence to interfere with or affect the result of an election, (2) coerce, command, or advise a state or local employee to make political contributions, or (3) run for elective office, unless the election involves only nonpartisan candidates. USCS § 1501-1502; *see also Perkins v. Office of Special Counsel*, 522 F.3d 1373, 1375 (Fed. Cir. 2008).

remain politically neutral. Any political activity must be confined to employee's personal social media account, subject to any other applicable limitations. Federal guidance further explains that "political activity" refers to any activity directed at the success or failure of a political party or partisan political group or candidate in a partisan race.¹⁷

C. Official New York City Citywide Social Media Policy

All City agencies are required to follow the Official New York City Citywide Social Media Policy ("the Citywide Policy"), which was last updated in June 2023. The Citywide Policy "provides overall guidance for official New York City government social media accounts."¹⁸ It applies to "anyone managing a social media account for an agency," but does not apply to "[i]ndividuals using their own personal accounts."¹⁹

According to the Citywide Policy, social media allows agencies "to develop stronger and more successful relationships with residents, visitors, and other customers," by:

- Promoting agency programs and initiatives;
- Providing agency customers with an additional medium to interact with the City;
- Acting as a service provider and connecting New Yorkers with programs or information;
- Complementing and integrating traditional media for wider message distribution; and
- Engaging in national and regional discussions on relevant City issues.²⁰

The policy requires that all official City social media accounts and their respective points of contact be registered with the Mayor's Office of Creative Communications ("Creative Comms"), which is tasked with maintaining an account directory. Those accounts must be linked to a social media management platform called Hootsuite by an agency's registered user.²¹ Hootsuite enables the City to streamline the management of its social media accounts. The Citywide Policy also requires that every City agency have a designated representative for its respective agency's digital

¹⁷ US Office of Special Counsel, Advisory Opinion 2015, available at <https://osc.gov/Documents/Hatch%20Act/Advisory%20Opinions/Federal/Social%20Media%20and%20Email%20FAQs.pdf>

¹⁸ See Official New York City Citywide Social Media Policy, Jun. 2023, 1, at Introduction.

¹⁹ Id.

²⁰ See Official New York City Citywide Social Media Policy, Jun. 2023, 1, at Introduction.

²¹ See Official New York City Citywide Social Media Policy, Jun. 2023, 1, at Administration of Social Media and 3, at Hootsuite. Hootsuite is a social media management tool that provides its users with the ability to oversee and manage multiple accounts. For more information regarding Hootsuite, https://www.youtube.com/watch?v=zFVpnYGVUKY&list=PLZIVGxSkBDc2FcmBe8c7ZcSLYcNOOwK_7, last accessed Jul. 4, 2024.

communications efforts on the NYC Digital Slack platform (“Digi Slack”).²² DigiSlack is a communication platform designed to facilitate internal collaboration that could include communication amongst employees. It operates like a group chat.²³

Under the Citywide Policy, in order to create a new social media account, agencies must submit a proposal to Creative Comms detailing the agency’s goals and needs with respect to that social media account, and its staff’s capacity to manage the account.²⁴ Creative Comms is empowered to refuse an agency permission to create a new social media account. Accounts may be created “to represent agency heads, and the heads of mayoral agencies, offices, or units, in their official capacity.”²⁵ The Citywide Policy states that accounts “may not be created for deputy commissioners, deputy directors, or any other staff other than agency heads.”²⁶ An agency may seek an exception to this policy from Creative Comms if the agency wishes to create accounts for these individuals.

If social media accounts are created for members of agency leadership in their official capacities (“executive accounts”), the Citywide Policy requires that the accounts display the official’s title rather than their name. For example, in the case of Mayor Adams’s official social media account, @NYCMayor is permitted while @EricAdams is not.²⁷

Agency accounts must be identified as City-related via a statement in the bio that the account is an official government account and by including the New York City bubble-letter or agency icon in the profile image, among other requirements.²⁸ Agency accounts also must include the direction to the public to “Call 911 for emergencies; call or direct message @NYC311 for non-emergencies.” Agency social media accounts must be included on the City’s central webpage listing all City agencies’ official social media accounts.²⁹

²² See Official New York City Citywide Social Media Policy, Jun. 2023, 1-2, at Administration of Social Media. Digi Slack is a virtual community for all City social media managers to share resources and communicate with their peers.

²³ <https://www.nyc.gov/nyc-resources/nyc-digital-slack-group-request.page>

²⁴ See Official New York City Citywide Social Media Policy, Jun. 2023, 2, at Account Creation.

²⁵ Id.

²⁶ See Official New York City Citywide Social Media Policy, Jun. 2023, 2, at Account Creation.

²⁷ See Official New York City Citywide Social Media Policy, Jun. 2023, 2, at Accounts for Official Individuals.

²⁸ Id.

²⁹ Official New York City Citywide Social Media Policy, Jun. 2023, 5, at Branding Social media Accounts. Agency Policies and Procedures. The Citywide policy references <https://www1.nyc.gov/connect/social-media.page>, but that link takes you to the web address referenced where all official social media channels are to be listed.

The Citywide Policy applies to all employees involved in an agency's social media program and also directs each agency to "develop an organizational structure and agency-specific Social Media policy...approved by such agency's legal counsel."³⁰ The Citywide Policy details the minimum elements that must be included in the agency-specific policy, including the development of internal approval processes and appropriate oversight for social media use.³¹ These requirements include, but are not limited to: oversight of all social media accounts managed by the agency (whether developed internally or through a vendor or consultant), clearly delineated roles and responsibilities for all staff members managing the agency's social media communications, and an internal approval process for all content.³²

The Citywide Policy states that, "Social Media accounts cannot be used to share content from a campaign or non-governmental account of active politicians. In addition, a City Social Media account may never be used to urge the public to act in support of a particular political position." Notably, the Citywide Policy does not provide guidance on the type of language that should be used in posts, or prohibit posts that target individuals, or are offensive, unprofessional, or harassing.

D. NYPD Policies and Training

As referenced above, the Citywide Policy requires that every City agency develop its own agency-specific policies and procedures concerning official use of social media. OIG-NYPD reviewed NYPD's policies, procedures, and training materials related to its use of social media, as well as the Department's conflicts of interest policies, including guidance as to political activities. NYPD's social media policies and procedures are contained within its Patrol Guide ("PG") and Administrative Guide ("AG") procedures.³³ Below is a summary of NYPD's relevant policies and procedures.

Patrol Guide Section 200-02: Mission, Vision and Values of the New York City Police Department

The stated mission of NYPD "is to enhance the quality of life in New York City by working in partnership with the community to enforce the law, preserve peace,

³⁰ See Official New York City Citywide Social Media Policy, Jun. 2023, 4, at Agency Policies and Procedures.

³¹ See Official New York City Citywide Social Media Policy, Jun. 2023, 4, at Agency Policies and Procedures.

³² See Official New York City Citywide Social Media Policy, Jun. 2023, 4, at Agency Policies and Procedures.

³³ NYPD department PG & AG's can be accessed publicly. However, provision AG 304-19 could not be accessed directly, reference was made to it in another provision (303-01). Training materials discussed are not publicly available. All information was provided by the Department for review.

protect the people, reduce fear, and maintain order.”³⁴ In partnership with the community, NYPD pledges to “[m]aintain a higher standard of integrity than is generally expected of others because so much is expected of [the Department].”³⁵ NYPD further pledges to “[v]alue human life, respect the dignity of each individual and render [its] services with courtesy and civility.”³⁶ Until recently, many of the Department’s vehicles bore the slogan *Courtesy, Professionalism, and Respect*.³⁷ While NYPD has not discussed publicly the values that guide its social media use, it is fair to expect NYPD to meet these same high standards in all of its public interactions, including on social media.

Administrative Guide Section 304-19: Department Social Media Accounts and Policy

Administrative Guide Procedure 304-19 provides guidelines for the “establishment, management, administration, oversight, and use” of the Department’s social media accounts. This AG section was not updated following updates to the Citywide Policy regarding social media in 2023. Nevertheless, consistent with the Citywide Policy, the AG 304-19 states that NYPD uses social media “to enhance and support Department program goals and objectives, as well as, to serve as a mechanism for communication between the public and the Department.”³⁸ Many of the requirements for agency-specific policies in the Citywide Policy are not included in NYPD’s policy, including those related to Hootsuite or Digi Slack, an internal process for content approval, or a process for addressing complaints. Further, while NYPD’s policy addresses the creation of new social media accounts and handling of compromised accounts, NYPD policy does not require that Creative Comms be involved in establishing a new account. NYPD policy also does not discuss appropriate content for posts on official NYPD social media accounts.³⁹

Administrative Guide Section 303-17: Digital Communications Officer

³⁴ PG § 200-02, Mission, Vision, and Values of the New York City Police Department, Apr. 3, 2019, page 1, Mission.

³⁵ PG § 200-02, Mission, Vision, and Values of the New York City Police Department, Apr. 3, 2019, page 1 Values.

³⁶ Id.

³⁷ In July 2024, NYPD started using a new decal on new vehicles which reads “Fighting Crime, Protecting the Public.” Based on information received by this Office, the Department maintains the Courtesy, Professionalism & Respect decal on its existing vehicles.

³⁸ AG §304-19, Department Social Media Accounts and Policy, Dec. 2, 2022, 2, at Additional Data, Social Media: Policy Considerations.

³⁹ A prior iteration of the Department’s social media policy that was issued on December 4, 2018, included the sentence: “Members of the service utilizing personal social media sites are to exercise good judgment and demonstrate the same degree of professionalism expected of them while performing their official duties.” However, the current policy does not include this directive.

Digital Communications Officers (“DCOs”) are responsible for NYPD’s social media accounts at the command level—precinct, police service area, transit district, or select bureaus/commands.⁴⁰ However, there is no DCO or equivalent role in the Department with respect to the Department’s main X account, @NYPDNews, or NYPD executive accounts.

DCOs coordinate with the Office of the Deputy Commissioner of Public Information (“DCPI”), which is responsible for providing “the most accurate and timely information to the public” and for “communication, reputational management, and facilitating citywide news coverage for members of the press.”⁴¹ DCOs coordinate with DCPI regarding account establishment, maintenance, training, messaging, and support.⁴² DCOs are responsible for branding social media accounts, using the commanding officer’s portrait and name in the account profile, monitoring accounts, and working with the commanding officer.⁴³ While DCOs must seek approval from their commanding officers before posting,⁴⁴ they do not need to consult with DCPI or obtain that office’s approval prior to posting.

At the command-level, it is the responsibility of DCOs to “[d]evelop innovative and informative Department social media messaging with the goal of cultivating public engagement.”⁴⁵ They are tasked with coordinating with relevant individuals to post information about traffic conditions, wanted/missing persons flyers, crime prevention tips and awareness, as well as community events, as appropriate.⁴⁶

NYPD Social Media Strategy for Digital Communications Officers

The Office also reviewed a document concerning DCO training, created by DCPI. The training describes the purpose of the command-level accounts as “hyper-local” messaging to highlight precinct/borough events, meetings, street closures, and community collaboration.⁴⁷ The training also provides information about using Hootsuite, as required by the Citywide Policy, for social media posts, provides tips for creating posts (including examples of good and bad posts), and describes topics

⁴⁰ AG §303-17, Digital Communications Officer, Apr. 26, 2022, 1, at Procedure.

⁴¹N.Y.P.D., Public Information webpage, <https://www.nyc.gov/site/nypd/bureaus/administrative/public-information.page>, (last accessed Nov. 7, 2024).

⁴² See AG §303-17, Digital Communications Officer, Apr. 26, 2022, Id. at page 1, section 1. sat 1.

⁴³ See AG 303-17, Digital Communications Officer Apr. 26, 2022, at Id. at page 1, sections 1(c), 2.

⁴⁴ See AG 303-17, Digital Communications Officer, Apr. 26, 2022, at Id. at page 1, section 3.

⁴⁵ See AG 303-17, Digital Communications Officer, Apr. 26, 2022, at Id. at page 1, section 5.

⁴⁶ See AG 303-17, Digital Communications Officer, Apr. 26, 2022, Id. at pages 1-2, sections 1-2 and, 5-14.

⁴⁷ NYPD Strategy for Social Media, Digital Communications Officer, undated, at 01 Strategy.

appropriate for posting.⁴⁸ However, there is no mention of the Citywide policy or the requirement that Creative Comms approve the creation of a new command-level account. The training instructs DCOs that promoting any political messages in posts, and responding to posts that may have tagged the respective account claiming officer wrongdoing are prohibited.⁴⁹ The social media training, like NYPD's social media policy, does not *expressly* caution staff to consider tone or maintain professionalism when drafting official social media content.⁵⁰

According to DCPI, NYPD executives do not receive the same comprehensive training as Digital Communications Officers (DCOs). Instead, there is a DCPI component of the Department's Basic Management Operations Course ("BMOC"), which officers receive when being promoted, that includes social media usage and public speaking.⁵¹ However, Chief Chell and Deputy Commissioner Daughtry stated in meetings with this Office that they did not receive social media training when they were promoted to their current roles, which includes individual social media accounts that they control. Notably, DCPI said that NYPD executives with official agency accounts operate with significant autonomy regarding their social media activity. This independence includes the ability to designate another NYPD employee to draft or post content at their direction, though Chief Chell and Deputy Commissioner Daughtry stated that at times they post directly to their social media accounts themselves.⁵² While executives are required to inform DCPI of any designee, DCPI does not otherwise manage or oversee executive social media activity.

Administrative Guide Section 304-06: Prohibited Conduct

AG 304-06, issued on December 28, 2023, describes prohibited conduct by members of the Department. Specifically, it prohibits members of service while on duty from "endorsing political candidates or publicly expressing personal view and opinions concerning the merits of:

- a. Any political party or candidate for public office;

⁴⁸ NYPD Strategy for Social Media, Digital Communications Officer, undated, at 05 Mindful Posting and 06 What to Post.

⁴⁹ NYPD Strategy for Social Media, Digital Communications Officer, undated, at 02 Do's and Don'ts.

⁵⁰ PG §200-02, Mission, Vision, and Values of the New York City Police Department, Apr. 3, 2019, page 1. Values.

⁵¹ The Office requested the relevant BMOC training materials and received the DCO training materials previously provided in response. OIG-NYPD was advised that the same materials are used for BMOC.

⁵² While Chief Chell and Deputy Commissioner Daughtry did not receive social media training when they were promoted, NYPD informed the Office that designees do receive training. However, the posts discussed within this report were not created by designees, but instead by Chief Chell and Deputy Commissioner Daughtry.

- b. Any public policy matter or legislation pending before any government body; or
- c. Any matter decided by a public election, except with the permission of the Police Commissioner.
- d. Voting on any matter that comes before the community board concerning Police Department activities in the district that the Board serves.”⁵³

E. City Council Policies

The New York City Council is comprised of elected Council Members, as well as staff who are employed by individual Council Members and a central staff. Policies issued by the Mayor or City Hall's senior leadership of course do not apply to the City Council. The City Council's policy concerning use of official social media accounts is part of its Information Technology Policy and Procedures. This policy prohibits the use of City Council resources for political campaigning and specifically outlines what staff, including those who work directly for a City Council Member, may do on the member's official social media.⁵⁴

The City Council's Anti-Discrimination and Harassment Policy prohibits City Council members and staff from engaging in harassment, both in-person and via social media or other virtual means. This policy applies to both official social media accounts and, under certain circumstances, personal social media accounts. Personal social media accounts are governed by the policy if their use impacts the workplace, violates workplace rules, or creates a hostile environment related to the employee's work or colleagues.⁵⁵

F. Other City Agency Policies

In addition to the Council's policies, the Office reviewed the social media policies of several City agencies, including other uniformed agencies, such as the Department of Correction (“DOC”), the Department of Sanitation (“DSNY”), the Fire Department of the City of New York (“FDNY”), Administration for Children's Services (“ACS”), the Department of Education (“DOE”), and the Department of Youth and Community Development (“DYCD”). These agencies are subject to the Citywide Policy and the Conflicts of Interest Board rules and opinions, and also have their own agency-specific policies. These agencies' policies vary in level of detail and specificity, but all outline acceptable uses of social media for employee official and personal accounts. Many

⁵³ AG §304-06, Prohibited Conduct, Dec. 28, 2023, page3, section 17.

⁵⁴ N.Y.C. Council, Information Technology Policy and Procedures, Section III, Official Use of Social Media.

⁵⁵ See the Council of the City of New York Anti-Discrimination and Harassment Policy, Rev. 2/18/22 at Jun. 2023, 2, at 1-2.

policies remind employees that they are subject to applicable departmental policies while using personal social media accounts and emphasize that online conduct can reflect on their employer agency and impact its work. Moreover, these policies outline the process for making official agency posts on social media and provide guidelines about acceptable and unacceptable social media use.

Other than NYPD, this Office is unaware of any agency that has official individual social media accounts for anyone other than the agency head.

IV. An Analysis Part II - NYPD’s Social Media Processes

Based on this Office’s review, NYPD has 142 command level X accounts. Approximately 98 of these accounts are associated with specific commands, such as the 90th Precinct, whose X account is @NYPD90Pct. As detailed below, these accounts are managed by DCOs. Postings are reviewed by commanding officers and are subject to monitoring by DCPI. Approximately 44 of NYPD’s X accounts are (or were) associated with individuals in specific titles, such as the Chief of Department or the Chief of Patrol. OIG-NYPD’s investigation concludes that NYPD’s social media policies and practices do not fully comply with the Citywide Policy and that they do not provide sufficient oversight of posts made on executive accounts. This lack of compliance and, in particular, the absence of an internal approval process for executive account posts—contributed, at least in part, to NYPD’s failure to ensure that the posts on its official executive accounts were courteous, accurate, and fully in compliance with relevant laws and regulations.

A. Compliance with the Citywide Policy

Based on OIG-NYPD’s analysis, NYPD’s social media policies and practices do not fully comply with the Citywide Policy. The Citywide Policy includes certain requirements that the Department’s social media policy, AG 304-19, does not include, such as:

Citywide Policy	AG 304-19
1. Agency social media accounts must be approved and registered with Creative Comms.	1. NYPD policy does not mention Creative Comms and does not require that NYPD social media accounts be approved and registered with Creative Comms.
2. Agency social media policies should describe the roles and responsibilities for all staff members managing the agency’s social media presence.	2. NYPD policy does not describe the roles and responsibilities for all employees managing the agency’s social media presence.

<p>3. Agency social media policy should include an internal approval process for all content posted by the agency on social media.</p>	<p>3. NYPD policy does not describe any internal approval process for posting content on social media.</p>
<p>4. Agency social media policy should include a protocol for responding to complaints of dangerous conditions or other service requests by referring customers to NYC.gov/311 or 911.</p>	<p>4. NYPD policy does not include a protocol for responding to a complaint made on social media by a member of the public.</p>
<p>5. Agency social media policy should include guidance on records management, including record retention process and storage timelines</p>	<p>5. NYPD policy does not address retention of records of social media posts, or any internal discussion relating to those posts.</p>
<p>6. Agency social media policy should include guidelines for agency consultant/vendor/contractor use of social media.</p>	<p>6. NYPD policy does not include guidelines for consultant, vendor, or contractor use of social media.</p>

Moreover, in practice, the Citywide Policy requires that all City agency social media accounts be listed on the City’s social media accounts webpage. However, only two of NYPD’s official X accounts—@NYPDNews and @NYPDRecruit—are listed on that website. In an interview with the senior writer and producer of Creative Comms, OIG-NYPD was advised there is a limit to the number of accounts that can be listed on the City’s webpage. If this limitation does not permit a listing of all NYPD social media accounts, the City should expand the webpage’s capability to enable public disclosure of all official social media accounts maintained by City agencies, including NYPD.

Additionally, none of NYPD’s social media accounts are registered with the citywide Hootsuite account overseen by Creative Comms, though they are registered to an NYPD-only Hootsuite account overseen by NYPD. Creative Comms advised the Office that the City’s current Hootsuite contract would not accommodate inclusion of all of NYPD’s Hootsuite users. As such, the City should increase the contract capacity to accommodate the inclusion of all NYPD users.

Also, as noted above, the Citywide Policy requires Creative Comms to approve the creation of social media accounts for any individual other than the agency head. NYPD has not sought that approval for any of its 142 X accounts. Per DCPI Tarik Sheppard, DCPI approves official NYPD social media accounts and the Department encourages the creation of new accounts to enable the communication of more content to the public. DCPI Sheppard was unaware that the Citywide Policy required approval from Creative Comms for these new accounts.

OIG-NYPD also reviewed 32 of the 142 command level accounts associated with various leadership positions for adherence to Citywide Policy requirements, specifically whether the name of the handle was appropriate, and whether the bio included the required reference to calling 911 and 311. Of these 32 accounts, 31 accounts had the correct handle, and 23 accounts provided correct direction to call 911 for emergencies and 311 for non-emergencies in the form of a small blue box as part of the background photo.

Failure to adhere to the Citywide Policy requirements, such as proper account bios, accurate handles, and the inclusion of critical references to 911 and 311 services, can confuse the public as to whether an account is official or not. This might raise questions about whether information conveyed via that account is trustworthy, creating uncertainty and limiting NYPD's ability to convey important information in emergency situations.

B. Oversight of Executive Accounts

Based on our review, OIG-NYPD finds that NYPD's policies are insufficient to ensure that posts on executive accounts, or other communications by executive accounts via social media, are subject to review in a manner that ensures that they are courteous, accurate, and in compliance with relevant laws and regulations. As discussed above, Chief Chell and Deputy Commissioner Daughtry explicitly stated that they had not received any social media-specific training for their current roles, which includes individual social media accounts which they operate. Executives are not required to obtain approval prior to posting on their account. Moreover, beyond generally stating that NYPD will "render [its] services with courtesy and civility,"⁵⁶ NYPD's policies do not provide guidance or rules for appropriate and professional content or language to use in social media posts.

According to DCPI Sheppard, NYPD executives are considered subject matter experts who do not require review or oversight of their posts or other social media activity. Indeed, were DCPI to have questions about the accuracy of executive social media posts, they would confer with the executives themselves on those questions. DCPI Sheppard also informed OIG-NYPD that NYPD's work is wide-ranging and fast-paced and therefore, approval for executive social media posts is not feasible. However, DCPI, the Office of the Deputy Commissioner of Legal Matters ("DCLM"), and/or the commissioner may discuss social media usage with executives, including during executive meetings.

⁵⁶ See PG 200-02, Mission, Vision, and Values of the New York City Police Department, Apr. 3, 2019, at Values.

As discussed in more detail in the next section, the lack of oversight of executive accounts, and the lack of policies and training about what is appropriate for posting, allowed certain executives to make a number of posts that were not reviewed by others in the Department. It should be noted that Chief Chell and Deputy Commissioner Daughtry advised OIG-NYPD that they drafted these posts themselves, not their designees. These posts personally targeted individuals deemed to be critical of or disrespectful to law enforcement with insulting language, including name calling and mockery. The posts were discourteous, dismissive, demeaning and could have been—and were in some instances—perceived as threatening or intimidating to the individuals referenced. These NYPD posts were plainly inappropriate and regrettable uses of official City social media accounts, even if these posts were made in response to posts by third parties directed to the Department that were unnecessarily inflammatory and unproductive, and at times, factually inaccurate.

NYPD appropriately ceased to engage in social media exchanges that used discourteous language and targeted particular individuals as of early May 2024. NYPD represented to this Office in the course of this investigation that NYPD now exercises more oversight over executive accounts. For example, the Department has directed that its executives refrain from responding directly to public criticism or tagging individuals in posts. This measure was designed to depersonalize interactions and reduce the risk of inflammatory exchanges and is consistent with the existing restrictions on command-level social media account usage. The Department also encourages executives to consult with the DCLM should potential posts raise policy or legal questions. This guidance is intended to maintain a consistent and thoughtful tone across the Department's platforms, particularly when addressing sensitive topics.

While this new approach represents a significant step forward, it remains an informal practice rather than a written policy. A written policy would ensure a uniform understanding of NYPD's expectations with respect to social media posting.

V. An Analysis Part III – NYPD's Engagement on X

According to NYPD, the Department uses social media as a means of outreach to the community and to convey NYPD's narrative. Specifically, social media is used to communicate crime prevention efforts, address community safety, highlight the good work of the Department, as well as counter what it perceives as misinformation and clarify facts.⁵⁷ In early 2024, @NYPDChiefofPatrol, @NYPDDaughtry, and @NYPDNews began using social media to engage in direct and sometimes hostile exchanges with City Council Members, advocates, and members of the press. Based

⁵⁷ As noted by DCPI Tarik Sheppard during a meeting on August 30, 2024.

on interviews, then-Chief of Patrol Chell and Deputy Commissioner Daughtry took the position that this use of social media was necessary to address criticism of the Department that they deemed to be unfair or to be based on misinformation. The Mayor expressed support for NYPD's use of social media, stating, "I don't think they attacked anyone, if a columnist has a right to an opinion, a police officer has the right to an opinion."⁵⁸

These types of exchanges continued for about five months until approximately May 2024. At that time, the Department ceased to engage in these types of exchanges on social media, and Department posts, including from executive accounts, resumed a professional tone. Based on meetings conducted by this Office, NYPD did not change its written policies nor did City Hall direct the Department to use a less combative tone. Rather, the Department recognized that it could respond effectively to criticism without creating a public backlash, including by refraining from directly responding to criticism or tagging individuals via social media and by consulting with the DCLM where appropriate prior to posting.

OIG-NYPD reviewed all of the X posts made between January 2022 through September 2024 for @NYPDChiefofPatrol, @NYPDDaughtry, and @NYPDNews, as well as the posts of other individuals, including journalists and Council members, to which these NYPD posts, at times, were responding. These accounts were specifically identified in Speaker Adams's letter.

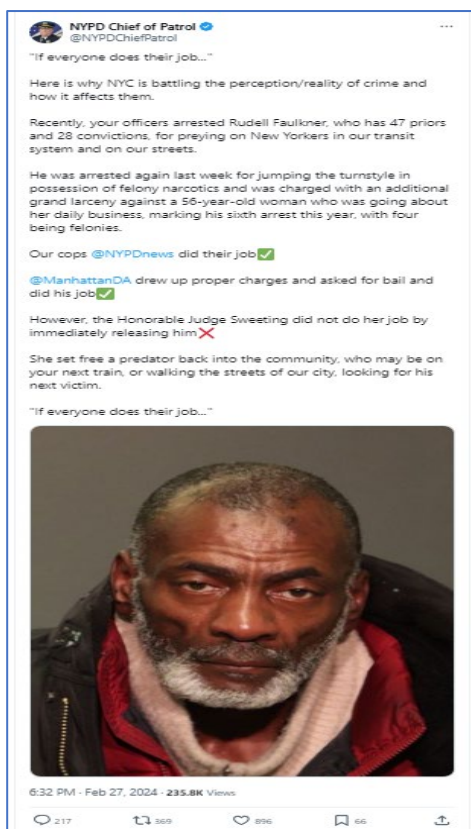
During this timeframe, there were a total of 10,327 posts across the three official NYPD accounts referenced above. There were 7,134 posts from the @NYPDNews account, 2,284 from the @NYPDChiefofPatrol account, and 909 posts from the @NYPDDaughtry account, respectively. The vast majority of the posts from all three accounts were informative, courteous, and appropriate. However, the Office did identify some problematic posts, which were primarily posted from the @NYPDChiefofPatrol and @NYPDDaughtry accounts, not @NYPDNews.

Several of the problematic posts this Office identified used hostile or negative language, either generally or directed towards a particular individual. OIG-NYPD finds that these posts were inappropriate, offensive, and unprofessional and violated the Patrol Guide's mandate to render services with courtesy and civility. However, because neither the Citywide Policy nor Department's social media policy expressly prohibit or even provide guidance concerning appropriate language for social media posts, the Office cannot conclude that the posts violated these policies.

⁵⁸ Donaldson, Sahalie,. "Adams defends NYPD's 'right to have an opinion,'" City & State New York, 02 April, 02, 2024., <https://www.cityandstateny.com/politics/2024/04/adams-defends-nypds-right-have-opinion/395415/>

This Office also identified two posts that could be interpreted as engagement in political activity, as defined by the City's conflicts of interest laws and regulations, the Hatch Act, or the Department's prohibited conduct policy, as some public officials have alleged.⁵⁹ As discussed in more detail below, it is unclear whether, as a matter of law and regulation, these posts in fact constitute prohibited engagement in political activity, but the posts' language certainly raise that question,

Some of the problematic posts, including the nine provided by Speaker Adams in her referral, were closely examined by this Office and are discussed below. In order to give full context to the online conversation preceding or following NYPD's posts, posts by other parties in conversation with these NYPD executive accounts also were examined and are discussed below, where relevant. In doing so, this Office recognizes that different laws and rules apply to different communications based on the role of the person posting and whether the account is an official City resource or a personal account.



Conversation #1: Judge's Decision to Not Jail Arrestee Pending Trial⁶⁰

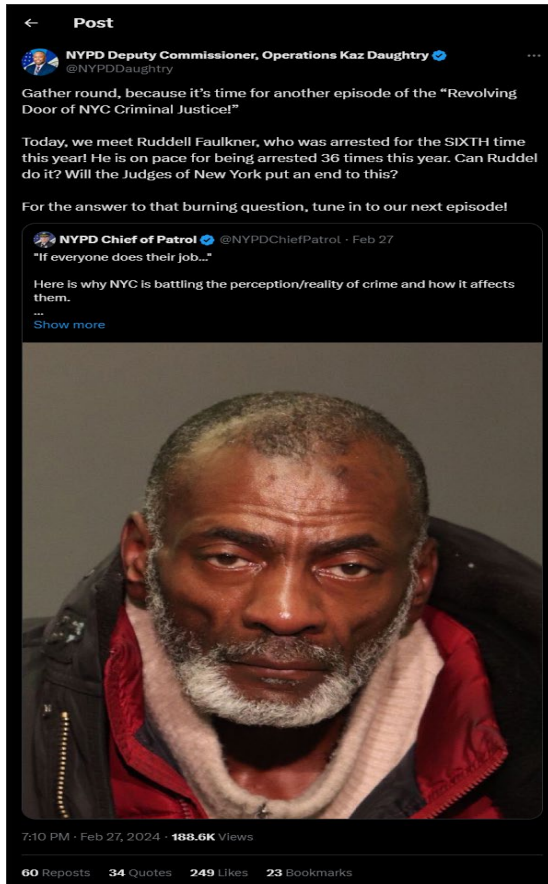
On February 27, 2024, Chief Chell posted on X about a New York State Criminal Court judge's decision to not incarcerate a particular arrestee who was arrested on felony charges. Chief Chell stated in the post that NYPD and the District Attorney did their jobs by arresting and charging the person, but "the Honorable Judge Sweeting" failed to do her job by releasing "a predator back into the community, who may be on your next train, or walking the streets of our city, looking for his next victim." Here, Chief Chell accused an Acting New York Supreme Court Justice of failing to do her job, when in fact he simply disagreed with a decision she made in her professional capacity. He also suggested that she would be responsible for future acts of violence by a defendant she had released, an inflammatory and speculative allegation. In light of recent threats of violence, and acts of violence against judges, naming and

⁵⁹ See, e.g., @tiffany_caban, TWITTER (X) (May. 10, 2024, 2:07 PM), https://x.com/tiffany_caban/status/1788994400607179161 and @Andrew S. Becker TWITTER (X) (May 12, 2024, 12:19AM) https://x.com/Andrew_S_Becker/status/1789510632397824147 [Letter to Mayor re. Chell w/ Signatures](#).

⁶⁰ <https://x.com/NYPDChiefPatrol/status/1762621762670334209>

criticizing an individual justice, and claiming that the justice has created a safety risk to the community could potentially put the justice at risk of harm.⁶¹

Chief Chell told the Office that he posted this statement, and others with similar messages about recidivists being released on bail, because he thought it was a public safety issue and he wanted people to know the consequences of judges' decisions. The Office identified at least two additional posts by Chief Chell about recidivism.

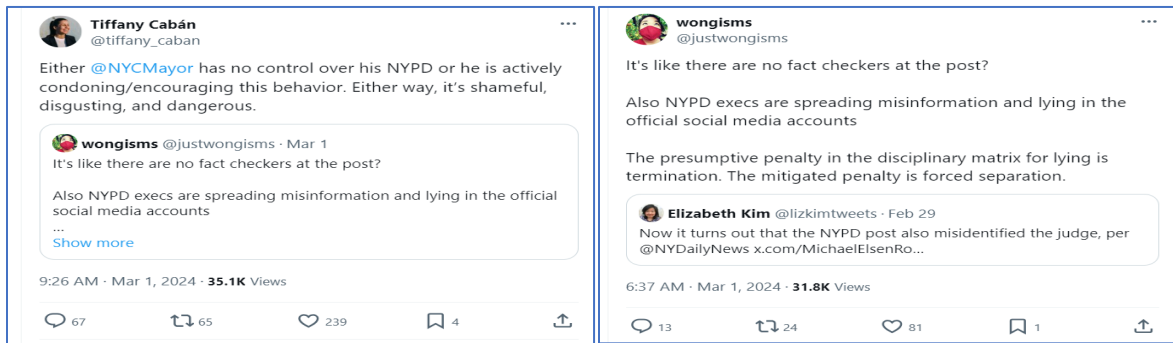


After Chief Chell's original post, Deputy Commissioner Daughtry amplified the message mockingly stating "it's time for another episode of the 'Revolving Door of NYC Criminal Justice!'" Deputy Commissioner Daughtry similarly told this Office that he posted this because he wanted to hold someone accountable for letting alleged criminals back out on the streets and to make clear that NYPD had upheld its obligation by arresting these individuals.

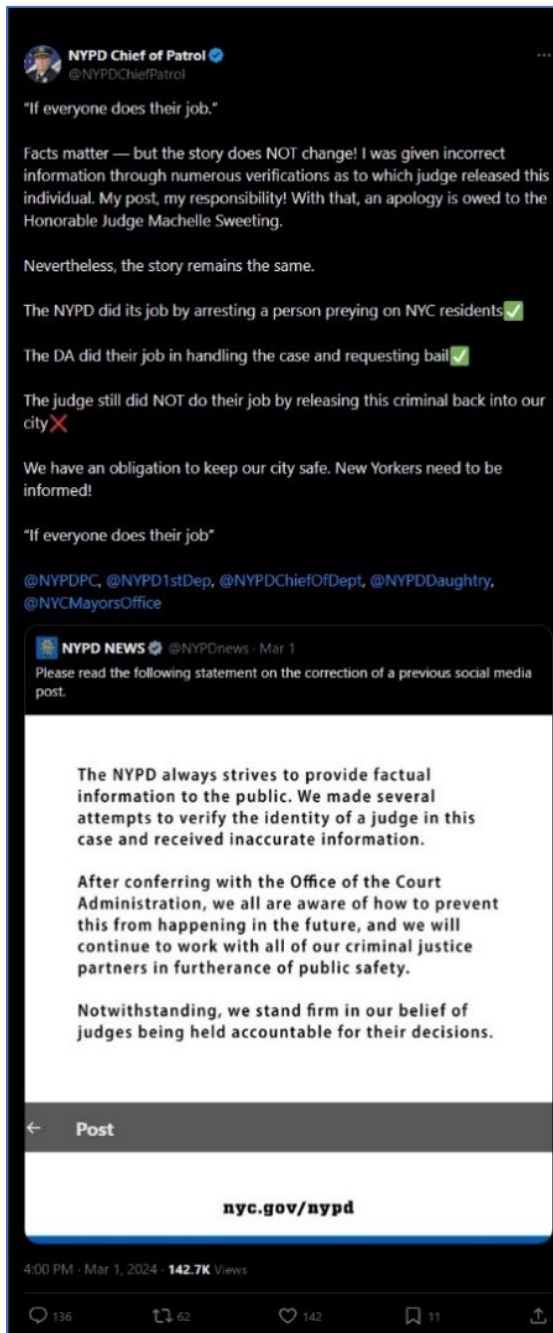
These posts were unprofessional and inappropriate. Senior leadership of NYPD who disagree with judges do not promote "accountability" by naming (accurately or inaccurately) and publicly criticizing judges for decisions that are made in their professional capacities and based on their interpretation of the applicable law. Nor do these posts meaningfully advance a dialogue on issues such as public safety, recidivism, or bail. Furthermore, the posts inaccurately named Justice Sweeting, who was not involved in Faulkner's case.

⁶¹ For example, one reply to Chief Chell's post stated "This is sickening. I wonder where the judge resides. Or if she takes the subway at all. Or which train or stops she rides?" <https://x.com/haileriverabx/status/1762685506972725409>. This type of rhetoric is particularly concerning in light of recent violence against judges.

Once the press pointed out the misidentification of the judge, Council Member Tiffany Cabán commented from her personal account, tagging the Mayor,⁶² that NYPD executives spreading misinformation is “shameful, disgusting, and dangerous.” This response—which also uses unnecessarily inflammatory language to describe the conduct of NYPD—only serves to heighten hostilities in a context where all public officials involved should be seeking, and setting an example of, a more civil public dialogue.



⁶² Council Member Cabán informed this Office that as a general rule, she does not tag or reference individuals by name in her social media posts, with the exception of the Mayor.



Later that day, NYPD DCPI posted a statement claiming that they had received inaccurate information about the identity of the judge, but that despite their error they “stand firm in our belief of judges being held accountable for their decisions.” Chief Chell reposted NYPD’s post stating “Facts matter – but the story does NOT change! I was given incorrect information through numerous verifications as to which judge released this individual. My post, my responsibility! With that, an apology is owed to the Honorable Judge Machel Sweeting.”

Conversation #2: Mayor Adams’s Interview on The Breakfast Club and Detective Jonathan Diller’s Death⁶³

On March 29, 2024, Mayor Eric Adams made an appearance on The Breakfast Club, a nationally syndicated radio show. During this appearance, Mayor Adams was interviewed by guest commentator Olayemi Olurin. Ms. Olurin is a former public

⁶³ Police Officer Diller was posthumously promoted to Detective First Grade.

defender who had previously stated that she believes Mayor Adams is “the worst mayor in America.”⁶⁴ After the interview aired, it was widely viewed and quickly became “a viral political sensation [that] seemingly everyone with an interest in city politics watched, regardless of their background.”⁶⁵ The interview was subsequently described as “heated” and “fiery.”⁶⁶

The interview took place shortly after the murder of NYPD Detective Jonathan Diller in Queens on March 25, 2024, who was shot in the line of duty while conducting a traffic stop. Segments of the interview addressed public safety and NYPD. Ms. Olurin referenced Detective Diller’s death, stating to Mayor Adams “[i]n the same breath that you want to sensationalize, we want to highlight and point out how an officer was killed the other day, which is a rare occurrence across the United States but let alone in New York, New York police officers have killed at least seven people this year, including a 19-year-old.”⁶⁷ Mayor Adams responded that he was not “going to dismiss the loss of life of an innocent person that wears a uniform.”



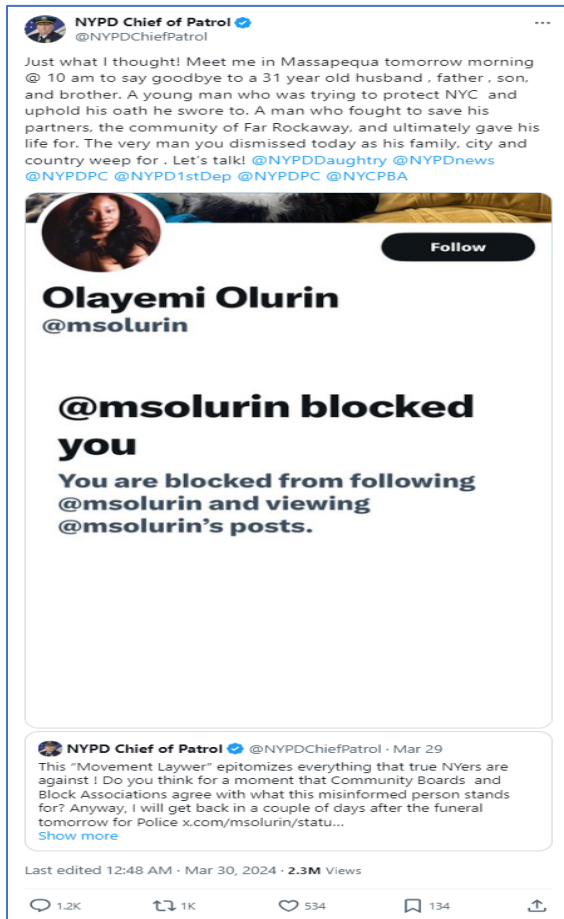
Ms. Olurin posted clips of the interview on her X account, at least one of which garnered more than three million views. Chief Chell reposted the post using divisive and hostile language towards Ms. Olurin. He mocked her self-description as a “movement lawyer” and claimed she epitomized everything that “true” New Yorkers oppose. He described her as a “misinformed person” and suggested Community Boards and Block Associations disagree with her stance. He ended the post with “Talk soon...” apparently promising additional, and likely hostile, interaction with her via social media.

⁶⁴ <https://www.youtube.com/watch?v=ILOQRG4vcT4&t=88s>

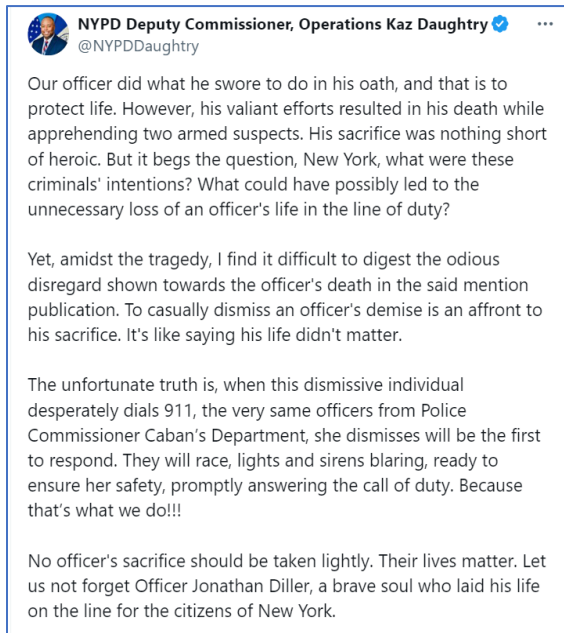
⁶⁵ Elizabeth Kim, *Interviewer in viral Mayor Adams segment never thought he'd show: 'They're punking me'*, Gothamist, April 2, 2024, <https://gothamist.com/news/interviewer-in-vira-mayor-adams-segment-never-thought-hed-show-theyre-punking-me>

⁶⁶ *Mayor Adams 'Breakfast Club' interview turns heated over slain NYPD officer: 'The far left' disagrees with me* | Fox News; *Eric Adams Interview Turns Fiery After Slain NYPD Cop Mentioned*

⁶⁷ *Transcript: Mayor Adams Appears on POWER 105.1 FM's "The Breakfast Club"*, the official website of the City of New York, (last accessed....)



After Chief Chell posted this, Ms. Olurin blocked him on X. In response to being blocked, Chief Chell posted “Just what I thought!” and dared Ms. Olurin to “Meet me in Massapequa tomorrow morning” at Detective Diller’s funeral, referring to him as “the very man you dismissed today.” Chief Chell may disagree with Ms. Olurin’s decision to de-emphasize the killing of Detective Diller and highlight killings by police officers, but to use his official NYPD account to target and diminish her does not correct misinformation, rebut criticism of the Department, or further a productive dialogue with members of the public. It is therefore an inappropriate use of his official account, and could be interpreted as an effort to intimidate her for challenging the Mayor’s approach to policing and public safety or to send a message to others who might share her views.



Deputy Commissioner Daughtry also posted about Ms. Olurin, writing that she had “odious disregard” for Detective Diller’s death and calling her a “dismissive individual,”⁶⁸ in a post that raises similar issues to Chief Chell’s.



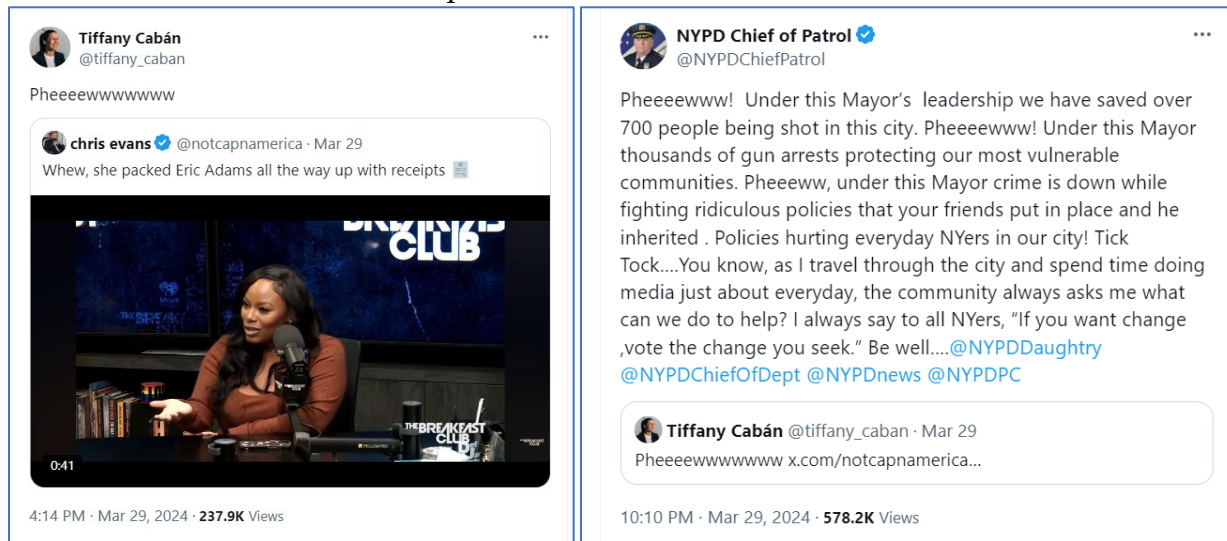
After the interview and subsequent posts by Chief Chell and Deputy Commissioner Daughtry, Ms. Olurin stated that she felt like she has a target on her back and that she worried that she might be retaliated against by the police. She reportedly changed her daily routine out of fear and suffered health consequences.⁶⁹

Council Member Cabán also commented on Ms. Olurin’s interview from her personal X account. In response to a poster’s comment that Ms. Olurin “packed Eric Adams all the way up with the receipts,” Council Member Cabán posted “Pheeeewwwwwww,” seemingly expressing relief or gratitude that someone had confronted the mayor in this way. Chief Chell then reposted her post and mockingly imitated Council Member Cabán’s words to defend the Mayor saying “Pheeeewww! Under this Mayor’s leadership we have saved over 700 people being shot in this city. Pheeeewww! Under this Mayor thousands of gun arrests protecting our most vulnerable communities. Pheeeewww, under this Mayor crime is down while fighting ridiculous policies that your friends put in place and he inherited.” It is difficult to see how any of this back-and-forth, including Council Member Cabán’s post and Chief Chell’s response, serves New Yorkers. To the extent that NYPD seeks to counter a narrative that the Department has failed to improve public safety in the City there are far better venues and language to credibly convey that to the public, rather than using mocking terms on X

⁶⁸ This tweet appears to have since been deleted.

⁶⁹ [Angela Chapin, *The Woman Who Ate Eric Adams for Breakfast, Activist Olayemi Olurin channeled a whole city’s frustration to grill the mayor on morning radio*, the Cut, April 15, 2024, https://www.thecut.com/article/olayemi-olurin-eric-adams-the-breakfast-club-interview.html](https://www.thecut.com/article/olayemi-olurin-eric-adams-the-breakfast-club-interview.html)

directed at a Council Member. Similarly, if Council Member Cabán wanted to support Ms. Olurin or express a view about NYPD or the Mayor, there are far better ways and venues in which to accomplish that.



Chief Chell ended his post by saying that when he is asked by the community what they can do to help, he tells them “If you want change, vote the change you seek.” According to Chief Chell, he did not intend the statement to encourage people to vote or to vote in a particular way, but rather that was just encouraging the public to get involved and to be aware of what is happening in their communities. In light of the timing of the post, it could not have referred to a particular primary or general election for City Council, because no primary or general election was being held at the time. However, Chief Chell’s comment concerning voting, in the context of a response to the X post of a specific elected official, could be viewed as urging people to vote against that elected official in the future. The post therefore raises the question whether such urging constitutes engagement in political activity in violation of the City’s conflicts of interest laws and regulations, the Hatch Act, or Department policy, on the theory that it is akin to a political endorsement, an activity intended to impact the outcome of a future election (albeit one in which the candidates are not yet determined), or an opinion on the merits of a candidate for public office, respectively. The language used in this post raises questions whether the post could be perceived as prohibited political activity. We leave it to other entities responsible for enforcing violations of these laws and policies to determine whether this post is in fact engagement in political activity, as a matter of policy NYPD executives should steer clear of communications that even raise such questions.

Conversation #3: Accuracy of New York Daily News Reporting

On March 30, 2024, at 5:00pm, the New York Daily News published an opinion piece by columnist Harry Siegel which criticized NYPD for touting subway safety statistics

when there had been more murders on the subways in the first three months of the year than in all of 2019.⁷⁰ Siegel's piece incorrectly stated that there had been ten murders, when in fact there had only been four. The New York Daily News corrected the error and republished the article with the accurate information by 11:00am the next morning. Although a significant error, particularly given the widespread public concern about safety in New York City, and safety on the subways in particular, NYPD did not simply correct the record, or emphasize the importance of accurate reporting in this area. Instead, multiple executives mocked and disparaged Mr. Siegel personally on social media.



Deputy Commissioner Daughtry chimed in by tagging Mr. Siegel in a post stating “everyone has an opinion. It’s a shame that the Daily News chose to share yours...” He called Mr. Siegel a “gadfly – who should consider their definition of madness to: reading a @harrysiegel Siegel column expecting a useful takeaway.”

⁷⁰ Harry Siegel, *Harry Siegel: Subway cop bosses talk themselves into cuffs*, Daily News, March 30, 2024, <https://www.nydailynews.com/2024/03/30/harry-siegel-subway-cop-bosses-talk-themselves-into-cuffs/>

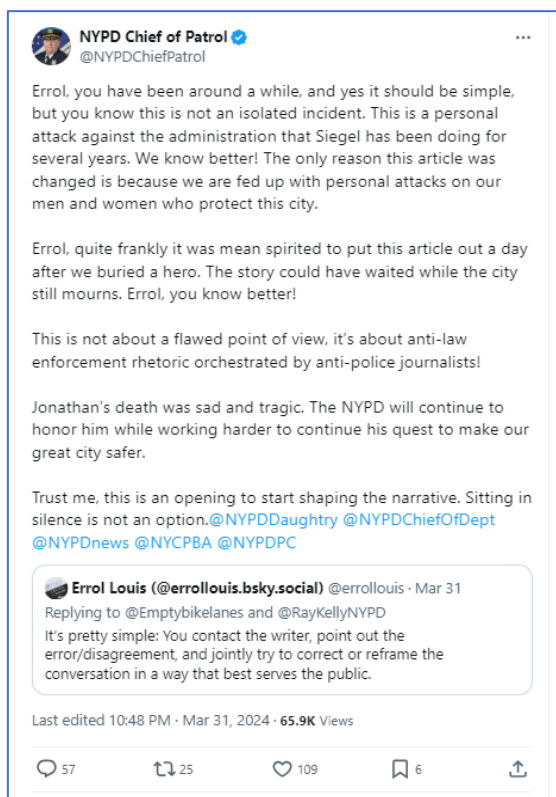


The next day, after the New York Daily News had already issued the correction, Chief Chell said “Oh, Harry! You had to make a retraction on something as simple as homicides (sic) stats?” He went on to say “The problem is that besides your flawed reporting is the fact that now we are calling you and your “latte” friends out on their garbage...Well get your popcorn ready, we have a strong platform too!”



Mr. Siegel commented on Chief Chell's post to say that he believed the Chief was “making a lot of nasty assumptions about motives” and offered to talk rather than to just post at one another on social media.

Similarly, Chief Chell publicly confronted another journalist, Errol Louis, who suggested that instead of attacking Mr. Siegel on social media, NYPD should instead contact him, point out the error, and together “try to correct or reframe the conversation in a way that best serves the public.” Chief Chell countered that NYPD’s publicly confrontational approach is necessary because Mr. Siegel’s article was “a personal attack against the administration that Siegel has been doing for several years” and that it was “mean spirited” to issue the article a day after Detective Diller’s funeral.



When asked, both Deputy Commissioner Daughtry and Chief Chell stated that they felt compelled to post, in part, because Detective Diller had been killed just a few days before and it was a sensitive time for the Department. According to Chief Chell, he did not mean to intimidate anyone, further stating that in retrospect he would not have tagged individuals in his posts and should instead have made general statements expressing his positions. We agree that such an approach would have diffused rather than intensified the conflict, and reduced the risk that any individual perceived the communication as intimidating. Taking a position on an issue, rather than an individual, also provides opportunity for a more productive public dialogue. The tragic death of Detective Diller is not a basis for the Department’s executives to attack a reporter

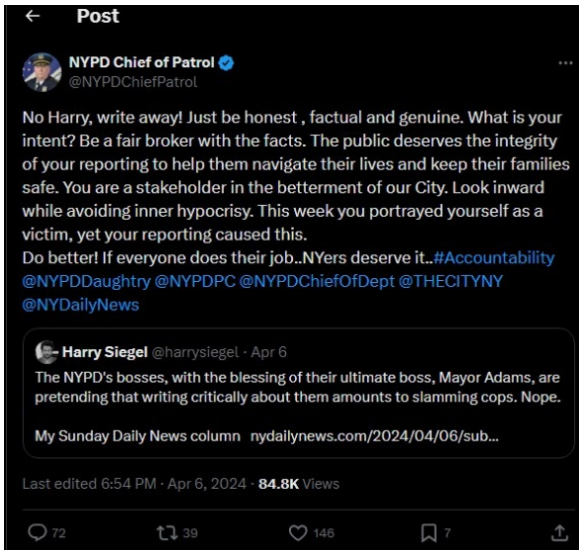
personally on social media via the Department’s official channels of communication, over a significant error in the reporting of homicide stats. The Department’s work routinely involves sensitive and even heartbreaking situations, and all officers are entitled to respect and gratitude for their sacrifice. But the public expects, and is entitled to, law enforcement officers who act with dignity and respect in all their public interactions, including on social media, and who can rise above personal conflicts or frustration with reporters.

The day after the New York Daily News corrected its error in the City’s homicide



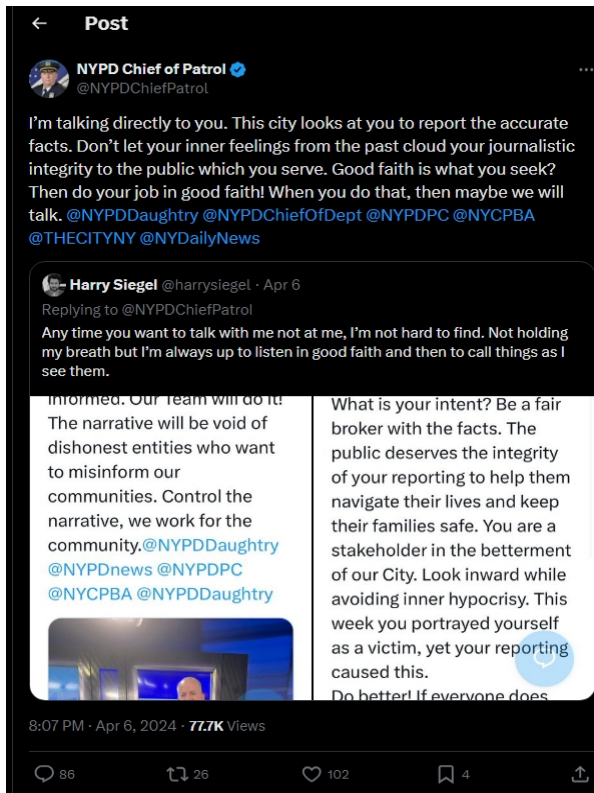
statistics, the NYPD’s NEWS account thanked the publication for their correction, but continued to call out the reporter, including by mocking his name, nicknaming Mr. Siegel “Harry ‘Deceitful’ Siegel.” According to DCPI Sheppard, name calling does not align with NYPD’s mission, vision, and values. Sheppard claimed the comments were justified due to the “history” between the Department, the New York Daily News, and Mr. Siegel, and noted that Mr. Siegel uses colorful language himself and writes about individual members of NYPD. Again, as noted above, the public expects and deserves a more productive and civil communications strategy from the New York City Police Department.

Furthermore, in light of the Department’s significance, power, and authority within the City, the Department must maintain a consistently respectful and courteous level of discourse, particularly with members of the public, including journalists. That obligation remains unchanged regardless of how those members of the public behave. That is to say, Mr. Siegel’s prior statements and use of language, even if “colorful” or offensive cannot justify offensive statements by the Department.



On April 6, 2024, the New York Daily News published another opinion piece written by Mr. Siegel in which he wrote about NYPD’s social media posts about him the prior week and to express his belief that questioning or criticizing NYPD’s leaders is not equivalent to being “anti-cop.”⁷¹ Chief Chell took to social media again to taunt Mr. Siegel telling him to “write away!” and chastised him to “be honest” and for portraying himself as a “victim” when it his “reporting [that] caused this.”

⁷¹ [Harry Siegel, *Subway crime & touchy top cops: It’s not being anti-cop to question police brass*, New York Daily News, April 6, 2024, <https://www.nydailynews.com/2024/04/06/subway-crime-touchy-top-cops-its-not-being-anti-cop-to-question-police-brass/>](https://www.nydailynews.com/2024/04/06/subway-crime-touchy-top-cops-its-not-being-anti-cop-to-question-police-brass/)



Mr. Siegel again responded to Chief Chell offering to speak with him privately and directly rather via social media, but Chief Chell responded publicly by questioning Mr. Siegel’s journalistic integrity and stating that he should “do [his] job in good faith!” Chell stated: “When you do that, then maybe we will talk.”

NYPD executives later used X again, in May, to go after other New York Daily News reporters, Graham Rayman and Thomas Tracy, for what they viewed as inaccurate reporting about NYPD’s actions in response to the Columbia University Gaza protests.

In his post, Deputy Commissioner Daughtry wrote “here’s another example of a falsehood – this misleading...article” and then tagged the two reporters. Chief Chell was more pointed and insulting, calling Mr. Rayman irresponsible, biased, and motivated by a desire to get clicks. Two other posts followed later in the week again tagging Mr. Rayman and calling his reporting inaccurate and condemning the New York Daily News for failing to fact check. Again, this kind of dialogue does not prompt a valuable public discourse on law enforcement, accuracy in public reporting, or other issue of significance to New Yorkers but rather appears to be a personal spat between two of the senior-most NYPD officers at the time, and the press.


Post

NYPD Deputy Commissioner, Operations Kaz Daughtry @NYPDDaughtry

After weeks of listening to the perils of college students who were being harassed and threatened by agitators, last night, we were finally given permission by those universities to arrest the agitators and hold them responsible for the crimes they committed. We always speak about holding the media accountable, and again, here's another example of a falsehood- this misleading @NYDailyNews article by @TomTracyv & @graham_rayman.

Agitators illegally removed an American flag from a flagpole, discarded it, and chose to hang their own flag. While we were going through the campuses, we saw many American flags torn, burned and desecrated. While the @NYPDnews did remove the Palestinian flag flying at an American school in NYC, the individual who tossed it to the ground was a member of that university, and not a member of the NYPD. The NYPD will continue to support the right for everyone to protest, peacefully and lawfully.

@NYPDPC
@NYPD1stDep
@NYPDChiefOfDept
@NYPDChiefPatrol
@NYPDnews



New York Daily News @NYDailyNews · May 1
NYPD cops pull down, toss away Palestinian flag and proudly hoist American flag after evicting protesters encamped at City College
Video shows one officer jump up and rip down the flag and then handing it to a second cop who throws it to the ground...
[Show more](#)

Last edited 1:12 PM · May 1, 2024 · 838K Views


415 481 2.8K 104

NYPD Chief of Patrol @NYPDChiefPatrol

What a shock! a news organization @NYDailyNews with another irresponsible reporter @graham_rayman not performing his due diligence by getting the facts right. Motivated in part for his continuous bias views of the NYPD along with the desire to get "clicks". Factual narrative please! Facts over feelings please! Hmmm, I believe we had this issue with this same paper of few weeks ago? Oh yeah we did with another bias reporter. I think I have a solution to this aside from a retraction and apology.

Ask your editors, if you have one, to allow you to do the following story. Why was the American flag allowed to be removed from a pole in one of our colleges and replaced by another? Who did it? Now that's a story! Have a great day. @NYPDnews @NYCPBA @sbanypd @lbanypd @CeaNypd @NYPDPC @NYPDChiefOfDept @NYPDnieves

NYPD Deputy Commissioner, Operations Kaz Daughtry @NYPDDaughtry · May 1
After weeks of listening to the perils of college students who were being harassed and threatened by agitators, last night, we were finally given permission by those universities to arrest the agitators and hold them responsible for the crimes they committed. We always speak...
[x.com/mydailynews/st...](#)
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1:48 PM · May 1, 2024 · 119.9K Views

179 195 1.1K 32

Post

NYPD Chief of Patrol @NYPDChiefPatrol

Ty @NYDailyNews for the quick acknowledgment of a mistake and correction. We all make mistakes as we strive for the factual narrative. On to the next story. Just waiting on one more apology. @graham_rayman @NYPDDaughtry @NYPDPC @NYPDChiefOfDept @NYPDPC @NYCPBA @sbanypd @lbanypd @CeaNypd @NYPDNieves @NYPDnews

NYPD Chief of Patrol @NYPDChiefPatrol · May 1
What a shock! a news organization @NYDailyNews with another irresponsible reporter @graham_rayman not performing his due diligence by getting the facts right. Motivated in part for his continuous bias views of the NYPD along with the desire to get "clicks". Factual narrative x.com/NYPDDaughtry/s...
[Show more](#)

3:09 PM · May 1, 2024 · 12.4K Views

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Post

NYPD Chief of Patrol reposted

NYPD Chief of Patrol @NYPDChiefPatrol

@NYDailyNews, this is the second time this week that this reporter @graham_rayman went to print with inaccurate and non factual information. We know mistakes will be made but who is responsible at the Daily News to fact check? We must avoid the rush to get "clicks" at the expense of the correct factual narrative. New Yorkers deserve to be properly informed.

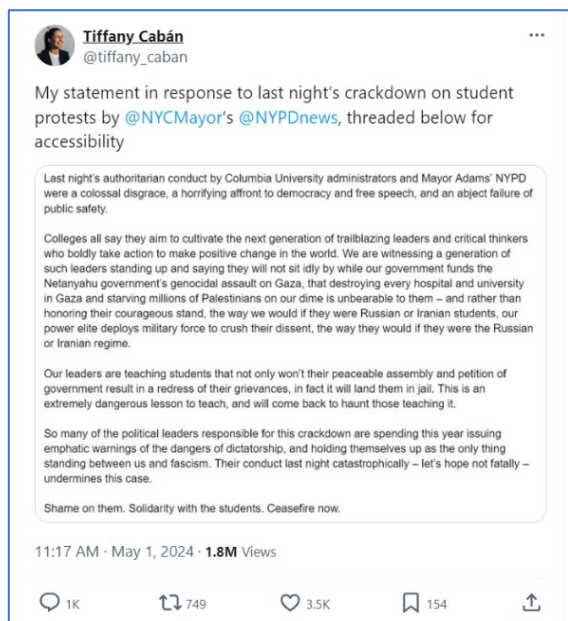
Thank you for making the speedy correction. @NYPDnews @NYPDNieves @NYPDPC @NYPDChiefOfDept @NYPD1stDep

4:16 PM · May 4, 2024 · 12.6K Views

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Conversation #4: Gaza Protest Response at Columbia University

Beginning on April 17, 2024, students at Columbia University established an outdoor encampment on the university's campus to protest Israel's actions in Gaza as part of the ongoing Israel-Hamas war. Over the ensuing weeks, the protests grew and negotiations between the protesters and the university about dismantling the encampment were not fruitful. Early on April 30, the protestors occupied a building on Columbia's campus called Hamilton Hall and barricaded themselves inside.



The University President wrote to the New York City Police Department, stating that a group of individuals “broke into” Hamilton Hall, a university building, and have “vandalized University property and are trespassing.” The President further explained that there was also a continuing student encampment in violation of University rules and policies, the students were repeatedly directed to disperse, have been suspended, and therefore are trespassing on University property. She noted the serious safety concerns these circumstances posed for the entire community and requested NYPD’s help to clear individuals from Hamilton Hall and the encampments. That night NYPD entered the campus, breached the occupied building,

and arrested more than 100 protestors.⁷²

Council Member Cabán issued a statement on her personal X account, tagging both the Mayor and NYPD, criticizing their actions as “authoritarian” and “a colossal disgrace, a horrifying affront to democracy and free speech, and an abject failure of public safety.” Cabán also stated that the “power elite” (presumably the Columbia University administration)–“deploys military force” (presumably NYPD) to “crush dissent. . . the way they would if they were the Russian or Iranian regime” indicating that NYPD was acting at the direction of entities comparable to Iran and Russia. This post was consistent in tone with a post earlier that day in which she described some of NYPD’s actions at Columbia related to press access as “fascism.”

⁷² [Minouche Shafik, Columbia University, Letter to Michael Gerber, Deputy Commissioner, Legal Matters, April 30, 2024, Fax Transmission Cover Sheet](#)



Even putting aside whether Council Member Cabán's characterization of the circumstances of NYPD's approach to the Columbia campus was accurate, when an elected official refers to NYPD in extreme and inflammatory language such as "fascism," "authoritarian," or an "affront to democracy" they inevitably intensify rather than diffuse tension and mistrust between the Department and the communities it services. While the Council Member has every right to express strong criticism of

NYPD, particularly from her personal social media account, there are far more productive and disciplined ways to express this sentiment. The language she used is not a starting point for any kind of meaningful dialogue between the Council Member and the Department, nor does it benefit the communities that both the City Council and NYPD serve.

Chief Chell responded to Council Member Cabán's statement concerning NYPD's response to the protests from his official NYPD account. He informed this Office that he was upset that she made it look like NYPD was a threat to democracy. We note that he did not simply seek to correct her statements concerning NYPD's approach to the campus, and her comparison of NYPD and Columbia University's conduct as akin to that of the Iranian and Russian regimes. Rather, he called her statement "garbage,"⁷³ and labeled the Council Member as "a person who hates our city." He then encouraged people that "if you want change, seek the change you want by getting involved. Then you know what to do..." He also took the position that it was the protesters' conduct, their entitlement, and their support from Council Member Cabán that was a "disgrace."

Chief Chell's use of the term "garbage" and claim that Council Member Cabán "hates our city" and "does not represent" its people, only served to further escalate the hostility between the Council Member and the Department that Council Member Cabán's initial posts created. Furthermore, Chief Chell's post, which was insulting and arguably intimidating, was directed at Council Member Cabán personally, unlike her post which was directed at the Department as a whole and at the Mayor.⁷⁴

⁷³ The use of the word garbage was perhaps an intentional reference to Council Member Cabán's previous use of the word garbage in an April 12, 2024 post about former Police Commissioner Caban's decision to not discipline the police officers who killed Kawaski Trawick. @tiffany_caban, TWITTER (X) (April. 12, 2024, 9:04 PM), https://x.com/tiffany_caban/status/1778952452408029629

⁷⁴ Council Member Cabán's subsequent posts in connection with this incident included a post in which she named Chief Chell personally and referred to his "gross misconduct." Council Member Cabán wrote that "the deleted tweet is a reminder that Chief Chell is used to just sweeping away his misdeeds, like when he fatally shot a man in the back, lied about it in court per the jury's findings,

While Chief Chell's post does not specifically use the word vote, and like his prior post did not occur during a primary or election period, his comment concerning seeking change, in response to a post from a specific elected official, raises similar questions as the post analyzed above. As previously stated, posts from official NYPD accounts should avoid even the possibility that they could be perceived as engagement in political activity.

Chief Chell's post prompted a significant response. On May 2, it was reported that the Speaker Adams spoke with NYPD and the Mayor,⁷⁵ and others, like Brooklyn Councilman Lincoln Restler, who referred to Chief Chell's March 29 post where he stated, "If you want change, vote the change you seek" as "completely unacceptable" and "wildly inappropriate, unethical, and dangerous."⁷⁶ A group of 39 elected officials, including Congressional Representatives, the Public Advocate, and the Comptroller, sent Mayor Adams a letter stating that "Chief Chell's bombastic and bullying rhetoric is not only a violation of democratic principles and the NYC Conflict of Interest Law, it is also dangerous... He is jeopardizing the safety of Councilmember Cabán and her staff. This is unacceptable behavior from a public safety leader of our city."⁷⁷ Council Member Cabán informed this Office that whenever Chief Chell or other NYPD accounts reference her directly, she receives threats, some homophobic, as well as harassing statements about her racial identity.⁷⁸

At some point on May 2, Chief Chell's post was deleted. Chief Chell informed this Office that he deleted it at the request of then-Police Commissioner Caban, but at the time, NYPD's press office stated that it was deleted in error. Then, later that evening, Chief Chell reposted the same message with the introduction "Like I said it was an accident...I'm back!!!!"

and not only kept his job but got promoted. Enough. Time for consequences of his gross misconduct." Tiffany Cabán (2024) 'Cabán post directed to Chief Chell regarding deleted post' [X {fka Twitter}] 02/May. Available at:@tiffany_caban.

⁷⁵ [N.Y.P.D. Social Media Attacks Prompt City Council to Seek Investigation - The New York Times](#)

⁷⁶ [Chris Sommerfeldt, *Concerns grow over political activity as NYPD big Chell slams councilwoman in since-deleted tweet* New York Daily News, May 3, 2024, <https://www.nydailynews.com/2024/05/02/concerns-grow-political-activity-nypd-chief-of-patrol-john-chell-slams-councilwoman-caban-deleted-tweet/>](https://www.nydailynews.com/2024/05/02/concerns-grow-political-activity-nypd-chief-of-patrol-john-chell-slams-councilwoman-caban-deleted-tweet/)

⁷⁷ [Chris Sommerfeldt, *NYC politicians demand Mayor Adams discipline NYPD Chief John Chell over 'dangerous' tweets*, New York Daily News, May 3, 2024, <https://www.nydailynews.com/2024/05/03/nyc-politicians-demand-mayor-adams-discipline-nypd-chief-john-chell-over-dangerous-tweets-aoc-lander-bowman/>](https://www.nydailynews.com/2024/05/03/nyc-politicians-demand-mayor-adams-discipline-nypd-chief-john-chell-over-dangerous-tweets-aoc-lander-bowman/)

⁷⁸ In response to requests from OIG-NYPD, Council Member Cabán's Office provided two voice messages, one left during this investigative period and a second more recent message that was left after NYPD's aggressive social media activity had subsided. The office was unable to directly link these voice messages to NYPD's posts referenced above or any posts analyzed in this report.

A. Discussion

No aspect of the social media exchanges discussed above served the public. The exchanges do not invite true dialogue about, or resolution of, consequential issues and they do not seek a path to common ground among individuals who hold diverse views. The exchanges are not particularly informative, and to the extent that they seek to convey factual information to the public, that information could be conveyed far more effectively in a courteous, dispassionate tone. The exchanges that the Office reviewed served only to fuel apparent personal hostilities between individual law enforcement officials and other members of City government or the community. It is this Office's view that these social media exchanges diminish senior law enforcement officers in the eyes of the public and make it more difficult for law enforcement to build good relationships with the communities they serve. In light of NYPD's critical role in maintaining public safety in the city, these risks are significant and they far outweigh any benefit to the Department that these posts may convey.

The social media posts of concern were relatively few in number and were created by a small number of NYPD executives, namely Chief Chell, Deputy Commissioner Daughtry, and some posts from the @NYPDNews account. While the posts are the responsibility of the individuals who wrote them, the lack of oversight over posting on the executive accounts and the lack of clear policies or guidance about the substance of posted content facilitated the inappropriate posts that are the focus of this report. These lapses in compliance expose fundamental flaws in the Department's oversight of its executives' social media use. NYPD's internal policies have not been updated to reflect the requirements of the Citywide Policy. In particular, the Citywide Policy refers to an internal agency review process for social media content—NYPD has no such review process for executive accounts. NYPD also does not provide training for its executives regarding the appropriate use of social media and the appropriate content for social media posts.

The absence of compliance with citywide policies and internal protocols has allowed gaps in oversight and accountability to persist, enabling the dissemination of inflammatory and inappropriate content. We therefore recommend, among other measures, that NYPD impose written policies with respect to social media usage by Department executives and provide training as to appropriate social media content.

VI. Conclusion – Findings and Recommendations

OIG-NYPD's findings include:

1. Certain X posts made by members of NYPD's executive staff on official City accounts were unprofessional and encouraged an unproductive public discourse. The posts violated Department policies related to acting with courtesy and civility.

The posts raise questions with respect to whether they may be deemed prohibited engagement in political activity by City employees, but DOI reaches no conclusion on this issue.

2. Several of NYPD's practices regarding social media are not in compliance with the Citywide Social Media Policy to which all City agencies are required to adhere. For example, some NYPD social media accounts are not registered with the Mayor's Office of Creative Communications nor did NYPD seek or receive approval from that office for the creation of individual official social media accounts for executives other than the Commissioner.
3. NYPD's official use of social media policy (dated December 2, 2022) has not been updated to include all of the requirements of the most recent Citywide Social Media Policy that was issued in June 2023. Notably, NYPD's policy does not describe the roles and responsibilities of the staff members who manage the agency's social media communications, the internal approval process for content, or how complaints about NYPD's social media communications should be addressed.
4. NYPD's use of social media policy does not provide rules or guidance about what content and language is appropriate to be posted from an official Department account.
5. NYPD executives with individual social media accounts operate their accounts without sufficient oversight and outside the supervision of the office of NYPD's Deputy Commissioner of Public Information.
6. Aside from a discussion during the Department's Basic Management Operations Course, NYPD does not provide formal training to NYPD executives with individual social media accounts regarding appropriate content for posting and the public impact of social media communications, although it does do so for Digital Communications Officers who are responsible for managing command-level social media accounts.
7. NYPD ceased to engage in social media exchanges that used discourteous language and targeted particular individuals in early May 2024, following public criticism of the posts discussed in this report and a request for a DOI investigation by City Council Speaker Adrienne Adams.

Based on these findings, OIG-NYPD makes the following six recommendations. NYPD should:

1. Memorialize in writing an internal review and approval process for posts on executive accounts.
2. Update all relevant Patrol Guide Procedure and Administrative Guide Procedure sections to align with the requirements of the Citywide Social Media Policy.
3. Review the Citywide Social Media Policy and ensure NYPD complies with all of its requirements.
4. Update the Department's social media use policy to include rules and guidance about appropriate content and language for posting on official Department social media accounts.
5. Assign Digital Communications Officers to all social media accounts, including at the executive level, to ensure that social media posts are consistent with citywide and department policy, and memorialize this requirement in writing.
6. Provide training to all staff using official agency social media regarding the Citywide Social Media Policy, the Department's social media policy, and best practices.