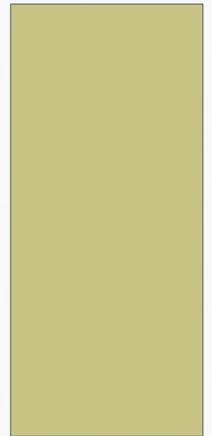


LEGAL ISSUES ASSOCIATED WITH GOVERNMENT USE OF SOCIAL MEDIA

**PROFESSOR RANDY L. DRYER
ULCT MIDYEAR CONVENTION, APRIL 8, 2016**



Social Media has revolutionized the communications landscape between citizens and government.



Connect



Connect Menu



Facebook

Find agency Facebook pages by category and see their latest status updates.



Mobile Applications

Find Utah government applications for your mobile phone.



Utah Blogs

Discover agency, legislative, and education blogs from across Utah state government.



Twitter

Find and follow agency Twitter accounts and see their latest tweets.



Photo Networking

View photos of Utah.



Pinterest

Pinterest is a way for Utahns to share, or "pin", images, videos, and other objects to a pinboard.



YouTube

Find and subscribe to agency YouTube accounts.



Widgets

Get state government delivered directly to your desktop.



LinkedIn

Find Utah agencies on LinkedIn.



WELCOME

Calendars

City Directory

Info Center

How can we help?



Home

Online Services

Residents

Businesses

City Life

Get Involved

Government

Home » Social Media



My Quick Links

Online Jobs Center

Court Payments

Pay Water Bill

Citizen Access Portal

Social Media

Airport



Twitter



Instagram

Golf



Twitter



Facebook



About Henrieville, Utah

Like

Save

City

Henrieville is a town in Garfield County, Utah, United States, along Utah Scenic Byway 12. As of the 2000 census, the town population was 159.

Geography

According to the United States Census Bureau, the town has a total area of 0.2 square miles (0.4 km²), none of which is covered with water.

Climate

The climate in this are...

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Location Utah

133 people like this topic

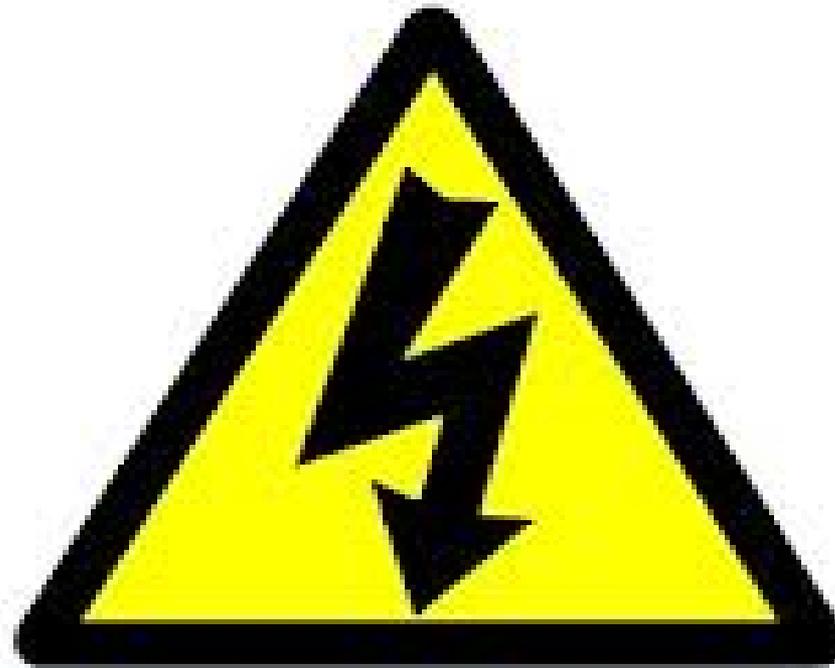
225 people have been here

Things to do in Henrieville, Utah

Clear 89°F

Know this city well? Contribute by adding more info to places in Henrieville, Utah.

[Suggest Edits](#)



DANGER!

Social Media Risks Ahead

SURVEY OF CONF. ATTENDEES

34% of you have a govt. paid for mobile phone

41% of you occasionally use govt. phone to make personal calls or send personal email or texts

81% of you occasionally use personal phone to make work-related calls or send work-related email or texts

SURVEY OF CONF. ATTENDEES

85% of you have a personal social media account

53% identify yourself as a govt. employee on the account

37% occasionally make posts on your personal social media account that relate to city or town business.

SURVEY OF CONF. ATTENDEES

84% of cities and towns have an official social media account

54% have written policy governing use of govt. equip. for accessing social media accounts

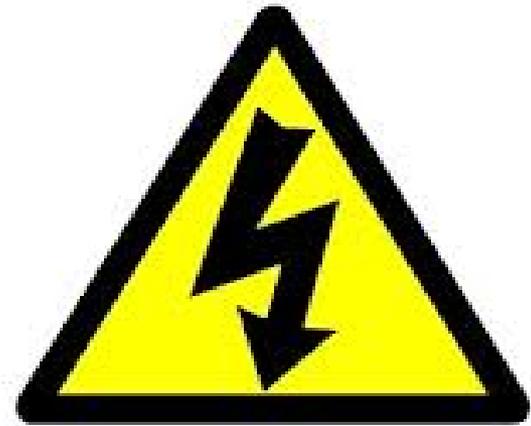
38% of cities and towns have written policy addressing employee use of social media during or after work hours.

SURVEY OF CONF. ATTENDEES

27% of you have received any formal training from your city or town regarding appropriate use of social media.

FIVE COMMON AREAS OF RISK WITH SOCIAL MEDIA

1. Reputational
2. Operational
3. Content management
4. Open Meetings Act
5. Records & Data



DANGER!

Social Media Risks Ahead

1. REPUTATIONAL RISKS



1. REPUTATIONAL RISKS



Governor Mike Pence



Randy

Home 20+



Governor Mike Pence ✓

11,315 likes · 267 talking about this



Government Official

Governor Pence is committed to continuing Indiana on a pathway to success through fiscal responsibility, economic development and educational opportunity for every Hoosier

About - Suggest an Edit



Photos



11,315

Likes



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1. REPUTATIONAL RISKS

#PENCERSHIP

WHEN INDIANA'S GOVERNOR THOUGHT HE COULD CENSOR THE WEB

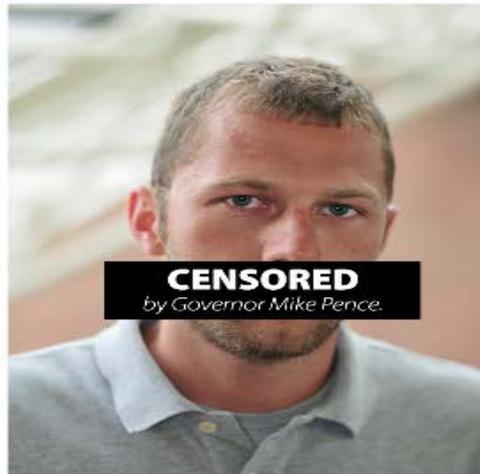
 Like 1,635 people like this. Be the first of your friends.

 Tweet 261

HAVE A CENSORED COMMENT YOU'D LIKE TO SHARE? E-MAIL ANDYMARKLE@GMAIL.COM.

WILSON MACK AND DAVID SMITH WERE BOTH PENCERED

Wilson Mack and David Smith were Pencered.



Recent Posts

Wilson Mack and David Smith were both Pencered
Apparently, Pence doesn't think "fairy" is derogatory
Despite statement, Pence still removing comments
Censorship from Heath Hensley Constituent was censored about another topic.

Ali Zuidervliet is censored for

 Wilson Mack
to me

 Jul 1 (1 day ago)  

1. REPUTATIONAL RISKS

The Twitter logo, consisting of the word "twitter" in a white, lowercase, sans-serif font followed by a white bird icon, all set against a blue rectangular background.

- "I'm downtown eating. Surrounded by Mormons and repressed sexual energy."

1. REPUTATIONAL RISKS

Policy decisions:

- Decide who is authorized to post on government sites.
- Educate employees on reputational risks to city even when the posts are on their personal social media accounts.
- Establish a policy on whether employees may reference their city employment on their personal sites and what types of posts may be inappropriate.
- Require employees to expressly note they are speaking as an individual and not on behalf of city when they post on their personal sites unless it is obvious.

2. OPERATIONAL RISKS



2. OPERATIONAL RISKS



2. OPERATIONAL RISKS

Policy issues:

- Does city have a written policy that governs employee use of social media while at work and that specifically covers online harassment?
- Will city monitor the computer, internet and email activity of employees?
- Does city have regular training of employees regarding online harassment and data security?
- Is city compliant with Utah law that prohibits city from asking employees or applicants for their social media passwords?

3. CONTENT MANAGEMENT RISKS



3. CONTENT MANAGEMENT RISKS

Policy questions:

- What purpose does SM site serve?
- Allow citizen comments?
- Site moderation?
- Centralized control vs. independent departments?
- Site specific TOU or default provider terms?

4. RECORDS MANAGEMENT



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4. RECORDS MANAGEMENT



4. RECORDS MANAGEMENT



4. RECORDS MANAGEMENT

- 1.** have a separate phone for city business and a separate phone for personal use.
- 2.** Consider having city use an external, automated archiving service to capture social media content.

5. OPEN MEETINGS ACT

Utah's Open Meetings Act



5. OPEN MEETINGS ACT

Q. If members of a public body text each other during a public meeting about a matter of public business, does that violate the Open Meetings Act?

SUGGESTED BEST PRACTICES

1. Elected or high appointed officials should maintain separate personal and govt. social media sites.
2. Don't discuss govt. related business on personal sites.
3. Don't discuss matters on govt. sites that will come before public body.

PRESENTATION TAKEAWAYS

1. If your municipality does not yet have a written policy that governs public and employee use of social media, get one soon!
2. Educate & train employees on
 - the relevance of after work online activities in terms of the workplace environment, and
 - the importance of preserving social media communications, even on mobile devices.

• **QUESTIONS?**

FOR MORE INFORMATION:

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- @medialawguy (Twitter)