

## **Municipalities and Social Media**

*The following is the first in a series of articles in upcoming issues of the VLCT News that explore the emerging policy and legal issues surrounding the use of social media applications by municipalities, their employees and elected officials.*

### ***What's A Bebo?***

Twitter. LinkedIn. Nixle. Digg. Bebo. Reddit. Do any of these names sound familiar to you? If they don't, you're not alone (though you may soon be). No, they aren't characters from "The Hobbit." They're all social media applications, and if you're not currently using one, you're quickly becoming the minority. In fact, since the launch in 1997 of SixDegrees.com, widely considered the first social networking site, social media applications have become so ubiquitous that if Facebook were a country, its population of 400 million would be surpassed only by China and India.<sup>1</sup> And if you think that social media usage is just for the kiddos, think again. The average age of a Facebook user is 38; the average age of a Twitter user is 39.<sup>2</sup> Municipal officials considering using social media should be fully aware of not only the uses and benefits of such a tool, but also the potential pitfalls if it isn't thoughtfully implemented.

### ***What is Social Media?***

Social media or "Web 2.0" is a term given to various internet-based information sharing communication tools or broadcast mediums that allow users to post comments or upload videos or other user-generated content. These tools won't change what you have to say or how you say it, but they will outfit you with a new delivery vehicle for your message. Social media encompasses a whole host of disparate applications relative to the user, available technology, prospective audience and content. It includes social networking sites such as Facebook, LinkedIn, and MySpace; blogs (there are an estimated 112,000,000 blogs both personal, corporate, media and topic specific); microblogs including Twitter, Tumblr, and Plurk; and video and photo sharing sites like YouTube, Hulu, Google Video, TwitPic, and Flickr, to name a few.

Which tool you use will depend on what information you want to share and the technological means by which you're capable of delivering it. For example, a blog or web log allows users to post commentary, news, or other information by utilizing text, links to other sites, audio files, images, or a combination of them on a webpage or part of a webpage. A microblog is essentially the same as a blog, but, as the name implies, just on a smaller scale both in content and in file size. This format lends itself to quick, short comments, updates or announcements uploaded typically via mobile electronic devices. Social networking sites (SNSs) provide people and organizations the opportunity to connect with one another electronically. Akin to pre-screened, web based gathering spaces, SNSs are typically reserved for building and keeping relationships and sharing information with friends, family, colleagues, or those with similar interests. Users can post background information and updates about themselves, upload and post pictures, video, and audio files, leave comments or connect with other "friends" in this web-based community by email or instant messaging.

### ***What do municipalities use social media technologies for?***

The principal benefit social media tools confer upon municipalities is the ability to share information in real time. Municipalities around the country (such as St. Paul, Minn., Coral

Springs, Fla., Chandler, Ariz., Arvada, Colo., Seattle, Wash., and Hampton, Va.) are already utilizing social media to promote program offerings, registration deadlines for recreation department activities and seasonal program offerings, warn quasi-judicial hearings or board meetings, inform residents and visitors of upcoming events, post job openings, provide contact information for municipal services, release traffic alerts, facilitate community policing efforts, advertise public forums to solicit comment on proposed legislation, as a marketing tools to attract business, and as a mouthpiece to tell the rest of the world just how great their communities are.

***“Social media sounds great! How do we start?”***

Not so fast. Before you log in to Facebook or Twitter and create a town account there are a few issues that you’re going to want to explore to determine whether the administrative costs and potential exposure to liability outweigh the benefits this technology brings. A few of these issues include:

- Which employees will be allowed to access town social media tools? Will they be required to adhere to a prescribed code of conduct when doing so?
- Will any restrictions be imposed on user-generated content?
- Can comments be managed without violating users’ First Amendment rights?
- Will citizens be allowed access to take advantage of the instant interactive capabilities between the public and local government that this technology affords?
- What is the affect of social media on Vermont’s Public Record and Open Meeting laws?

Based on all those questions, you can probably understand why the City Council for Redondo Beach, Calif. decided to remove its Facebook page. When asked why he made this recommendation to the council, City Attorney Mike Webb said ”Social media is inevitable, but we just think from a legal point of view Facebook has too many complications.” He said that he believes these and other questions will eventually be answered in court decisions. “I would just prefer that the case law not have City of Redondo Beach in the title.”<sup>4</sup>

VLCT doesn’t want to see the name of any of Vermont’s towns in the title of these cases either, so we’ll attempt to address these and other issues in future installments of the *VLCT News*.

**Garrett Baxter, Staff Attorney**  
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1 Online Media Gazette, [omgzam.com/infographic-how-facebook-grew-to-400-million-users/](http://omgzam.com/infographic-how-facebook-grew-to-400-million-users/)

2 Royal Pingdom, [royal.pingdom.com/2010/02/16/study-ages-of-social-network-users/](http://royal.pingdom.com/2010/02/16/study-ages-of-social-network-users/)

3 Welcome to Technorati, [web.archive.org/web/20080504092447/http://www.technorati.com/about/](http://web.archive.org/web/20080504092447/http://www.technorati.com/about/)

4 Kristin S. Agostoni, *Redondo Beach does about face on Facebook*, DailyBreeze.com, Aug. 22, 2010, [www.dailybreeze.com/news/ci\\_15863747](http://www.dailybreeze.com/news/ci_15863747)