

Municipalities and Social Media

The following explores the legal and policy issues surrounding the use of social media by municipalities, their officials, and their employees.?

You've probably heard of Facebook, X (formally known as twitter), Instagram, LinkedIn, Front Porch Forum, or Nextdoor. Maybe you've heard of Reddit and Snapchat. There's also TikTok, Vine, and Tumblr. If you're familiar with all these apps, then you're already ahead of the game in understanding social media.?

These social media apps (and many more) give us the ability to connect instantaneously with basically anyone anywhere in the world, and potentially reach hundreds of millions of people, which has fundamentally changed the way people communicate with one another. Social media has created a world in which people expect information and feedback quickly.??

This expectation and the prevalent use of social media put pressure on local governments to use social media, too. Despite no requirement in Vermont law to use social media, citizens now often assume that Vermont municipalities will use social media to communicate with them by promoting upcoming events, meetings, and deadlines, announcing public safety concerns, marketing their communities, sharing news and information, and encouraging and facilitating public participation and feedback.??

While using social media to keep in touch with the public is a great tool, the benefits gained must be weighed against the potential risks and work required to properly manage it. Municipalities must understand that using social media and regulating its use involves sensitive legal issues, which may give rise to litigation. Issues include potential violations of the First Amendment rights (free speech) of individuals, copyright laws, and Vermont's sunshine laws (i.e., the Open Meeting Law and Public Records Act). Beyond legal issues, local officials risk losing the public's trust and political support when they use social media inappropriately to make derogatory or inflammatory remarks.

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