



OVERVIEW

# Protecting the Village of Kronenwetter with Social Media Archiving

# Why do we need to archive?

“With the public records law in Massachusetts, it is critical to capture all of the records produced by social media. **You are protecting your community, your employees and complying with the law.**”



**NICHOL FIGUEIREDO**  
*Public Information Records  
Access Officer & Webmaster  
Framingham, MA*

- ▶ Our social media is creating public records.



Open records laws maintain that we need to be able to produce social media records—**both from our own content, and from content our constituents create**—in response to records requests.



Social media is a mission-critical part of our communication strategy, and our constituents are creating, editing, and deleting records on a daily basis.

- ▶ If we do not preserve our social media records, **we are potentially out of compliance with state records regulations.**

- ▶ Beyond public records responsibilities, we will increasingly need to produce records for a variety of other types of requests.



Requests from internal stakeholders



E-discovery requests

# Wisconsin Social Media Records Guidance



## Wisconsin Public Records Law Compliance Guide

*Wisconsin Department of Justice. Attorney General Brad D. Schimel*  
November, 2015

### Record Identification

- ▶ Electronically stored information generally constitutes a “record” within the meaning of the public records law so long as the recorded information is created or kept in connection with official business. The substance, not the format, controls whether it is a record or not.
- ▶ **Electronic records include content posted by or on behalf of authorities to social media sites, such as Facebook and Twitter, to the extent that the content relates to government business. If an authority uses social media, the content must be produced if it is responsive to a public records request. This includes not only currently “live” content, but also past content.**

*Excerpt from* **Wisconsin Public Records Law Compliance Guide**, page 53

<https://www.doj.state.wi.us/sites/default/files/dls/2015-PRL-Guide.pdf>

# Guidance - WI Public Records Board

*“Public officials need to realize that in many cases the tweets and Facebook posts - and the comments they generate - can be public record that needs to be retained and potentially produced later under the open records law...”*

## Wisconsin board grapples with saving text messages, social media posts as public records

Jason Stein, Milwaukee Journal Sentinel | Published 9:35 a.m. CT Nov. 21, 2017 | Updated 1:22 p.m. CT Nov. 21, 2017



(Photo: AP Photo / Matt Roserke)

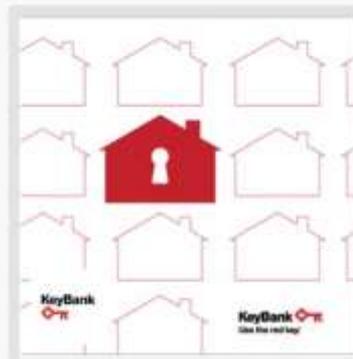


MADISON - When government work gets done on Twitter, Facebook and other social media, does it get saved and if so for how long?

What about text messages?

A state board is hoping to answer at least some of those questions for state and local officials who increasingly must apply the state's old open records to new technologies.

Matthew Blessing, chairman of the Public Records Board, said at a board meeting Monday that he hopes to develop new guidelines for the government officials who have been asking his board for that very thing.



Carl Buesing, an attorney on the board, said some text messages from public employees can be deleted, such as a nurse at a county nursing home who texts to say she is late for a shift. But Buesing said that using text messages can be problematic if government officials can't save them and produce them later to the public if needed.

"Until we find a way to capture that I'm not enthusiastic about using it," he said.

In other areas, the state is taking steps to capture government business on social media.

For instance, Abbie Norderhaug said the Wisconsin Historical Society is now archiving Gov. Scott Walker's Twitter posts once a month. To do it, the agency uses a [web service called Archive-It](#), said Norderhaug, the assistant state archivist.

Public officials need to realize that in many cases the tweets and Facebook posts — and the comments they generate — can be a public record that needs to be retained and potentially produced later under the open records law, Blessing said.

"That's a transaction of public business," he said.

# Why do we need an archiving solution – is there another way to do this?

“Facebook has no records management capability.”



**JERRY  
LUCENTE-KIRKPATRICK**  
Formerly State Records  
Analyst  
State of Arizona

## Other methods don't capture the content we need.

- ▶ We cannot rely on the social networks to archive for us.



The social networks do not provide user comments or revisions to content (edited, deleted, and hidden content) in their download features



The social networks are not bound to public records laws, and have no legal obligation to retain records

- ▶ We cannot rely on “manual” archiving, or screenshots



Screenshots are only a snapshot in time, do not capture deleted or revised content, and are not searchable



Screenshots have no metadata attached to them, and are not effective in court

- ▶ We cannot just make our social media “one-way”



There's no way to consistently block users from generating content on our social media pages



For example, on Facebook, we cannot disable users' ability to comment on our posts

# Why should we do this now?

“If you don’t have something like ArchiveSocial for your social media, **you’re playing Russian roulette with your daily public records responsibilities** — and that’s not a good idea. “



**REBECCA MEDINA  
STEWART**

Director of Public Affairs and  
Marketing  
*City of Deerfield Beach, FL*

- ▶ It gives us confidence that we are in compliance with state records laws, and can easily respond to records requests.
- ▶ Without it, we are losing records daily, through deleted and edited content.
- ▶ As engagement on our social media increases, it gives us insurance in case of unexpected events.



It gives us confidence to moderate content in accordance with our social media policy, confident that we have the records to defend ourselves



It gives us the ability to conduct reviews, if needed for internal stakeholders or external parties

# Why ArchiveSocial?

“ArchiveSocial’s functionality, ease-of-use, compliance, and reporting features are better than their competitors. I was impressed by how simple it was to add accounts and to pull up records. Brilliant!”



**DAVID BRAUHN**  
Communications Manager  
*City of Walla Walla, WA*

- ▶ The industry leader- working with nearly 7,000 agencies nationwide.



From small towns to the largest cities, including NYC, Chicago, Dallas, and Austin



Currently working with more than 300 agencies in Wisconsin, including the City of Mosinee, the Village of Weston, Marathon County, the City of Wausau, and more!

- ▶ It gives us the highest level of compliance.



ArchiveSocial preserves more content than any other solution



Search and replay features that enable us to easily respond to records requests

- ▶ They are in the top 1% of customer satisfaction scores for software companies, with a US-based customer support team ready to assist us.