



# CITY OF LAUREL, MARYLAND CITY COUNCIL PROCEDURES ON SOCIAL MEDIA

**EFFECTIVE DATE:** DRAFT Revision 1.0

## PURPOSE AND SCOPE

This procedure is designed to support Councilmembers in navigating compliance with the First Amendment, Maryland Public Information Act, Open Meetings Act, City Election Code, and other statutory requirements. This procedure applies to the use of social media by City Councilmembers, especially when they represent themselves - explicitly or implicitly - as elected officials of the City of Laurel, Maryland through the use of title, role, or official actions. It establishes guidelines for lawful, ethical, and effective communication across official and personal accounts, with the goals of protecting public trust, ensuring transparency, and upholding legal compliance while protecting the free speech, safety, and autonomy of the Councilmembers.

## DEFINITIONS

- **Social Media:** Digital platforms and applications that enable users to create, share, or interact with content and engage in social networking. This includes, but is not limited to Facebook, X (formerly Twitter), Instagram, YouTube, TikTok, LinkedIn, Nextdoor, and similar services. For the purposes of this policy, social media also encompasses blogs, newsletters, and web-based forums used for public communication.
- **Account (generally):** A social media account maintained by, or on behalf of, a Councilmember. All Councilmember accounts are created, maintained, and managed by the Councilmember and their designees. City staff do not have access to, or responsibility for, these accounts or their content.
- **Official Account:** An account used primarily for conducting City-related business.
- **Personal Account:** An account used primarily for private, non-City-related communication.
- **Campaign Account:** An account used to support election or re-election efforts, fundraising, or political advocacy. Campaign accounts are not covered by this policy.

- **Content:** Any posts, messages, comments, replies, shares, images, videos, links, or other communications created, published, or received through a social media account. This includes both original and shared material, whether public or private, and regardless of format or platform.
- **City-Related Content:** A subset of Content that pertains specifically to City community programs, services, events, meetings, legislation, policy decisions, or other official matters before the Council. City-Related Content is subject to legal requirements under the Maryland Public Information Act, Open Meetings Act, and other applicable statutes.

## **PROCEDURE**

### **I. City Governance of Accounts**

Councilmembers' official social media accounts and personal social media accounts are independently created, owned, and operated by the Councilmembers. The City does not govern or influence their content or use, except as necessary to enforce applicable laws and ordinances, or to protect the City's legal interests, intellectual property, and public reputation.

### **II. Training and Support**

Training and support on the implementation of best practices and adherence to this procedure are available from the City's Departments of Communications and Information Technology. Requests shall be made through the City Clerk.

### **III. Use of City Branding**

- A. Official Accounts may use City logos, City branding, official headshots, and imagery that implies municipal affiliation with approval from the Office of the Mayor, in accordance with the City Code Section 2-3. - City seal, City department seals and logos, official City board, commission and committee logos, and official City branding logos.
- B. Personal accounts shall not use City titles, City logos, branding, or imagery that implies City endorsement. Personal accounts may share content from official sources that contain City branding but shall retain original context and shall not imply City endorsement.

### **IV. Sharing, Linking, and Promotion of Accounts**

- A. The City may share, link to, tag, or otherwise promote official accounts or content as detailed under this Section IV. Councilmembers may request that content be promoted by City social media accounts and outlets in accordance with City Policy 6-004.01 - Social Media.

1. The City will only share or promote accounts that meet the criteria of an official account, as defined in this procedure.
2. Shared content shall align with City values, be factual, non-partisan, and promote programs, services, or initiatives that serve the public interest.
3. Content that is campaign-related, personal in nature, or inconsistent with City policies will not be shared.

## **V. Official Accounts**

The following section provides guidance for Councilmembers in their use of official social media accounts, supporting legal compliance and maintaining clear distinctions from personal activity.

### **A. Legal Compliance**

Official accounts are subject to various legal requirements, the most prominent of which are:

1. **Public Records:** The Maryland Public Information Act (MPIA) states that official communications, including those made by local City Councilmembers, are public records and are subject to retention, public request, and review.
2. **First Amendment & Limited Public Forum:** If an official account allows public interaction (e.g., comments) it becomes a limited public forum, subject to free speech protections for public participants. Moderation policies must be clearly disclosed, viewpoint-neutral, and carefully implemented to avoid legal challenges.
3. **Campaign Finance and Ethics Laws:** State and City laws prohibit the use of government resources for campaign purposes and regulate fundraising activities. Official accounts may not reference candidacy, endorse other candidates, or solicit campaign donations. In accordance with the City of Laurel Election Laws, Councilmembers may not publicly affiliate with a political party in connection with their candidacy or elected office. This restriction extends to content posted on official accounts.
4. **Maryland Open Meetings Act (OMA):** Councilmembers shall avoid engaging in any online communication that, directly or through serial posts, could establish a quorum on matters related to public business, as this may violate the Maryland Open Meetings Act.

### **B. Recommendations**

1. Content on official accounts shall be retained in compliance with the MPIA.
  - a. When using a social media account to conduct public business, the Councilmember is considered the custodian of any resulting public records under the MPIA.

- b. Councilmembers maintain sole responsibility for the preservation and production of public records.
  - c. The City will provide technical and legal support to Councilmembers in the fulfillment of MPIO public records requests.
  - d. Councilmembers may opt to connect accounts to City-supported archiving platforms on request, and will be granted access to connect, access, and retrieve archived records.
- 2. Councilmembers may use official City headshots on their official accounts. Councilmembers may use City logos, branding, and other City-owned materials on their official accounts with approval from the Office of the Mayor, in accordance with the City Code Section 2-3. - City seal, city department seals and logos, official city board, commission and committee logos, and official city branding logos.
- 3. Councilmembers are encouraged to use official accounts in the execution of their office. In the use of their official accounts, Councilmembers shall:
  - a. abide by all applicable federal, state, and local laws and regulations, as well as applicable City policies.
  - b. avoid partisan content, personal promotion, or commercial endorsements on their official accounts.
  - c. not reference candidacy, endorse other candidates, or solicit campaign donations.
  - d. refrain from joining private and invite-only groups on official accounts, as doing so may restrict public access, undermine transparency, and potentially conflict with open government and public forum requirements.
  - e. not use official accounts for personal or campaign communications.
  - f. be mindful when participating in online discussions to avoid establishing a quorum with other Councilmembers.
  - g. not distribute any internal reports, drafts, or communication not formally approved for public distribution.
  - h. preserve original content, context, and links back to primary sources when sharing centrally disseminated information such as City alerts and event notices.
- 4. Official accounts shall only be used during the Councilmembers' term of office.
  - a. When a Councilmember leaves office, use of the official account shall cease, and instances of the title "Councilmember" shall be replaced with "Former Councilmember" to prevent issues of confusion, impersonation, or unauthorized communication.
  - b. Archived content shall be retained even after the account is deactivated.

5. Official accounts shall include a disclaimer and content moderation statement in their description.

*Example: This is the official social media page of Councilmember [Councilmember's Name], representing the City of Laurel, Maryland [Ward #]. The content shared here is intended for informational purposes related to official duties. Public comments are welcomed; however inappropriate content may be removed if it contains:*

- *Obscenity or sexually explicit material*
- *Threats, harassment, or hate speech*
- *Incitement to violence or criminal activity*
- *Spam, phishing, or commercial advertisements*
- *False impersonation of others or misleading account identification*
- *Personal attacks or violations of platform terms of service*
- *Content that compromises public safety, violates privacy, or discloses sensitive personal information*

*If you believe that your content was moderated inappropriately, please contact [contact method].*

## **VI. Account Security**

- A. The City highly recommends the use of multi-factor authentication and limiting administrative access to trusted individuals for all types of accounts.
- B. Councilmembers are responsible for content security, moderation, and primary response to security incidents on their own Councilmember-owned accounts. The City's Department of Information Technology does not have access to Councilmember-owned accounts but will, at the Councilmember's request, assist with configuration and security incident response on Official Accounts.

## **VII. Personal Accounts**

The following recommendations are made for the benefit of the Councilmembers in the use of personal accounts, to maintain the distinction between personal and official accounts.

- A. Personal accounts should include a disclaimer in their description that indicates that the account is a personal account.

*Example: "This is the personal page of [Name]. The views expressed here are solely my own and do not reflect the views of the City of Laurel, Maryland, its*

*Council, or any affiliated entities. For City business, please follow [Official Page Name/Link].”*

- B. Refrain from using City seals, logos, City branding, City headshots, or imagery that implies City endorsement or would otherwise blur the distinction between personal and official accounts.
- C. Personal accounts should not be used to conduct or discuss City-related business. Conducting or appearing to conduct City-related business on personal accounts may open those accounts to legal requirements usually reserved for official accounts.
- D. Content shared by official City sources shall retain original context and avoid implying endorsements or City affiliation.