

March 14, 2023

MEMO TO: Members of the Council

F R O M: Alice L. Lee

Council Chair



SUBJECT: **SOCIAL MEDIA POLICY AND COMMUNICATION PLAN** (PAF 21-341)

Please find attached the Social Media Policy and the Communication Plan.

If you have any questions, please contact Hawaiian Language Communications Specialist Nalani Fujihara at ext. 8008.

ocs:proj:communications:21-341d

Attachments

cc: Traci Fujita, Director of Council Services
David Raatz, Deputy Director of Council Services
Moana Lutey, County Clerk
Richelle Thomson, Deputy County Clerk
Victoria J. Takayesu, Corporation Counsel
Laksmi Abraham, Executive Assistant, Office of the Mayor

Maui County Council

Social Media Policy

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Introduction and applicability

The Office of Council Services supports the Council's legislative work and disseminates information on Council business through OCS-managed social media accounts, a website, and other means.

OCS manages the following social media accounts:

- Facebook:
<https://www.facebook.com/MauiCountyCouncil>
- Twitter:
<https://twitter.com/mauicounty>
- Instagram:
<https://instagram.com/mauicountycouncil>
- YouTube:
<https://www.youtube.com/channel/UCIFP2h4o6AH26GCbUNoByeg>

OCS also manages MauiCounty.us.

OCS does not manage Councilmembers' social media platforms. Each Councilmember is solely responsible for the content and management of their social media platforms under this policy.

Under the Sunshine Law, Councilmembers should not post, comment on, or otherwise communicate on Council business with fellow Councilmembers or each other's staff members on social media, unless a permitted interaction applies.

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Council staff members may comment, post, or communicate on Council business with the Council social media platforms, and each Councilmember's social media platforms, when the staff is acting in their individual capacity, on personal time while using personal equipment, and not as a representative of the office with whom they are employed.

As used in this policy, "social media account" and "social media platform" are synonymous, unless the context and "Council social media platforms" are official, OCS-managed Councilmember social media accounts.

This policy is intended to ensure Council social media accounts comply with the County Code of Ethics, State open-government statutes, and the United States and Hawai'i constitutions.

Limited public forum

The Council's social media platforms and each Councilmember's social media platforms when used for official purposes qualify as limited public forums, and members of the public have a First Amendment right to express their opinions on them.

If a platform's settings allow for user comments, users are free to post questions, comments, and concerns about Council business on that platform, subject to this policy's standards of conduct.

Once a Council social media platform has been enabled to receive comments, users must not be blocked based on their criticism or disagreement with a viewpoint of the Council or a Councilmember. Council social media accounts will not filter, hide, or delete user content unless it is inconsistent with this policy's standards of conduct.

All user comments may be disallowed or discontinued on any Council social media platform at any time. OCS and Councilmembers reserve the right to remove any post or comment at any time, consistent with this policy.

Standards of conduct

Content posted to a Council social media platform may be removed if it falls within any of the following categories:

- Copyrighted material.
- Commercial solicitations or inquiries.

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- Electoral-campaign advocacy.
- Personal information protected by law, including a driver's license number and Social Security Number.
- Content that is threatening or includes incitement to violence.
- Profane, graphically violent, racist, or sexually explicit content.
- Solicitations to commit a crime.

Social media content

Council social media platform users should expect to see posts that serves a legislative purpose, including the following:

- Links to press releases, meeting agendas, and other announcements about Council business.
- Photography and videography of Council events, meetings, ceremonies, and special occasions.
- Live and archived videos of Council or Council committee meetings, press conferences featuring Councilmembers, or interviews with Councilmembers.
- Updates on Council bills and resolutions.
- Information on how to submit testimony to the Council and its committees.

Following other accounts and liking posts

Council social media accounts should not follow accounts from or like social media posts from commercial enterprises, content-sharing services, electoral campaigns, or political action committees. Councilmembers should avoid liking, sharing, or commenting on other Councilmembers' posts in their official capacities.

Examples of appropriate social media accounts to follow are:

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- Municipalities of the State of Hawai‘i, including individual departments and divisions.
- Government agencies of the United States of America.
- Nonprofit organizations in the State of Hawai‘i.
- Legitimate media outlets and credentialed reporters.

Disclaimers

The Council’s social media platforms are not monitored outside of County business hours. Users should not use the Council’s social media platforms to contact or provide notice to the County about dangerous conditions or situations. If a dangerous condition or situation exists, please contact the appropriate agency, such as the police department, fire department, or water department.

Content posted by the public to a Council social media platform does not constitute a request for service, legal or official notice, service of process, or a request to testify at a Council or committee meeting. Content posted to a Council social media platform does not supersede the County’s normal business practices or requirements under the Sunshine Law.

The Council’s social media accounts’ posts may contain links to websites not owned or controlled by OCS or a Councilmember. If provided by OCS or a Councilmember, the links are for user convenience only. The Council is not responsible for and does not endorse any links embedded in comments posted by users.

The Council is not responsible for any advertisements or other content provided on “related” and “promoted” videos accessible from a Council social media platform. The appearance of an advertisement or “related and “promoted” content accessible from a Council social media platform does not reflect a Council endorsement, opinion, position, or policy.

By posting content on a Council social media platform, users agree they have no expectation of privacy in the information provided and acknowledge their posting is subject to disclosure under the Uniform Information Practices Act.

Comments or content posted by the public on a Council social media platform are the opinion and sole responsibility of the person or entity posting the content. Publication of a comment does not imply the Council or any Councilmember

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endorses the content or that the content reflects the opinions or policies of the Council or any Councilmember.

A link to this social media policy should be provided on all Council social media platforms. This social media policy may be revised at any time without notice.

Copyright


The Council retains the copyright to all text, graphic images, videography, photography, and other content produced by and posted to OCS-managed social media platforms.

Users of the Council's social media platforms may view, share, link to, or distribute information found on the platforms for non-commercial purposes. The Council makes no warranty that information on Council social media platforms is free of copyright claims or other restrictions on free use. Commercial use of content found on the Council's social media platforms is prohibited.

Direct or private messages

Direct or private messages sent to or by Council social media accounts may be considered government records, subject to public disclosure.

Approved:



ALICE L. LEE
Council Chair
March 14, 2023

ocs:proj:communications:21-341b