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## **Electronic Records Management: Are Social Media Posts Public Records?**

**Purpose:** Provide guidance to state agencies and local government entities regarding whether social media posts are public records for the purposes of records retention (chapter 40.14 RCW).

### **Are social media posts public records?**

**YES** – If a post relates to public business (the work of the agency), then it is considered a public record in RCW 40.14.010.:

“As used in this chapter, the term "public records" shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business, and legislative records as described in RCW 40.14.100.”

### **What if I post using a personal account?**

If you use a personal social media account to conduct business for your agency, you are creating (and potentially receiving) public records.

It doesn't matter if you use a personal account or an agency account. If you are conducting agency business via social media, the records you create and receive are public records and must be managed appropriately.

### **What about public records requests for social media posts?**

For guidance on public records requests for social media, please consult your agency's legal counsel or the Office of the Attorney General's Open Government Program via their website.

**Additional advice regarding the management of public records is available from  
Washington State Archives:**

**[www.sos.wa.gov/archives](http://www.sos.wa.gov/archives)  
[recordsmanagement@sos.wa.gov](mailto:recordsmanagement@sos.wa.gov)**