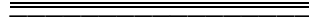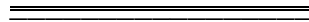# The Bill Blackwood
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Law Enforcement and Social Media

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A Leadership White Paper
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ABSTRACT

Everyday there is something new to be found on the internet. There are new sites, videos, photographs, and even articles. These days, the internet is where the public goes to get their information. Printed publications such as newspapers and magazines will soon be a thing of the past. Those publications can now be found online as well. In order to keep up with these changing times, law enforcement agencies need to be where the public can be reached faster and by more people. Law enforcement agencies should develop and maintain a presence on social media sites.

Social media sites should be thought of as tools. The sites can be used to educate the public. They can also be used to disseminate emergency information or notify the public of upcoming events. They can highlight things going on within the department or recognize employees. Social media sites can be a great way to increase positive interactions with the citizens.

There are those who have concerns about the information being put out by law enforcement agencies. They believe that information put out may affect the outcome of an on-going investigation. There are still others who believe their 4th Amendment rights are being violated. They do not realize that they no longer have an expectation of privacy once they post to a social media site.

Some agencies may still be hesitant to use social media, but it is what the agency makes of it. They can publish the facts or they can publish the facts while also publishing thoughts, ideas, questions, or concerns. Social media is the new way to interact with the community and that is why agencies should develop and maintain sites to interact with their public.

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INTRODUCTION

Law enforcement has to deal with an ever changing world. Not only does society keep changing, but the tools of the trade keep changing. In today's world, almost every adult has a smart phone that is capable of surfing the World Wide Web. Almost every home has a computer. There are public entities, such as libraries, that provide computers for public use. Brenner claimed that from 2005 to 2013, social media use has increased from 8% to 72% (as cited in Burguan, 2013). Waters (2012) stated, "The growth, power, and influence of social media have proven phenomenal as evidenced by the decline of traditional newspapers and the outcome of the 2008 presidential election" (para. 2). In order to fight crime successfully, officers need to be where the criminals are. That means officers need to stay in the know and keep up with technology.

As of March 9, 2016, Facebook claims to have over 1 billion active users (Facebook, n.d.). Twitter claims to have 320 million active users (Twitter, n.d.). Pinterest claims to have over 50 billion pins to explore (Pinterest, n.d.) and YouTube claims to have more than 1 billion users (YouTube, n.d.). As the world increasingly uses the internet and social media sites, criminals have found ways to use them for their personal gain as well. Criminals will continue to find ways to break the law. For this reason, law enforcement needs to show a presence online. Law enforcement agencies should develop and maintain a presence on social media sites.

Social media can be used to effectively communicate with the public for both assistance and education. Law enforcement can ask the public for assistance in locating suspects or missing persons or locating witnesses to a crime. Agencies have even asked the public for assistance in locating stolen property. Social media can also

be a useful tool to educate the public. The public can be educated to protect themselves and prevent themselves from becoming victims. In November 2009, the Roanoke, Virginia, police department launched a Facebook page with the goal of decreasing incidents of property crime by educating citizens about how they could best protect themselves (Jones & Johnson, 2011).

Not only can social media be an effective tool for communicating with the public, but it can also be a useful tool in locating, identifying, and communicating with criminals. One example would be investigators who use social media to disguise their identity and locate child predators. Officers can also use social media to locate wanted persons by posting wanted photos online. In the past, one would get news by word of mouth, a television news station, or waiting for it to be printed in the newspaper. Depending on the urgency of the news, network programming might be interrupted or an officer would have to go door to door and notify the public of a situation. Now, with the internet and social media, a larger audience can be reached as things unfold. Those reached can share or forward the information to people they know and those people can pass on the information to others allowing for a much larger audience in a shorter amount of time (Kolb, 2012). Social media can be used as a tool to pass on emergency information, such as evacuation routes during natural disasters, or to notify the public of pending emergencies. It can also be used to pass on information to the public in cases where there have been releases of hazardous materials. The public can be told to stay in place or find a shelter.

Sites such as MySpace, Facebook, Twitter, Pinterest, YouTube, Flickr, and Tumblr as well as others have been used by law enforcement agencies to investigate

cases. Investigators have used social media sites to develop probable cause for a search warrant. Criminals have been known to use social media to post videos of themselves committing crimes as well as post photos posing with stolen property. Criminals have also been known to post statements bragging of a crime they have committed. Criminals have even posted statements threatening victims. This makes it much easier for investigators. The computer screen can be copied, photographed, or printed as proof of a crime. Investigators can then use those videos, photos, or posts to get search warrants. If elements of a crime are present, investigators can also use the posts themselves as evidence that can be coupled with other facts to obtain a warrant for someone's arrest.

POSITION

Social media is a way for law enforcement agencies to educate the public. There are different sites from which law enforcement agencies may choose. Some of the more popular ways are Facebook, YouTube, and Pinterest. Each site is set up differently and attracts different age demographics. Guimaraes (2014) stated a study done by *Business Insider Intelligence* shows that Facebook has 10% more women than men while Twitter has more males than females. Facebook still has more daily teen users than any other social network. The same article also states that six out of ten members of Snapchat are in the 18 to 24 age group (Guimaraes, 2014). Law enforcement agencies should determine which site works best for their needs. They may also want to maintain a presence on more than one social media site.

Another aspect of using social media for law enforcement purposes is to use the social network as an educational tool. It can be used to educate the public on things

such as how to properly install a child safety seat in their vehicle. Law enforcement can also educate the public on how "not to" be an easy victim. Agencies can remind the public about simple things like locking doors and windows or not to leave valuables in the front seat of their vehicle where they are visible to passersby. They can teach residents that letting hedges block windows may create the perfect hiding spots for burglars, or teach business owners that too many signs or posters in the store windows may block their view of approaching robbers or suspicious subjects.

Foreman (2015) stated, "For a law enforcement agency, abstaining from a social media presence in the current culture is becoming the equivalent of leaving your handcuffs at home. It's a tool that has become a critical part of the job" (p. 40). Some law enforcement agencies can use this "tool" to offer training to the public, such as a gun safety course. They may also offer Citizen Response to an Active Shooter Event (CRASE).   CRASE is used to educate the public on how to survive if they should find themselves in an incident involving an active shooter. A law enforcement agency can use social media to notify the public of upcoming training courses such as Sexual Harassment and Rape Prevention (SHARP) or a handgun safety course. Using social media in this way can reduce the negative attitudes some of the public has towards law enforcement. Myhill (2006) found research that indicated engaging the community did impact the public positively, making them feel safer; therefore, it improved relations between the public and the community.

Another positive aspect of social media networking is that it can be used as a tool to give the public information during emergency situations such as tornados, hurricanes, or floods. Citizens can be told what to do during those situations or they can also be

notified of any storm shelters made available to them. This can be done quickly and updated as necessary. Alexander (2011) stated that agencies can update citizens on evacuations, street closures, flooding, and storm conditions almost as they occur. In this same way, law enforcement agencies can use social networking sites as a tool to notify the public of crimes as they occur, especially if there is a dangerous suspect or an escaped prisoner on the loose. Agencies can give descriptions of the suspect and what crime was just committed or the prisoner and the reason they were incarcerated. The public can be notified of the last location of the suspect and the suspect's mode and direction of travel. In this way, the portion of the public that feels they need to heed warnings can steer clear of the area or lock their doors. The other portion of the public who wants to help may look for or report any sight of the suspect. Regardless of which choice the citizen makes, they are aware of the situation. They can continue to check the social media site for updates.

Law enforcement agencies can also ask the public for assistance. Citizens can be asked to help locate missing or endangered persons. Citizens can be given information on runaways or missing persons and asked to call their local law enforcement agency if they believe they have spotted the runaway or missing person. They can also assist in identifying suspects. Some agencies have also asked the public to assist in solving cases. In a survey done by *LexisNexis* ("Social media use in law enforcement," 2014)*,* 73% of officers believe using social media helps solve crimes faster. Officers can give locations and times an offense may have occurred and attempt to locate witnesses. Officers are also able to create undercover accounts and follow subjects or collect evidence ("Social media use in law enforcement*,"* 2014). In the same

report, one officer claimed he was able to identify a drug dealer by locating him on another drug dealer's page. Kentucky State Police Department (KSPD) was able to apprehend a suspect who fled from a hit and run accident. KSPD posted some basic information about the accident and the suspect vehicle description. The department began receiving tips and messages that ultimately resulted in the arrest of the suspect (Brewer & Bray, 2014).

To keep current, law enforcement agencies can join in on trends such as Throwback Thursday on Facebook. Now some law enforcement agencies have started their own trends such as "Turn 'em in Tuesday" or "Warrant Wednesday" (Taylor, 2015). Agencies can post photos of wanted persons or their "top ten" most wanted fugitives along with warrant information and advise the public to call in to report any tips. Not only can law enforcement agencies ask citizens for assistance, but agencies can assist the public by notifying them of upcoming events. Law enforcement agencies might be participating in or hosting an event such as National Night Out or a prescription take back program. Some agencies may host blood drives or food drives. Agencies may have an Explorer program for the youth or a Citizens Police Academy. There might be a Crime Stoppers program the public might want to be reminded of. Agencies can post phone numbers or links to those programs.

Those types of programs allow interaction between law enforcement agencies and the public. In this way, social media networks allow citizens to see police officers on a more human level. It allows citizens a peek inside the law enforcement organization and the organization's values. Burns and Perron (2014) stated, "A tone that always projects professionalism, competence, and confidence is fundamental.

However, an agency really can go the extra mile and win over the public by remaining approachable and human on their social media channels" (p. 32). Law enforcement agencies might post accomplishments by employees of the agency such as an award for officer or dispatcher of the month. Agencies might also give recognition to an officer for saving a life or stopping a crime in progress. They can also highlight an employee's involvement in the community. All these things make an officer more approachable.

COUNTER POSITION

As with all things, where one finds positives, others will find negatives. Some still oppose the presence of law enforcement agencies on social media networks. They are concerned with the information that is being put out to the public. The Boca Raton Police Department (BRPD) in Florida has had a social media presence for years. Alexander (2011) stated, "Critics question the use of social media, saying it releases too much information without adequate filtering. However, at the BRPD, the same information that would normally be released to the public is posted on social media sites – no more, no less" (p. 64). Most agencies follow the same guidelines, only releasing information that is public record. In this regard, law enforcement agencies are finding that the use of their public information officers (PIO) to be helpful. Normally what would be put in a press release can now be posted on a social media network. In turn, the press can go to the agencies website or page and share the information with their viewers.

PIO's posting the information on the agency's site also limits the amount of wrong information that may be disseminated. It can also prevent someone being misquoted. Often times, law enforcement agencies have found that the information passed on in a

press release has been altered and the information may be wrong or misleading. When an agency places the information out on a social networking site themselves, there is less chance of the information being inaccurate. This also works when a citizen posts a reply or message on an agency's site. When citizens ask questions, they can be promptly answered, and when inaccurate information is posted, it can be corrected by the law enforcement agency (Jones & Johnson, 2011). This also allows the law enforcement agency to have better control of what information actually gets put out to the public.

Others who oppose law enforcement's use of social media networking have contested it violates their Fourth Amendment Rights. The Fourth Amendment of the United States Constitution protects citizens from unreasonable search and seizures by the government. Some have tried to claim that what one posts to a social networking site is not public; therefore, law enforcement agencies should not be able to use it against them. One such case was reported by Heather Kelly of CNN. Kelly reported about gang member Melvin Colon who was being charged with murder along with a few other things. Colon was apprehended after a friend gave police his private information. Colon had posted public photos of himself throwing gang signs. Colon also posted about past crimes and threats he had made towards others (Kelly, 2012). Colon's attorney attempted to claim that Colon's Fourth Amendment rights had been violated by law enforcement officers. The federal judge did not agree. He claimed that Colon gave up his expectation of privacy when he posted to social media and shared information with his friends (Kelly, 2012).

RECOMMENDATION

The World Wide Web is exactly as it sounds. It is worldwide. The combination of smart phones or computers along with social media sites allows every person in the world to be a journalist or videographer if they so choose. Any person can share their life on social media networks and so can businesses and the government. Law enforcement should take advantage of social networking sites by developing and maintaining a presence online. Agencies need to use this tool to the fullest extent possible, whether it be education, solicitation, or humanizing law enforcement officers.

Agencies need to reach out to the citizens not only in person but through social media. Agencies can connect to the youth in the way young adults most prefer to communicate. They can educate the youth on the dangers of driving without a seat belt or driving while under the influence of alcohol, drugs, or even the dangers of texting while driving. Law enforcement agencies can educate adults and the elderly who might not get out of the house too often, whether it be for medical reasons or lack of transportation. Agencies can now go to them through social networking and teach them how to protect themselves both physically and online. They can learn how not to be an easy victim.

The world of law enforcement needs to keep using social media as a means of communicating emergency information to the public. No longer do agencies have to wait for the press to get information out to citizens. Nor do law enforcement agencies have to worry about inaccuracies being reported by the media. Law enforcement agencies can get the information out themselves almost instantly, and they can continue

to update citizens as things occur. An agency that is able to help the public through an unfortunate event from beginning to end is an agency that is able to convey their concern for the citizens.

Whether detectives use social media networks to search for evidence or as a means of communications with the public to locate missing, endangered, or wanted persons, it is still an important tool that needs to be utilized. Social media needs to continue to be a tool for investigators. Most importantly, social networking sites need to be exactly that. A social network for law enforcement agencies to talk to citizens and carry on conversations. Agencies can blog, post, tweet, or message the citizens. Law enforcement agencies and citizens can communicate with each other and work together rather than against each other. Socializing with citizens will humanize law enforcement and make officers seem more approachable to the public.

Critics of law enforcement posting information online need to release their fear and realize the information is going to get out to the public regardless of how it is done. Whether the information gets out through rumors spread by the public or something gets printed or reported by a journalist, the information is still being disseminated, right or wrong. Social media networks allow law enforcement agencies to stop the rumor mills and get the correct facts out to citizens.

The Fourth Amendment does protect citizens from unreasonable search or seizure, but one must remember social media sites are a place for networking and keeping in touch. If one boasts of committing a crime or posts pictures and videos using public settings or allowing friends to share, one can no longer expect a right to privacy. Many agencies have already found success on social media sites. Capturing

criminals, locating missing persons, or locating stolen property has become much easier through the use of social media networks. Law enforcement agencies should develop and maintain a presence on social media sites. As long as agencies maintain their sites, they will continue to find success.

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