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Effective Social Media Use by Law Enforcement Agencies: A Case Study Approach to Quantifying and Improving Efficacy and Developing Agency Best Practices

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**Effective Social Media Use by Law Enforcement Agencies:
A Case Study Approach to Quantifying and Improving Efficacy and
Developing Agency Best Practices**

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A Writing Sample
Submitted in Partial Fulfillment of the Requirements for Admission to the

Doctor of Philosophy in Criminal Justice and Criminology

**Georgia State University
Andrew Young School of Policy Studies
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Executive Summary

Problem Identification

In the wake of protests against law enforcement for an array of reasons, law enforcement officers and agencies have a responsibility to recognize and utilize the available mediums of communication with which they may best develop a connection to the communities they serve. Furthermore, law enforcement agencies must be informed that established, traditional methods of news dissemination – such as press conferences and printed articles – are now both ineffective and under-utilized, replaced in large part by social media live-time reports. For that reason, law enforcement agency executives must address both the responsibility to provide appropriately timed updates to critical incidents and events, and utilize the opportunity to engage their community through a widely utilized and accepted medium of communication. Both require an understanding of social media, its application, and its efficacy both literal and perceived.

Research Purpose

This paper explores the connection between social media postings in an array of formats and their correlation with perception of law enforcement agencies, specifically agency accessibility and efficacy, and represents an effort to guide the creation of exemplary policies and procedures for utilizing social media rooted in measurable best practices. It further considers the recommendations of industry experts, practitioners, and researchers.

Research Methods

The research relies on case studies of exceptional occurrences involving police use – or their lack of use – of social media, and case studies of established policies and law related to or governing law enforcement use of social media. It further relies on review of surveys, most of

which were conducted by the International Association of Chiefs of Police Center for Social Media.

Research Conclusion

By creating intentional mechanisms for implementation and upkeep of social media sites, with deliberate attention to message content and delivery strategies, safety, and response to feedback, the research concludes that law enforcement agencies may simultaneously increase community contacts, connection, and involvement while positively affecting perceptions of their agency specifically and law enforcement generally. To that end, this research identifies deliberate, implementable social media strategies and practices including those designed to improve law enforcement-community relations and those aimed at crime solving and threat monitoring and analysis.

Keywords: social media, police, sheriff, law enforcement, policy, law.

INTRODUCTION

In the wake of social movements across the world, sparked and largely facilitated by the use of social media, from “flash-mobs,” to protests, to overt efforts to overthrow entire governments, law enforcement agencies have an obvious responsibility to create and maintain a social media presence. Considering the present environment and condition of policing in the United States, this responsibility extends beyond observing and searching for illicit or subversive postings – although that necessity remains – and also includes active engagement with consumers at the municipal, county, state, and federal levels. Certainly, examples of failure to engage and explain policing dynamics to the communities they serve can be found in law enforcement agencies across the country. Perhaps none are more illustrative than the near collapse of law in Ferguson, Missouri in 2014; and again in Baltimore, Maryland in 2015. The former is discussed in greater detail below. Contrarily, police departments of all sizes and from coast to coast have enjoyed tremendous positive press, stemming largely from well-designed social media postings illustrating their everyday endeavors to better the communities they serve. For example, Bangor, Maine, population 33,000, boasts more than 183,000 Facebook followers on their tremendously engaging page. Examples like these highlight the urgent need to understand the effects of social media postings and their representation of law enforcement agencies, and to employ social media appropriately in the daily operations of law enforcement agencies at all levels.

“Game Changing:” The Ferguson Failure

On August 09, 2016, Officer Darren Wilson was on duty as a patrolman with the Ferguson, Missouri Police Department. At about 12:00 noon, Officer Wilson responded to a report of a “stealing in progress” and began to search the area for the suspects (Patrick, 2014). According to Patrick (2014), Wilson notified his dispatcher that he was out with two suspects at

12:02pm; one of those two men was eighteen-year-old Michael Brown. Less than ninety seconds after Wilson stopped his patrol car, Michael Brown was dead – shot at least six times by Wilson (Eckholm, 2014). This paper takes no position on the incidents surrounding Brown's death, nor does it seek either to justify or condemn Officer Wilson's conduct; those specific issues are not relevant to the thesis. However, those events do lay the foundation for the most dramatic shift in police-community interaction in modern police history.

Prior to Michael Brown's death, police agencies and traditional media generally adhered to an established protocol. Specifically, reporters could generally expect a brief statement from police several hours after the initial incident, with periodic updates well into the investigation and as details of systematic interviews became known first to police, then to the press (Grogan, 2016). Although that model had already begun a dramatic paradigm change, with traditional media being largely steered by near-instant social media posts, no single incident was more illustrative of that shift than was Ferguson. Almost immediately, Ferguson Police passed off the investigation into Brown's shooting to the Saint Louis County Police Department, a common practice by smaller police agencies (Patrick, 2014). The first public comment by Saint Louis County Police came twenty-three hours after the shooting in the form of a post on the department's Facebook page (Grogan, 2016). The six paragraph, 1,438-character post – more than ten times the character limit of Twitter – identified Saint Louis County Police as the lead investigating agency, cited the authority of their police chief, described the agency's partnership with the Saint Louis County Prosecuting Attorney's Office, and urged calm. (Baumer, 2014). Perhaps most importantly, the final line of the post read, "Please keep watching this page for more information to come on this incident" (Baumer, 2014). The next updated by Saint Louis County Police did not come for fifteen days (Grogan, 2016).

In stark contrast, more than 146,000 tweets were sent in the first twenty-four hours following Brown's death (Zak, 2014). Four days later, that number surged to 3.6 million tweets sent during President Barak Obama's televised remarks on the incident; by comparison, fewer than 400,000 were sent during President Obama's 2012 remarks on the death of Trayvon Martin under similar circumstances (Miners, 2014). One week after Brown's death, nearly eight million tweets referencing the incident had been recorded and, when Prosecuting Attorney Bob McCulloch announced the grand jury's decision not to indict Officer Wilson, tweets were being sent at a rate of 52,000 per minute – 867 per second (Miners, 2014). Notably, while the social media firestorm surrounding Ferguson was unmatched at the time, it is largely unremarkable now, when compared to the evolution of similar social media posts on newsworthy matters. What was unique, however, was the tremendous amount of misinformation promulgated in those early days, most of it unaddressed by Ferguson or Saint Louis County Police. Within hours of the shooting, a catchphrase and Twitter hashtag had emerged: #HandsUpDontShoot (Capehart, 2015). The phrase accompanied allegations that Officer Wilson shot Brown in the back as he surrendered – an assertion spread in social, print, television, and radio reports. Importantly that avowal was completely debunked by multiple witness statements, by the forensic evidence at the scene, and by the autopsy report of three separate, unrelated medical examiners performing independent autopsies. However, absent any information to the contrary – or any information at all – by the police, news outlets relied on the incorrect statements of anyone willing to appear on camera (Capehart, 2015). The Ferguson Police Department's failure to control the message by timely dissemination of accurate information, or to correct the misinformation being widely distributed, laid the foundation for months of violent protests that rocked the city and brought area law enforcement to near total collapse.

Within a week of Brown's shooting, the city of Ferguson had devolved into widespread protests, riots, and looting. Police officers from agencies across the state were mobilized and, eventually, were supported by the National Guard in an attempt to restore order. On August 15, 2016 a report and video were published by Ferguson Police, showing Michael Brown robbing a convenience store and assaulting the store clerk in the final moments of his life. Police cited compliance with Missouri's Sunshine Law – the state equivalent of the federal Freedom of Information Act – as the reason for release, but many criticized the police as merely attempting to disgrace Brown in his death (Berman and Lowery, 2014). Irrespective of its purpose or effect, critics rightly condemned the haphazard release of information by all of the investigative agencies – and especially Ferguson Police – as “erratic and infrequent” (“Ferguson Police Chief Thomas Jackson Cedes Much of His Authority,” 2014). This was largely caused by the Ferguson Police Department's failure to establish and follow a social media policy and protocol in advance of such a critical incident.

From the dramatic examples of Ferguson, two main points may be identified. First, law enforcement agencies must recognize that the media environment in which they are operating is dramatically changed, and requires intentional and direct interaction. Second, law enforcement agencies that fail to appropriately control the flow of information about and directed at their agency, risk a tremendous cost. In Ferguson, those institutional failures cost a police chief his job; hundreds of thousands of dollars in property damage; injuries to police officer and protestors; and a loss of trust between police officers and the community they serve that may never be fully repaired.

More Followers than Citizens: The Success of the Bangor, Maine Facebook Page.

Bangor, Maine is located about seventy miles northeast of the state capitol of Augusta. The almost thirty-five square mile city is home to 33,039 residents according to the 2010 census, and boasts a full-time police department of eighty-two officers. Despite its relatively small size, the police department's Facebook page has more than 180,000 followers – more than double that of the Maine State Police, and more than five times its own population. Supported by a handful of other officers in the department, Sergeant Tim Cotton is responsible for every post on the page. He concludes each of them with the same phrase: “Keep your hands to yourself, leave other people's things alone, and be kind to one another. The men and women of the Bangor Police Department will be here.” Bangor's Facebook boasts followers from around the world, and Cotton has been discussed by publications including the Washington Post, New York Post, and Boston Globe.

Bangor's social media strategy, using a largely sarcastic, tongue-in-cheek and stream of consciousness writing style, is largely contradictory to the recommendations of social media consultants (Dubino, 2015). However, Cotton clearly knows his audience, and – perhaps the most important factor in any social media posting – his message is well received (Pohle, 2016). Grogan (2015a) found that humor drives social media engagement more than any other writing style, but cautions that it must be cautiously implemented. Grogan (2015a) also recommended incremental trial and observation of varying strategies. Importantly, Bangor employs several strategies – many discussed at length in this paper – to appeal to their followers, and promote a cohesive message. Dubino highlights the positive takeaways: keep posts compelling to invite and improve readership, create and repeat a convincing message, and find an angle and stick with it (2015). The Department's careful implementation of their social media plan resulted in a

dramatic increase in community tips – and, related, an increase in case closure rates – and, according to Cotton, improved police – citizen interactions (Netter, 2015).

Police – Community Relations: Past and Present

Wentz and Schlingmen's (2012) discussion of perceptions of policing highlight the ubiquitous – but oft ignored – fact that recent developments in society have tended to lead police to a reactive, rather than proactive stance (Bain, Robinson, & Conser, 2014). The immediate criticisms of this response-driven approach to policing ignores the positive impact that a uniformed officer's presence – irrespective of his purpose – can have on public perception (Bain, Robinson, & Conser, 2014). Still, a failure to engage the community appropriately or adequately leads residents to conclude that they will only ever have contact with the police in one of two ways: (1) following their involvement with crime, either as an offender, victim, or witness; or/and (2) through their consumption of media reporting (Bain, Robinson, & Conser, 2014). Importantly, Schulenburg and Cheiner (2013) found that media de-contextualization of people and events, coupled with episodic coverage, creates intentional conflict to influence public perception and increase viewership. Thus, the result of isolated, often single, encounters with law enforcement will frequently provide the only basis of knowledge from which a citizen may judge police efficacy, professionalism, compassion, or any number of means of evaluation (Bain, Robinson, & Conser, 2014). But the ability of the police to function as an efficient service is often predicated on the positive image they maintain with the general public (Wentz & Schlimgen, 2012). Therefore, the need to engage communities and their individual members in formats other than reactionary or enforcement encounters, is clear.

How best to address this interaction has long been a topic of discussion among law enforcement executives and public information officers. This is further complicated by the

evolution of social media and the decrease in physical engagement by younger generations. Keane and Bell (2013) noted that the immediate reaction of the police to any single, high-profile act of violence is to increase their physical presence in the local communities. However, they contend that providing information, guidance, and public support would be a far more appropriate course of action. Wentz and Schlimgen (2012) went further, writing, “indirect experience may be of greater importance than actual contact.” They continue, “when assessing public perceptions of the police response to community concerns, ‘indirect experiences can be defined as any contact which does not require a face-to-face dialogue, such as posters, flyers, and internet resources’” (Wentz and Schlimgen, 2012). Meijer and Thanos (2013) also found that it is of tremendous importance that law enforcement agencies engage different groups and note that actual engagement can vary with different groups. “Although local meetings and community groups may go some way in filling this need, these are not popular with younger generations, who engage in far more activity with instant and automated systems/services” (Bain, Robinson, & Conser, 2014). In fact, as of October, 2016, there are nearly eight billion mobile connections belonging to 4.8 billion unique subscribers (Boren, 2016). And, while the world’s population of 7.2 billion is growing at a rate of about two people per second, the number of devices is increasing by more than ten per second (Boren, 2016). Phrased more simply, there are more phones than people in the world, and that trend is increasing at tremendous speed. Grogan (2015a) notes that agencies must be aware that the overwhelming majority of their citizens are utilizing mobile devices to connect to services of all types. Accordingly, law enforcement agencies are given an opportunity to create a method of engagement that may be sought out or/and widely distributed.

SOCIAL MEDIA RECOMMENDATIONS

Policies and General Guidance

Recognizing the growing reliance on social media, and the need for comprehensive guidance to law enforcement agencies across the globe, the United States headquartered International Association of Chiefs of Police (IACP) launched a stand-alone website, the IACP Center for Social Media, to offer direction to law enforcement agencies implementing social media projects. The site includes more than thirty subdivisions by individual social media platform, including Facebook, Twitter, Nixle, Instagram, and nearly three dozen more. The Association's mission states that the IACP "endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity" (IACP Policy, n.d.). IACP further acknowledges, "social media provides a new and potentially valuable means of assisting [law enforcement agencies] and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives" (IACP Policy, n.d.). In fact, key findings from the Association's 2015 survey of law enforcement use of social media concluded that: 96.4% of agencies surveyed use social media and 73.9% of agencies not currently using social media are considering its adoption (IACP Survey, 2014). The study further found: 83.5% of law enforcement agencies using social media reported that the use has improved relationships between their agency and the public (IACP Survey, 2014). Furthermore, the survey showed 88.7% of agencies use social media for criminal investigations and 85.5% of agencies report that social media has helped solve crimes in their jurisdiction. Significantly, more than 25% of law enforcement officers report using social media for investigations daily – up from 16% in 2012 (IACP Survey, 2014; LexisNexis Survey, 2015). In addition to supporting the foregoing conclusions, the IACP survey – in particular, the strong use of social media for criminal

investigations – adds an additional complexity and demonstrates a clear need for agency consideration.

Simply having a static presence on social media – that is: creating a Facebook, Twitter, Instagram, or other similar page – is likely insufficient to develop, foster, or maintain community relationships. In much the same way that traditional relationships must be refreshed and maintained, so too should social media pages. Remembering Grogan's (2015a) remarks on the number of mobile devices, law enforcement social media contributors should consider that most of their posts will be viewed by citizens using smart phones, not traditional computers. This knowledge may allow content creators to prepare posts with an appropriate length, format, type, and style. The content and images should be recent and relevant, and so intrigue or engage visitors that they both return themselves and recommend the site to others. This may be difficult within the confines of existing hierarchical settings, both internally – from the paramilitary structure of most law enforcement agencies – and externally, given the highly regulated and broadcasting culture of government organizations in general (Mergel, 2012). The result is a need for a social media strategy in the form of a series of strategic choices regarding coupling social media with organizational tasks, developing a range of objectives, and delegation of responsibility for social media management (Picazo-Vela, Gutierrez-Martines, & Luna-Reyes, 2012). More succinctly, the use of social media involves a series of practical decisions, including: what medium is to be used, what kind of information is to be provided through that medium, who is going to provide the information, and what the organization will do with reactions (Meijer & Thaens, 2013). To that end, Meijer and Thanen (2013) propose the existence of four categories of strategies: push, pull, networking, and transaction.

Specific Social Media Strategies

In a push strategy, social media are predominately used to broadcast existing web content or prepared statements from law enforcement agencies to the public; there is no interaction (Meijer & Thanes, 2013; Mergel, 2012). This is not an inherently inappropriate or inefficient strategy. In fact, during their response to the Boston Marathon bombing in 2013, Boston Police advertised their Twitter account as the official – and only – place for real-time updates. Their followers increased by 400,000 in twenty-four hours as they published alerts, corrected news accounts, and issued orders to shelter or evacuate. Conversely, a pull strategy is an organizational attempt to attract users to the website and have them provide new information (Meijer & Thanes, 2013). This strategy is most evident on the “Next Door” platform, a cyber neighborhood watch style blog that allows information sharing between residents of a specific neighborhood with little administrative engagement by police officials. The networking strategy, proposed by Mergel (2012), recognizes that “the use of social media tools is highly interactive with a lot of back and forward between the agency and its diverse constituencies. This strategy allows government agencies to participate actively in actual networking and interactive engagement, presenting information and gathering and reacting to feedback, and is especially present in agencies that allow multiple contributors to post and respond to post reactions (Meijer & Thanes, 2013). Finally, a transaction strategy is one in which government services are conducted through social media applications (Meijer & Thanes, 2013). In his 2012 article, Mergel noted that the transaction strategy was rarely used. However, the use of this strategy is increasingly observable, as with expanding accessibility to text and internet enabled 911 centers and responsive services facilitated by social media sites. Meijer & Thanes’ (2013) research concluded that the most effective law enforcement agency social media strategies involved some form of each of these methods. Specifically, agencies implementing new

programs often began with a strictly push method, but evolved to include pull and networking methods. Employed collectively, push, pull, and networking strategies saw the greatest advancement of agency goals, community interaction, trust, and positive perception (Meijer & Thanos, 2013; Mergle, 2012).

MEASURING EFFICACY

Quantifiable Efficacy

Van de Velde, Meijer, and Homburg (2015) measured the diffusion of messages sent by police officers and agencies on Twitter. Specifically, those researchers sought to explicitly differentiate between message and user characterizes, essentially seeking to identify specific actionable methods by which police may reach broader audiences, irrespective of differences between individual authors. They did so by coding and analyzing messages sent from 964 Dutch Police Twitter accounts, including: street-level police officers, community policing representatives, district or division managers, and public information officers, and measuring the number of views and re-tweets of each post (Van de Velde, Meijer, & Homburg (2015). Among their notable findings: the effect of authorship style diminishes as an account gets more followers (Van de Velde, Meijer, & Homburg (2015). While, on its face, this might be reassuring to law enforcement agencies seeking to implement a social media strategy, it is important to note that authorship style is highly correlated with followership and message diffusion early in the existence of the account, or until it achieves a large number of followers – an amount not defined by the authors (Van de Velde, Meijer, & Homburg (2015). For that reason, attention to the detail and style of each post, and particularly how posts are received by the target audience, remain very important (Grogan, 2015a). Van de Velde, Meijer, and Homburg (2015) also found that including URLs, hashtags demonstrative of larger trends or broader conversations, and mentioning other

users or accounts had strong, positive correlations with increased message diffusion. As important as the literal content of each message studied, Van de Velde, Meijer, and Homburg's 2015 study also concluded that significant effects are observable for specific topics. For example, posts related to missing persons were the most likely topic to be re-tweeted, followed by posts regarding wanted persons or/and seeking witnesses.

These facts align with traditional, arguably less scientific, measures of efficacy available through most social media platforms. For example, Facebook Insights and Twitter Analytics both allow page managers to track their pages generally, and individual posts specifically. By utilizing Facebook Insights, police social media managers can quickly observe page activity including, views, clicks, and reactions. Because Facebook now allows six reactions: like, love, wow, haha, sad, and angry, reactions are listed in sum and with a breakdown of each. Insights further allows contributors to see their average response time to messages, see peak posts, and compare postings to other, similar Facebook pages. Notably, the tool also displays a demographic breakdown including sex, country, city, and language. Similarly, Twitter Analytics provides tools to measure engagement, determine followers' other interests, their location and demographics, and offers suggestions on increasing the reach of individual tweets.

Although the literal efficacy of posts, including post reach and amount of actual engagement, is one measure of social media success, police agencies are likely more interested in increasing and improving community contacts or, minimally, the perception there of. For that reason, it is as important – or more – for law enforcement agencies utilizing social media to be familiar with the perceptions of their agency and the law enforcement profession created thereby.

Perceived Efficacy

Importantly, Grimmelikhuijsen and Meijer's (2015) found that "a direct channel with citizens...to communicate successes does help the police strengthen their legitimacy, but only slightly and for a small group of interested citizens. This contention is countered, however, by Gray (2015) who points out that those researchers failed to consider the broader impact of those few people who do engage media with the police on social media. As with varied levels of social standing and prominence in the traditional sense, social media contributors have audiences and followers of their own. Thus, even repeat engagement from only a handful of participants is likely to be more widely disseminated as those postings are viewed and "shared." Considered in the context of traditional policing, how an officer manages or responds to someone on the street – particularly a person in crisis – can have the same effect. Onlookers are likely unable to sympathize with the person needing police assistance, but they can surely empathize with the way that person is treated by the responding officer (Gray, 2015). After witnessing the police-citizen interaction, a citizen – who may have previously held a positive, negative, or neutral view of the police – then possesses a specific example by which their perception may be confirmed, refined, or changed. Similarly, citizens who never intended to engage the police via social media, but who have occasion to view a posting by a police agency or an agency's response to a posting by an external entity, are given a lens through which to view that agency and form an opinion. This parallel highlights the need for careful consideration in social media postings and responses, and an acknowledgment that remarks published online, even intended for a specific group, are likely to transcend the intended borders and become public for view and discussion (Reynolds, 2014).

LEGITIMACY, PUBLIC TRUST, AND LEGAL / ETHICAL CONSIDERATIONS

Acting in their professional capacities, law enforcement officers who contribute to social media postings do so not as individuals, but as representatives for their agency specifically and for law enforcement generally. However, social media allows the opportunity to illustrate the multiple perspectives of agencies and their officers, offering a user centered and service oriented approach to information and communication (Bergquist, et. al., 2015). This valuable opportunity raises manageable concerns as to agency legitimacy, developing and protecting public trust, and ensuring an appropriate forum for legal, ethical interactions.

Legitimacy

Public authorities are rarely associated with creativity and playfulness; such characteristics may threaten civic legitimacy (Bergquist, et. all. 2015). Particularly in the context of organizational activities that build on systematic processes and legal regulations, creativity may create the perception of inefficiency or ineptitude (Amabile, 1988). Contrarily, social media platforms encourage and – in many ways, demand – creativity and lightheartedness. And, social media use by law enforcement agencies, specifically, presents an opportunity for agencies to communicate police work and interact with citizens, both improving efficiency and affording new opportunities to legitimize police as a public institution (Bergquist, et. al. 2015). Finally, social media is generally viewed as an important way to increase visibility and transparency, and thus to promote participation, increase information dissemination to the public, inform decision making, and elevate the accuracy in handling of cases (Bertot, Jaeger, & Grimes, 2012). Thus, social media presents the proverbial double edged sword, necessitating a methodical temperance and balance to maintain legitimacy.

Treem and Leonardi (2012) identified four central, consistent social media affordances: visibility, persistence, editability, and association. Bergquist, et. al. (2015) explain visibility as the mean by which users can make themselves and the information known to them available to others. Further, social media has persistence because information is available in their original form and can be reviewed long after they were originally presented (Bergquist, et. al. 2015). Editability refers to the users' ability to spend time and effort to craft a specific message before it is made public (Bergquist, et. al., 2015). Finally, association is the ability of users to relate themselves to a particular site, specific information, or to other people who relate similarly to a site or information (Bergquist, et. al., 2015).

Visibility. As it relates to law enforcement use of social media, Bergquist, et. al. (2015) apply Treem and Leonardi's 2012 criteria to argue the platform's importance. Specifically, the authors note that the police represent civic society, and that delegated formal authority is guided and focused by citizen participation. For those reasons, the public should be involved in police matters as long as it does not hinder investigations or jeopardize police neutrality (Bertot, et. al., 2012). To that end, social media is a valuable tool, insomuch as it literally and figuratively increases the visibility of law enforcement agencies, the units housed therein, specific police officers, and details of specific practices, objectives, and investigations. Furthermore, it creates an opportunity for law enforcement agencies to be transparent in their actions, sensitive to public opinion, and to demonstrate the problem-solving capacity demanded by citizens (Bergquist, et. al., 2015). Faced with an increasing scrutiny by traditional media, who – in large part – control what information about law enforcement agencies is released, social media visibility affords police agencies the opportunity to regain control of and manage their own visibility (Bergquist, et. al., 2015).

Persistence in social media is a function of the availability of information and conversations in their original form long after it is originally posted (Bergquist, et. al., 2015). It can be shared and reviewed by anyone with access to the information which, in the case of social media, is essentially anyone who can access the specific platform (Treem and Leonardi, 2012). Bergquist, et. al. (2015) suggest that using social media and preserving its content – even, and specifically that content that is critical of police [discussed further in “Ethical Considerations”] – establishes persistence of the law enforcement agency. Importantly, Van de Velde, Meijer, and Homburg (2015) correlated account age with likelihood for increased message diffusion, essentially associating diffusion and persistence.

Editability. Perhaps the single greatest advantage to the use of social media by law enforcement agencies, is the ability to craft and control the messages released therefrom. Previously, law enforcement relied on traditional media outlets to craft reports based on media releases, allowing those outlets the opportunity to edit, condense, or highlight whichever areas their editors chose (Bergquist, et. al., 2015). According to Bergquist, et. al. (2015), law enforcement officials complained that those editors often reformulated press releases to turn neutral pieces of information into eye-catching headlines that communicated very different messages than were intended. Thus, the ability to exercise total control over the published content may be a tremendous asset to a law enforcement agency. Furthermore, even where social media content is controversial, law enforcement agencies retain the ability to respond directly to questions and criticism.

Association. Treem and Leonardi (2012) found “the affordance of association captures social media’s ability to establish connections between individuals and content, or between an actor and a presentation.” Particularly because law enforcement contributors control the

opportunity to tailor their messages according to the responses of their followers, they create a circumstance through which citizens are better able to associate themselves with the police. This association is critical to establishing, maintaining, and improving community ties, and affords the public an opportunity to see the police with a humanistic view. Such a relationship, albeit digital, is likely a tremendous step towards creating public trust.

Public Trust

In 2016 social media users are widely aware that law enforcement agencies at every level, from the National Security Administration and Central Intelligence Agency to local police departments, are utilizing social media in their pursuit of criminals and endeavors to identify threats to safety and security. Strutin (2011) notes, “social media are extraordinary communications and preservation tools brimming with fonts of incriminating, exculpating, and impeaching evidence.” These investigative measures range from law enforcement agencies review of suspects’ postings, to the agencies’ push of wanted posters, and push-pull by posting images of unidentified offenders and soliciting tips. Still, considering the desire to engage the public through positive social media interaction, utilizing the same platform for criminal investigations threatens the balance of trust. For example, if visitors or contributors to a law enforcement social media site learned that the agency was collecting their identifying information – even through legal and noninvasive practices – there exists an enormous likelihood that those users would not return. More significantly, affected users might very likely broadcast such police efforts to others, ultimately doing untold damage to the perception of the agency and drawing accusations that police engagement is merely a disguised investigative endeavor. The result, quite likely, would be an overwhelmingly negative reaction by the public. Similarly, concealed investigative efforts

– such as through the use of fake or “undercover” social media accounts – might draw similar ire, if exposed.

Consider the example of the Chicago company, Geofedia. Geofedia marketed itself to law enforcement agencies as a tool through which police could easily track the location of persons posting on social media (Bromwich, Victor, & Isaac, 2016). Specifically, the company utilized the publicly accessible location data attached to Facebook, Instagram, and Twitter posts by those platform users who did not specifically remove said data by way of the privacy settings on their specific account (Bromwich, Victor, & Isaac, 2016). The program then allowed law enforcement subscribers to search the data, which was retrieved in real time, for specific keywords, hashtags, or other identifiers and correlate those with the posters’ physical location (Leonard, 2016). The resulting ability to track social media contributors was widely used to direct law enforcement response to protests following police shootings in Baltimore, Maryland and California (Bromwich, Victor, & Isaac, 2016). Leonard (2016) notes that the program did not violate the expectation of privacy enjoyed by social media users – since the only data retrieved was that data which the poster chose to share, either deliberately or through inaction. He cautioned, however, that the program posed a risk to Constitutionally protected rights to assemble and against discrimination, to name a few, since police were positioned to determine which keywords to track (Leonard, 2016). The resulting potential for police bias was the basis of a complaint by the American Civil Liberties Union, who argued that Facebook, Twitter, and Instagram had a responsibility to protect the locations of its users from efforts to collect even publically available data (Bromwich, Victor, & Isaac, 2016). While admitting no wrongdoing, all three companies: Facebook, Twitter, and Instagram, terminated Geofedia’s access to location data in September and October, 2016. This

delicate balance and potential for bias is addressed further in the ethical considerations portion of this paper.

Importantly, it is nearly impossible to avoid using to use the same platforms for engagement and investigation, as the platforms – and their uses – so frequently overlap. To that end, Leonard (2016) recommends differentiating the roles of social media contributors and criminal investigators. Specifically, in the policy he drafted for the Georgia Institute of Technology's Police Department, Leonard expressly prohibits social media contributors from conducting criminal investigations (Georgia Institute of Technology Police Department, 2016). The policy recognizes, however, that there exists a certain inevitability that, acting in their roles as social media coordinators, officers will identify data that constitutes evidence. (Georgia Institute of Technology Police Department, 2016). In those instances, Leonard (2016) directs social media contributors to properly record and preserve the data they locate, and forward it to the appropriate criminal investigator for additional follow up. By so doing, agencies may create a degree of separation between those officers tasked specifically with community engagement, and those tasked with criminal investigations (Leonard, 2016). For these reasons, law enforcement agencies should proceed deliberately and with caution as they endeavor to balance investigative responsibility with civic engagement. The adoption of formal policies and processes within agencies, like those implemented by the Georgia Institute of Technology Police Department, may lead to a unified, consistent approach to investigative use, increasing the likelihood of preserving this balance (LexisNexis Survey, 2015).

Legal and Ethical Considerations

Particularly because social media postings, and the responses thereto, are widely published and widely accessible to diverse audiences, law enforcement agencies are tasked with balancing

their interest in preserving the agency image and safeguarding the rights of participants who interact with their digital platform. Grogan (2015b) found, “public comments have become common for most agencies that engage with their community. In fact, it is a best practice taught by many social media experts.” The practice is not without logistical, legal, and ethical considerations. Grogan (2015b) referenced the United States Supreme Court Decision in *Perry Education Association v. Perry Local Educators’ Association*, which addressed the issues of free speech. In their ruling, the Court identified three types of forums for speech: Traditional Public Forums; Non-Public Forums; and Designated or Limited Public Forums (*Perry v. Perry, 1983*). The Court found that governments do have some interest in controlling speech, although they cannot discriminate against the speaker or his message (*Perry v. Perry*). Accordingly, the Court outlined protections in order of precedence, affording the most protection to public forums, and fewer to limited public forums. Grogan (2015b) explains that designated or limited public forums usually occur at a time or in a place which is not a traditional public forum, and may include meeting rooms or – in the case of social media applications – social media platforms. And, although the government still may not discriminate against speaker viewpoint, agents may prohibit specific content (Park, 2015). To restrict certain types of speech, the law enforcement agency must designate each specific social media platform as a limited public forum, and outline their terms of service (Grogan, 2015b). Importantly, these restrictions must be reasonable and neutral as to the speaker’s viewpoint (*Christian Legal Soc. Chap. of the Univ. of Calif. v. Martinez, 2010*). These terms of use may prohibit, for example: profanity, hate speech, threats, commercial posts, or off topic messages (Park, 2015; Grogan, 2015b).

As it relates to social media platforms, agencies that seek to prohibit certain posts or conduct on their social media sites may accomplish that goal by banning or blocking specific users,

deleting comments, and deleting their own posts or images. However, such deletions must not occur arbitrarily. In *Hawaii Defense Foundation v. City and County of Honolulu* (2012), a Hawaii gun advocacy group sued the Honolulu Police Department – whose Facebook page carried no notice that it was a limited public forum – for violating users’ first amendment rights by arbitrarily deleting posts that were critical of the police Department. Mahurin (2014) notes that, although the lawsuit was dismissed after the police department changed its policies and agreed to settle out of court, the case carries significant implications of law enforcement agencies using social media. Specifically, while deleting user comments may be constitutional, a decision as to constitutionality requires a fact specific-inquiry (Mahurin, 2014). Thus, governments and their agents are unlikely to persuade a court to dismiss a case on summary judgment, since some question as to material fact remains. Thus, Mahurin (2014) cautions that cities will want to include the specific terms of use on their page, and consult with legal council before removing posts.

Similarly, Grogan (2015b) recommends agencies judiciously remove their own postings, to avoid the appearance of dodging criticism. Grogan (2015b) also recommends using social media preservation software, such as Archive Social, to preserve all of the agency posts, comments, and deletions. He contends the preserved media may be useful in defending against lawsuits or allegations of unconstitutional conduct, when they arise.

PROTECTING EMPLOYEE IDENTITIES AND ENSURING SAFETY

An additional and tremendous consideration for law enforcement agencies using social media is their responsibility to safeguard agency employees appropriately. The incredible access to personal information facilitated by the internet places law enforcement officers particularly those in high-visibility roles, in increased danger of off-duty identification; and it places those officers’ personal information under increased scrutiny. As a result, law enforcement social media

postings should only include officer's identifying information cautiously and judiciously (Waters, 2012). For example, a photograph of officers at an award ceremony, complete with their names and ranks, would be largely innocuous and – in fact – celebratory at the time of publication. However, as time passes and officer assignments change, it could become a threat to their safety, particularly for those officers who go on to assume undercover roles. Similarly, motivated individuals might utilize information published by the department to facilitate their own research of a particular officer, potentially locating other personally identifying information. The threat that such information might be released through social media postings alone is tempered with the impossibility of anonymity; that is, law enforcement officers are publicly identified in a number of ways, including name tags, badges, and printed names and signatures on citations, reports, and similar official documents. And, as social media postings expand with the intention of humanizing officers and showing individual personalities beyond just their uniform, failing to identify the officers – for future, positive interactions – largely defeats the purpose of social media engagement in the first place. Thus, this section is not intended to suggest that officers should never be identified in social media postings. Rather, it simply encourages discretion in so doing.

CONCLUSION

Even as nation-wide polls show a dramatic increase in the public approval of law enforcement officers, reports in both traditional and social media routinely vaunt accounts of misconduct and distrust (McCarthy, 2016). Unlike traditional media, however, social media allows law enforcement agencies the opportunity to construct and distribute their own stories, effectively allowing agency control of – or, at minimum, participation in – their own image. In that way, social media can be an effective method of improving community relations, to the benefit of the public and the police alike. By creating intentional mechanisms for implementation and

upkeep of social media sites, agencies should act with deliberate attention to content, strategy, safety, and response to feedback. In so doing, law enforcement agencies may simultaneously increase community contact, affect perceptions of their agency specifically and law enforcement generally, and humanize the law enforcement profession and its practitioners. This deliberate use can also create the opportunity to develop investigative leads and increase case solvability factors. Negative implications of social media use must be mitigated by well applied policies and use of social media by officers familiar with site functionality, and through swift responses to social media influencers whose postings may be viewed beyond the agency's own reach. Furthermore, social media provides law enforcement agencies a platform from which they can present facts and information to corroborate or correct accounts from other media outlets, reducing the opportunity for dissemination of inaccurate information and increasing organizational transparency. In short, social media use is a vital element to every law enforcement agency, and should be strategically implemented to ensure maximum results.

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