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Law Enforcement's Social Media Punitive Anomaly

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LAW ENFORCEMENT'S SOCIAL MEDIA PUNITIVE ANOMALY

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LAW ENFORCEMENT'S SOCIAL MEDIA PUNITIVE ANAMOLY

By

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Master of Science
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for the degree of
MASTER OF SCIENCE
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DEDICATION

This thesis is dedicated to my grandparents

Charles and Joyce Freeman.

My grandmother Joyce, a librarian, instilled in me my

love of books and a pursuit for knowledge.

My grandfather Charles, for always pushing me

to be better and work harder.

Without their love, support and guidance

this would have not been possible.

ACKNOWLEDGMENTS

ABSTRACT

This research is a descriptive study of the misuse of social media in law enforcement from 2011 to present. The research will use a content analysis of social media policies coupled with survey of 10 questions administered anonymously to students at the Department of Criminal Justice Training. This mixed method approach will attempt to explain the growing number of police officers and other law enforcement employees who find themselves in violation of the agency policies. The survey consists of Likert scale style questions concerning the agreement with and understanding of social media policies, as well as the perception of privacy while using social media. The quantitative portion of the survey will gather data on age, education, race, gender, and agency type in an effort to see if any those variables correlate to policy violations. Since social media sites became popular in early to mid-2000's there have been countless examples in the news of police officers and other law enforcement employees being suspended or fired because of poor choices made on social media sites. This study hopes to find a solution to this phenomenon or at the very least an explanation. While there was no statistical significance among dependent variables, there was a strong sense of privacy when using social media. The data showed that while there seemed to be an understanding of agency policy there were still a large number of violations occurring. During the content analysis the use of vague definitions and subjective standards could be the cause. Future works with this study would explore the connection between the subjective standards and the policy violations.

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CHAPTER 1

INTRODUCTION

The purpose of this research is to examine law enforcement perception of

social media policies on their private and public lives as well as agency social

media policies. Currently, there are very few studies on misuse of social media

by law enforcement officials. The research that does exist focuses more on the

right of privacy concerning social media, with the majority of the cases being in

the private sector and not law enforcement related. While these studies are

important, the focus of the research presented here directly concerns the policing

of law enforcement personnel in their use of social media.

Social media has both positive and negative uses within law enforcement.

A visit any law enforcement social media site in America shows examples of how

such media are used to notify the public of dangers, possible scams, traffic

incidents, weather, and other important issues. Social media is an incredibly

helpful tool in the area of community policing for thousands of local agencies

across the country as well as large agencies, such as the Federal Bureau of

Investigation, as a way for the public to connect to the department, assist in

neighborhood watch programs, and promote various charitable campaigns within

the law enforcement community.

Social media is also vital to police investigations. For example, many

agencies use it to locate missing persons, recover stolen property, locate wanted

persons, and track suspects.   In a 2013 study conducted by International

Association of Chiefs of Police (IACP) 95.9 percent of the 500 agencies in the survey used social media. The common use of social media was for investigative purposes with 86.1 percent of the agencies using social media as an investigative tool. While the majority of the agencies surveyed use social media only 69.4 percent have a social media policy (IACP, 2013). The investigative aspect of social media is nearly infinite; however, social media may be misused. It is important to understand the reason for the misuse of social media to develop effective policy and procedure, which will allow for the use of social media for the purposes listed above.

Many law enforcement agencies have a "no social media policy," meaning that employees of that department are not allowed to have a social media page. Others require that employees provide their user names and passwords to social media sites so the sites can be periodically monitored. To some, one policy may seem extreme, while the other may seem really invasive. Through examining the literature on social media and the police and the perception of policies on policing practices, this research will begin to examine the realities that face our first responders in the social media era. With numerous social media sites available for use, never before has the public had a glimpse into the "real life" of police officers.

In the age of the Smartphone, such as the iPhone or Android, almost everyone in the modern world has instant access to a video camera with the immediate means to post videos to social media in real time. As of 2013, 56

percent of American adults own a Smartphone. From May 2011, when adult

Smartphone ownership was 35 percent, until May 2013 there was an increase in

ownership of 21 percent (Smith, 2013). Though data are not available from 2013

to present, one can assume that Smartphone ownership among adults has

continued to increase since innovation in device abilities and access to cell

phones has become easier for the American consumer. A simple Youtube search

will produce numerous examples of the public using this technology to "police"

law enforcement.

Since the controversial shooting of Michael Brown in Ferguson, Missouri

there, seems to be an increase in these police Smartphone encounters posted

online by individuals. Police professional organizations such as Police One.com

and Law Officer.com are also using videos posted to social media. Those law

enforcement social media pages post police dash and body cams of deadly force

encounters, then attempt to explain why those are justifiable shootings in the

article's text.

Law Enforcement agencies have taken to social media in an effort to

promote a professional image in the wake of several controversial shootings and

protests. The Blue Lives Matter Movement has become popular on social media

in effort to combat the negativity currently surrounding law enforcement. Law

enforcement agency social media pages are promoting good deeds, by posting

officers interacting with the public as well as articles of officers being assaulted or

killed in the line of duty. It seems that for every complaint of brutality or civil

rights violation alleged against law enforcement, the pro-law enforcement side

posts a line of duty death or assault on a police officer, thus sparking an all-out

social media assault.

CHAPTER II

LITERATURE REVIEW

There is much debate about whether an employee can be controlled during the off-duty hours. Some law enforcement agencies, however, have implemented policies that prohibit certain uses of social media on the employees own time. Such policies and procedures are important elements when studying social media use among law enforcement personnel.

 In an article that was written to be used as a guide on what not to post on social media sites. Policeone outlines the importance of knowing your agency's policies and adhering to them. The article warns against libelous or slanderous posts and the divulgence of "trade secrets" (Policeone.com, 2010). It is important to know what types of behavior are being prohibited, and what, if any, sanctions may be imposed for violations. That is, policies should be clear in describing what actions are prohibited and what will happen if the policy is violated. While the content of the policies is extremely important and will be revisited later, another issue is whether such policies even exist among agencies.

There is also the issue of internet privacy, which has become the subject of some recent studies. The current legal definition of privacy does not cover the internet or social media. Studies have shown that while these sites are public domain the users feel they are entitled to a certain amount of privacy. Currently there are cases pending Supreme Court Ruling on this subject; these cases will set the legal precedence on this topic and affect how people share information

via social media and who has the right to view and use that information. "Facebook Comments Can Get Law Enforcement Officers Fired, Be careful What You Post," is an article that is presented as a resource for law enforcement officials. This article looks closely at past history and lays the issues out in an informative way based on policies and procedures and explores whether or not they would stand in court. Further, the resource contains a discussion of defamation laws and the right to privacy as well as off duty versus on duty posts (Lawofficer.com, 2010).

Using secondary data analysis, Sanchez, Levin and Del Riego (2012) examined privacy laws in the United States which currently do not include social media. Based on their findings, they determined privacy was defined physical and social establishments that did not extend to cyberspace. The authors also used content analysis to examine prior court cases concerning privacy and social media. They made an interesting discovery in that many of the local courts agreed that there were questionable issues regarding privacy and social media.

Officers and other law enforcement employees are supposed to live an exemplary life. Not only are they to obey the laws they are also held to high standards of moral turpitude. These are not necessarily crimes in nature, but to an employee of a law enforcement agency, punishment for these violations can range from a written disciplinary action to termination or even criminal charges. If the Supreme Court rules in favor of an employee for privacy of social media, law enforcement agencies would have a harder time policing these ethical violations.

Sometimes clear violations of obligatory secrecy standards occur among officers. For example, a Sharon Hills, Arkansas police officer was fired after posting confidential departmental information on his Facebook that tipped off his friends and family to a DUI traffic safety checkpoint (fox16.com, 2010).

Another element of Sanchez et al.'s (2012) study questioned college business majors about the level of privacy they expected to have concerning social media. The study showed that many students realized that reputations could be harmed, jobs could be lost, and other damages could arise, but those feelings did not affect the amount of information they were posting on social media. The research participants felt they should have a certain level of privacy and employers and others should not look at this information. Further they felt if this information was going to be accessed, they should not be judged only by this information (Sanchez et al., 2012). If these perspectives are reflective of those of the general population, there may be vast implications for the law enforcement community specifically. Law enforcement officials have an image and a code of conduct they are expected to live up to and follow. Social media, however, provides the opportunity to gain a look into who these people really are behind and away from the badge. Each comment, picture, post, or like button clicked on social media not only reflects on the officer, it also reflects on the agency and the profession itself. Never before has the public had an open window into the soul of law enforcement.

In another study of privacy expectations, Barnes (2006) examined the private information released by teens on social media websites. Barnes (2006) understood that most social media users expect privacy even though they know it is not there. This phenomenon was termed the "Privacy Paradox." The study explored the reasons why social media users disregard the lack of privacy and post personal information to the websites. Barnes (2006) defined private information as personal information such as phone numbers, addresses, birthdates, pictures, check-ins, and status updates, and explored the private information teens were willing to put on social media websites. Privacy on social media within law enforcement is paramount to officer safety. Posting pictures of themselves or comments even vague in nature can hinder investigations and put officers in danger. Officers using the location services application or posting pictures run the risk of exposing personal information that could place them in a vulnerable situation.

The privacy paradox refers to the fact that people want to have privacy, but we live in a society where privacy does not really exist. We strive to be private but post information for the public to see on social media. The use of rewards cards at department stores and other retailer's details purchase histories and other personal information. The retailers use that information to their advantage in marketing (Barnes, 2006). Social media is no different. It may be used to track and individual's likes and interests and provide custom information to each user.

Another important social media issue concerns location tracking. Most people are not aware that there are GPS coordinates encoded in the background to photos posted to social media. This GPS data is called META data and is easily accessible by any computer knowledgeable person able to download free META data software. Additionally, "check-in" type features on social media sites such as Facebook show where a user is and what time they arrived there. Some sites like Facebook also provide the option of listing the user's location at the time of a posting. These services provide instant information to anyone that wants to look for it; criminals, law enforcement, the Federal Government, and the nosy neighbor. As a matter of fact, law enforcement officials have used these features for some time in an effort to locate wanted suspects or persons of interest.

Content sharing and sociability are also important factors that play in to the use of social media. Content sharing refers to posted pictures statuses and personal information. The idea of sociability is that we as a society have become more used to communicating though social media and other devices and have moved away from face to face interaction. Brandtzeeg, Luders, and Skjetne (2010) conducted research to help to shed light on why people post personal information and pictures. They proposed that it is easier for individuals to post their opinions or agree on a controversial subject or even vent when they are angry, because they have no face-to-face interactions and it seems there are no consequences to their actions. Basically, social media is a way for individuals to socialize and interact without investing themselves into physical interaction.

Although Bradzeeg et al.'s (2010) study is not about law enforcement personnel specifically, it does deal with people of all ages and gender. This study shows the issue is not generation specific, so it is not just generation Y, the problem persists through all ages. Facebook and other social media sites are used routinely as research data banks. If someone wants to know about someone else, that person can look up that person online and discover a great deal of information if that person has a social media account.

Law enforcement officials have used social media to gather information about persons of interest. Facebook and other social media sites can be used in a positive manner to assist law enforcement officers. Facebook can be used as an intelligence tool for the drug investigator, it be used to track the movements of a murderer, or to locate wanted people in general. In fact, there are many legitimate uses for social media in law enforcement, and there are legal processes in place to obtain a search warrant to look into a person's social media account (Thomson Reuters, 2011). Law enforcement's use of social media as an intelligence tool has been used from for everything from gathering information on suspected gang members and terrorists to catching poachers during hunting season.

Overall, privacy is a huge misconception within social media use. Lewis, Kaufman, and Christakis (2008) conducted a study on college students examining their privacy settings and their beliefs on privacy while using social media. Their research found that there is at least some expectation of privacy on

one's social media page. The thought process around this expectation seems to stem from the need for passwords, the various privacy settings and the choice of who is chosen as contacts. However, many people fail to realize that, while they do require a subpoena, most social media sites are very cooperative with law enforcement. Once a subpoena is presented, all account information is surrendered. There is also concern about how safe these companies keep users information from people who intend to cause them harm (Debatin, Lovejoy, Horn, and Hughes, 2009). For example, there was a DUI stop in Arizona where the officer making the stop discovered a CD in the suspect's car that contained all of the police departments' undercover drug detectives' information. It contained pictures of their homes, families, and schools and pictures on them. The criminals were actually using Facebook to do intelligence on police officers. There is information available concerning various social media privacy settings and how to use them to avoid unintended consequences like those mentioned above, although total privacy and protection on social media may never truly be possible (Debatin et al., 2009). It should be noted that there are some articles, such as "Facebook; A Threat To Officer Safety," (lawofficer.com, 2011), "Officials Warn Facebook and Twitter Increase Police Vulnerability (foxnews.com, 2011)," and "Officer Safety: Survival Guide For Cops On Facebook (connectedcops.net, 2011)," that provide important information for police officers and other law enforcement personnel regarding privacy settings, possible threats to police officers who use social sites such as Facebook and Twitter, and gives a real look at the dangers they face on social media.

While the literature is limited in examining policies associated with social media and police, there have been recent examples that highlight the importance of needing policies to protect not only the officers but also the institution of policing. For example, veteran police tele-communicator who posted a comment on Facebook that she was "addicted to Vicodin, Adderall, quality marijuana, and absinthe." She claims she made the post to be funny and did not think it would be taken seriously, but the department claims that letting her return to the job would "mock the mission of the department, because tele-communicators deal with the public and the public must be able to trust a tele-communicator's judgment" (Journal Sentinel Online, 2010)   Similarly, two officers in Washington who were fired over a Facebook post. The argument for the officers was very similar to the tele-communicator, as their attorney argued that the post was made off duty and was meant to do no harm (Tri-City Herald, 2009).   These are all examples of the blur between private and professional time, as well as, an example of being reactive to use of social media. These departments waited until someone had posted something they had to react to, instead of taking the effort to foresee the inevitable and have policy and procedure in place to prevent such things. These articles also show how inappropriate posts can have a negative effect on the agency which can ultimately lead to termination for an employee, and point out how law enforcement officials are held to a higher standard and, though their actions were not illegal, public perception of them were immoral.

The following are just some examples of officers being punished for inappropriate posts.   The cases presented below demonstrate these issues are not just a problem for law enforcement in the United States; there are also international implications. When the people outside of the law enforcement community see these posts on an officer's personal social media page, it not only reflects very negatively on the officer, but the agency and criminal justice system as a whole. We live in a time now where access to social media and the news is unlimited 24 hours a day seven days a week, making it much easier to offend someone who sees the post. So, in a sense, someone's personal views become the views of the employing law enforcement agency as well as the views of the criminal justice system.

The BBC article, "Metropolitan Police Officer Sacked Over Facebook Posts" shows just how wide spread the social media phenomenon is. It is not just in our country, it is all over the world. This particular officer was in a relationship with a female co-worker and posted inappropriate and abusive things on Facebook about her. The Independent Police Complaints Commission stated that his behavior resembled "a nasty schoolyard bully" (BBC, 2011).

Representations of public safety personnel in negative sexual references have also surfaced. "Officer Fired for Facebook Comment," an article about an officer who commented "What do you mean then we would have nowhere to go," on a group a friend of his joined called "Keep Sex Offenders Off Facebook" (Actionnewsjax.com, 2011) represented the officer as a sex predator. Sexual

inferences like this are just as common as racial slurs among public safety

personnel. A couple of examples are provided in the articles, "Juvenile

Corrections Officer Fired over Facebook Slurs," which is a news story about a

corrections officer who posted a racial slur on Facebook (wkyc.com, 2010), and

"Cop under Investigation over Facebook Posts," an article about a female Dallas

Texas Police Officer who was fired for posting a picture of a black child

surrounded by white officers, and in the caption she wrote "sprinkle some crack

on him" (WFAA.com, 2011).   Though it was arguable whether or not the

personnel in these situations were joking, their carelessness left them without a

job. Instances such as these, in which law enforcement officials make

questionable posts, are increasingly common; individuals should use caution

when using social media to avoid legal trouble, loss of credibility, and job loss. In

some of these cases the agencies have now put a very strict policy in place that

states what officers can and cannot post.

Although there are several news stories about how law enforcement

officials have used or misused social media, there are very few empirical studies

on misuse of social media by law enforcement. Existing social media research

tends to examine the right of privacy concerning social media, with the majority of

the cases being in the private sector and not law enforcement related. While

these studies are important, the focus of the research presented here directly

concerns the policing of law enforcement personnel in their use of social media.

Specifically, this study is designed to examine law enforcement perception of

social media policies on their private and public lives as well as agency social

media policies.

CHAPTER III

RESEARCH

Survey

The main purpose of this study was to explore levels of awareness, comprehension, and opinions of social media use and employer social media policies among a sample of individuals employed by law enforcement agencies in Kentucky. However, it is also important to examine the general content of some existing social media policies of law enforcement agencies in the state. Accordingly, two different methodologies were utilized in this study: 1) a basic descriptive content analysis of four social media policies and 2) a survey of individuals employed by law enforcement agencies in Kentucky.

A descriptive content analysis was performed on a purposive sample of four social media policies. Three of them were from Kentucky law enforcement agencies, and the fourth was from the Kentucky League of Cities. The law enforcement agencies included Harrodsburg Police Department, Kentucky State Police (KSP), and Louisville Metro Police. The model policy produced by the Kentucky League of Cities was included because many of the smaller agencies in Kentucky use it instead of creating their own. Descriptions of these policies, as well as discussions of potential issues associated with the policies, are presented first in the findings section below.

In addition to examining the content of law enforcement social media policies, it is important to examine the levels of understanding and general perceptions of people employed in law enforcement concerning the use of social media and related policies. For this study, these types of attitudes and interpretations were measured via surveys of students currently undergoing training at the Department of Criminal Justice Training (DOCJT) in Richmond, Kentucky.

The target population for the social media survey included both civilian and sworn employees of state and various local agencies that have attended training at DOCJT in Kentucky. The sworn employee sample consisted of law enforcement officers, while the civilian sample consisted of tele-communicators, clerks, janitorial staff, forensic professionals and arson investigators.

Respondents were part of a convenience sample, created based on individuals enrolled in DOCJT courses during the year-long data collection process for this study. During the data collection phase, class instructors informed students about the research and asked them if they would like to a complete a survey concerning the issue. They were advised that the survey was being administered on behalf of an unnamed graduate student, employed by DOCJT.[1] Furthermore, they were informed that their participation was voluntary

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[1] This study was conducted at the Kentucky Department of Criminal Justice Training, which is also my employer. In an effort to remove any conflict of interest, the study was purely voluntary and not conducted on any student I was directly in authority of. The questionnaire was given to those students who wanted to voluntarily fill it out. The class coordinator facilitated the questionnaire and collected the forms. I was totally removed from and remained anonymous in the collection process. The students were instructed that this questionnaire was voluntary and they did not have to participate, and it was for a Department of Criminal Justice Training Instructor that was doing independent research for a thesis project.

and in no way had any bearing on their successful completion of the course in which they were participating at the Department of Criminal Justice Training. Those who volunteered to participate in the population was administered a 10 question paper survey given by the instructor of their class. Data collection efforts resulted in 91 usable responses.

The information obtained from the surveys consisted of demographic information and information on the participants' attitudes toward social media. Generally, the survey concerns whether law enforcement personnel post personal information on social media websites and if they have a right to expect a certain level of privacy regarding social media. The survey was also designed to explore what effects posting personal information can have on law enforcement professional. The full survey is presented in Appendix A.

Policy Content Analysis

The Harrodsburg Police Department's policy is based on the Kentucky League of Cities' model policy, although it was extensively modified to fit the needs of the department. This policy states it is for internal use only and is intended to direct employees to properly use social media. The following statement was included as a disclaimer to suggest that the policy was not subject to lawsuits filed by employees. The social media policy is not open for civil liability outside of the department. The department can police its employees, but that same standard is not applicable in the public. Consequently, it could be argued this policy creates a different set of rules between public and the police. This phenomenon is not only related to law enforcement, every employer could potentially face the same issues, anytime the views posted by an employee come in conflict with the views of the employer and public.

It should also be noted that the Harrodsburg policy combines social media and the internet together under one policy. The examples of social media and internet are the World Wide Web, the internet, Twitter, social media sites, blogs, and other medium of electronic communication. These vague examples encompass the vast majority of social media and the internet without listing the various sites and only one actual social media site was named, which was Twitter.

The Harrodsburg policy states: "The above examples and other medium shall not be used in a manner which is detrimental to the mission and function of

the agency." This policy does not list prohibited behaviors, nor offer a definition of the word detrimental. Who makes the determination for what is detrimental to the agencies mission, and who exactly is watching for these type of violations? This policy also states that the employees of Harrodsburg Police Department are "subject to this policy whether on duty or off." The policy also mentions that employees are "held to a higher standard", but also offers no definition to the term higher standard.

The policy from Louisville Metro Safe is a very short policy that is also vague. This policy lists more specific behaviors that are prohibited and defines better what is considered a social media site. There is no mention of what disciplinary actions are in place or what an actual violation is. This policy is written more for the protection of the agency image than as a directive for the employee. The policy plainly states employees can identify themselves as an employee of Metro Safe, but may not post anything that criticizes, ridicules, or discredits the agency, it policies, or its employees. This policy also states that employees may not access social media while on duty or use agency owned property to do so, yet Metro Safe has a Facebook account.

The Kentucky League of Cities has a division that writes model policies that agencies across the state utilize; the social media policy is one of these. They simply fill in their agency name and they have a policy. Even though this policy is vague and is meant for multiple agency use it is also engineered to protect agency image. The purpose of the policy is to make sure every

employee realizes that the agency must maintain public trust and confidence to carry out its functions as a law enforcement or public safety agency.

The social media policy for KSP is by far the longest and the most prohibitive, but it is still equally vague and is plagued by the same problems as the other policies. Its purpose is to prohibit the use of the KSP trademark, or intellectual property outside of KSP official business without the commissioner's approval. It also prohibits the use of intellectual property and KSP trademark by employees without approval. This policy is agency-oriented; the whole purpose of the policy is to protect the logo. KSP uses the term intellectual property, which they define as; the Kentucky State Police name, agency uniforms, agency vehicles, equipment, or personnel. Also included are insignias, symbols, or representations that attempt to depict KSP. This policy attempts to list prohibited behaviors and though it does list some, they are subjective.

After doing a content review of these policies, it became clear they are similar in some ways; they are concerned with the image and protections of the agency and not so much with the behavior or protection of the employee. All of the policies have vague definitions of what social media consists of. The prohibited activities are very subjective and the policies do not define the punishment for the violations.

Another similarity in social media policy is that, no policy defines how social media will be policed. All these vague definitions and subjective prohibitions are written into a policy but no mention is given on who or what

mechanism will be used to enforce these rules. If you were to look at the social media site of an employee bound by any of these agency policies you would see violations. Numerous examples can be provided and violations are committed at high supervisory levels. This is a clear sign that policies are only enforced when the public complains about social media activity. The policing of social media is done by the public and enforcement of the policies by the agency are done when a public complaint occurs. A citizen views the employee's social media posting, sees something they do not agree with, and then complains. You notice in the examples of social media articles provided in the earlier portion of this literature review the type of discipline seems to fit the public outrage not the violation. We will continue to see policy violations until agencies actually start policing social media and define rules and regulations with fair and consistent punishments.

The social media policies of most law enforcement agencies prohibit the use of social media while on duty. Nonetheless, many of those same agencies have social media pages to promote their image. So if all employees are prohibited from the use of social media who posts on that page? Is it done off duty? Social media is a huge investigative tool, but most policies prohibit its use on duty. The questions posed above reinforce the claim of selective policy enforcement and image protection and may be viewed as hypocritical.

RESULTS

The survey was offered to students for a 12 month period. Many of the students chose not to participate for unknown reasons, but data collection efforts resulted in 91 usable responses. As shown in Figure 1 the sampling was representative of the male dominated law enforcement population, with 73 male responses and 18 female responses.
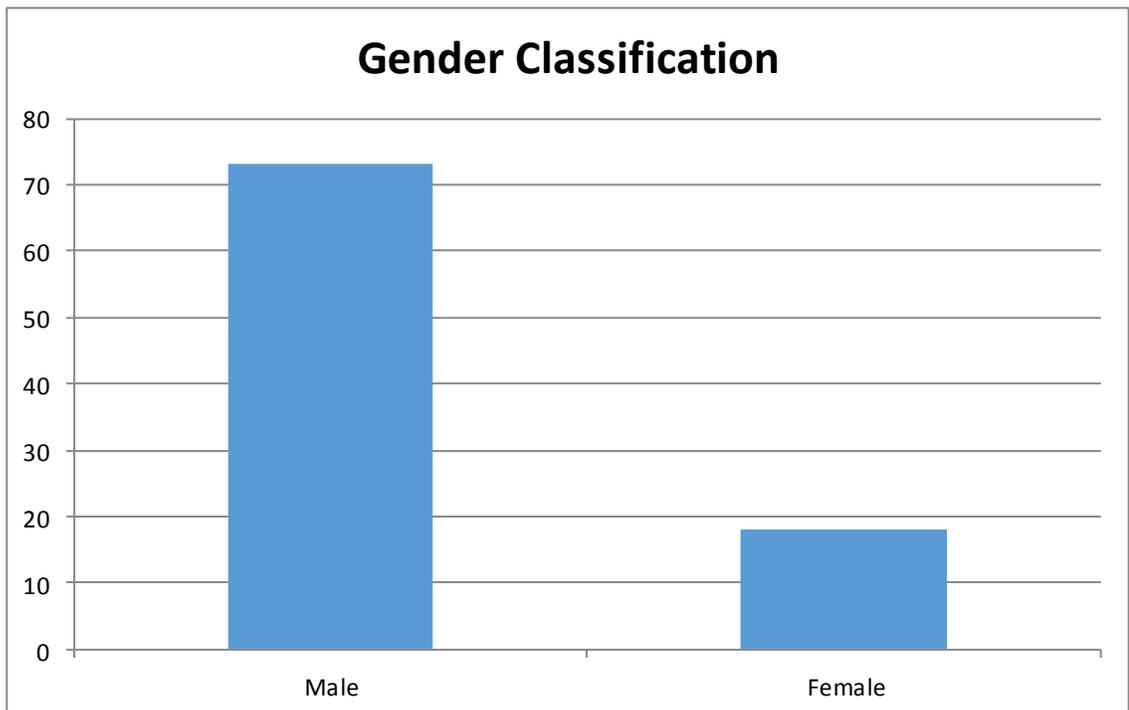

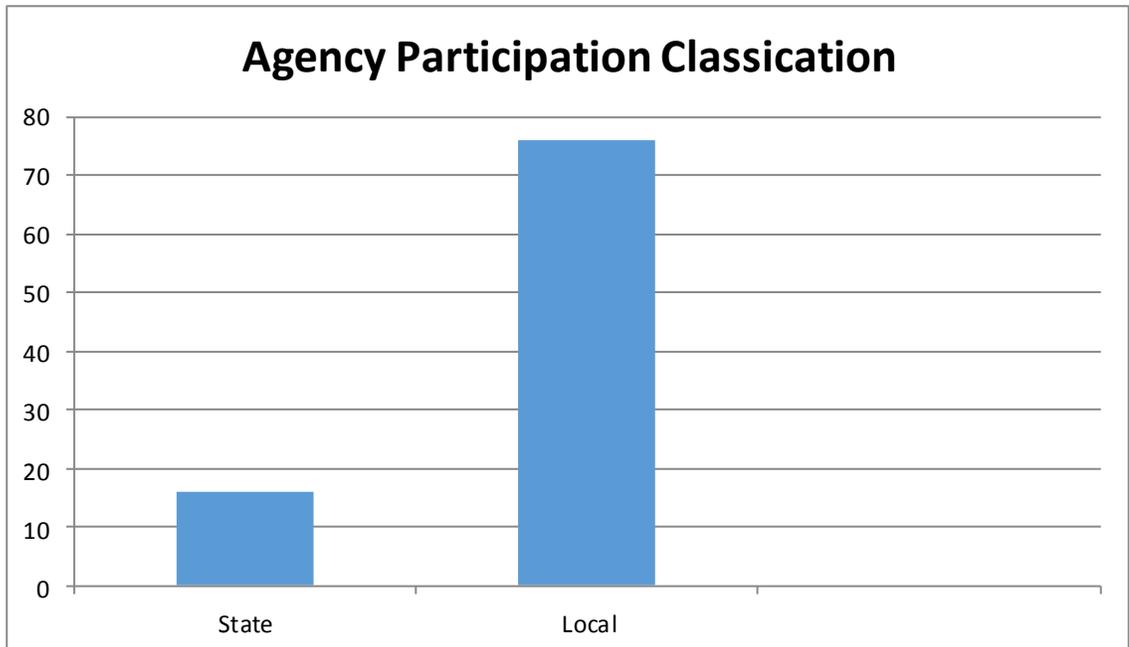Figure 1. Gender Classification

Figure 2. Agency Participation Classification

Survey respondents worked for both state and local law enforcement agencies. DOCJT's students are predominately from local agencies but some employees of state agencies do come through the department for various classes, and the type of agencies by which respondents were employed matched this trend (see Figure 2). An attempt was made to survey additional KSP employees, but administrators at KSP declined to make the survey available to all KSP employees.

Survey respondents were also about their ages. At least some respondents were classified in each age range. Most respondents were aged 55 and older, followed by 26 to 35 and 36 to 45. The youngest age category, 18 to 25, contained the fewest respondents (see Figure 3).
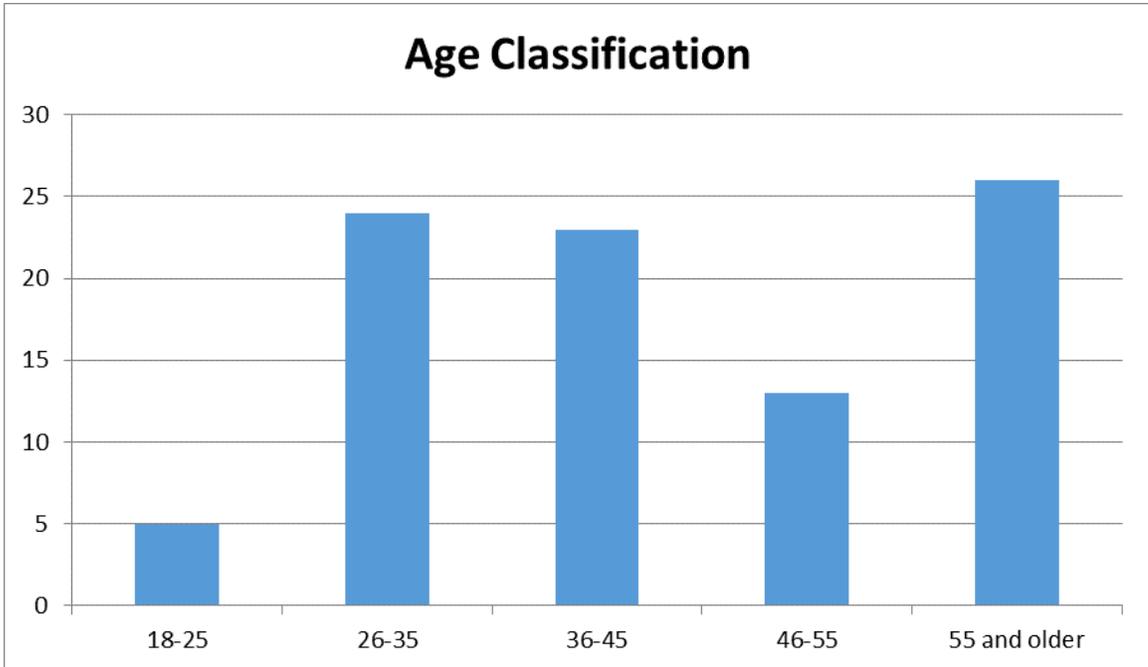
Figure 3. Age Classification

   Levels of education for respondents were varied (see Figure 4). The most frequently chosen category of education was some college, followed by a four-year degree and high school diploma. Only three respondents had earned graduate degrees.

   Race data was collected and the sample populations are as follows.   The respondents in this study represented four different races although majority of the sample is white.   This sample consisted of 83 white respondents. There were six black respondents and one Native Cherokee.   When race was compared there was no statistical significance ($p<.05$) among this variable.
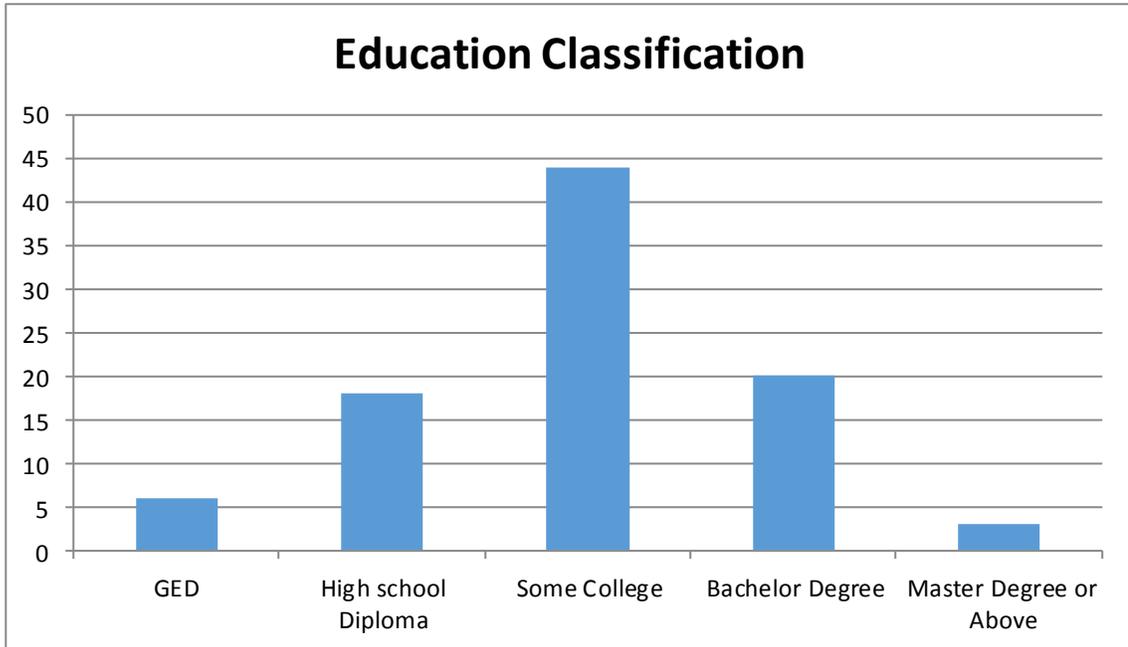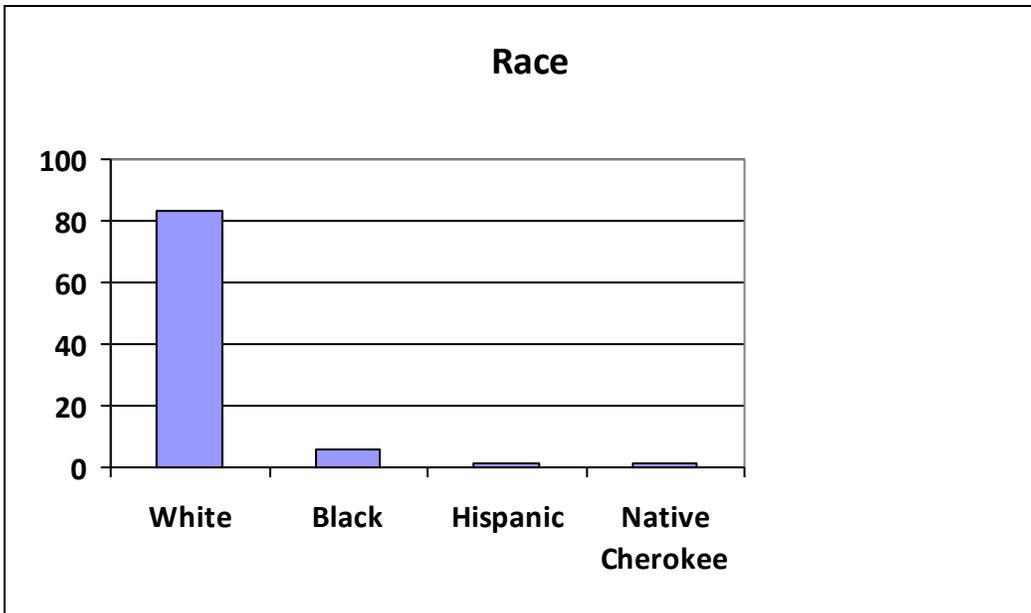
Figure 4. Education Classification

Figure 5. Race

After the demographic items, participants were asked about privacy concerning social media... Specifically, they were asked, "What is your attitude concerning privacy and social media?", and their responses are presented in Figure 6. The vast majority of respondents strongly agreed or agreed that social media should be private, and there were no significant (p<.05) statistical differences in responses to this item based on individual characteristics. Participants were also asked if their agency had a specific policy regarding social media. As shown in Figure 7, most participants reported that their employers have a social media policy. However, 19.78 percent of participants indicated their agencies did not have a policy or the participant was not aware if there was a policy dealing specifically with social media.
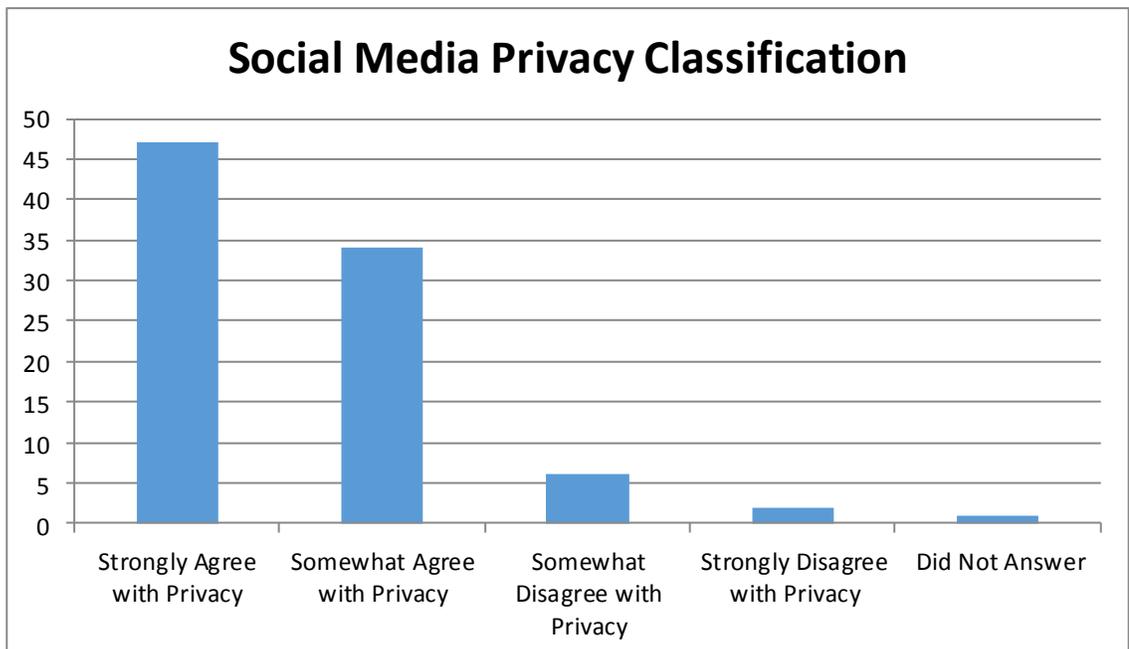

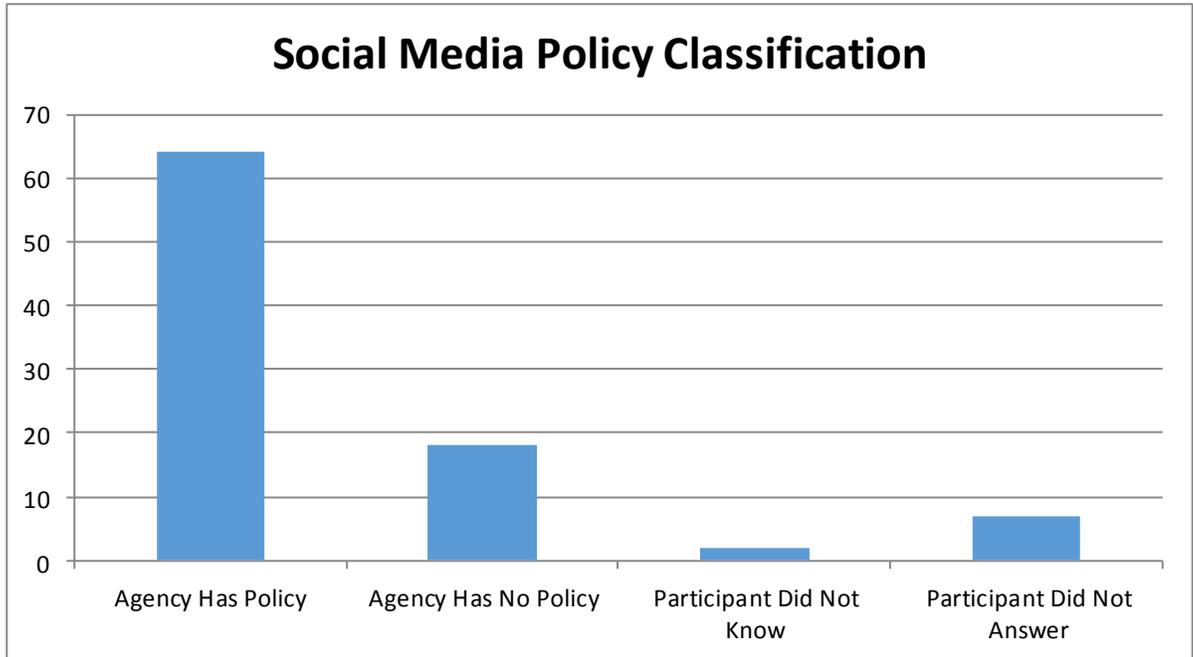Figure 6. Social Media Privacy Classification

Figure 7. Social Media Policy Classification

When asked about agreement with the employing agency's policies, the majority of the participants agree with the agency policies concerning social media. In fact, only six participants disagreed or strongly disagreed with the policy. There was no significant difference ($P>.05$) in whether or not an agency had a policy or knowledge about a based on individual characteristics or agency type. The anonymous nature of this research makes it impossible to determine if agreement or disagreement with policies is based on the stringency of individual policies, but this is an issue that should be explored in future research.
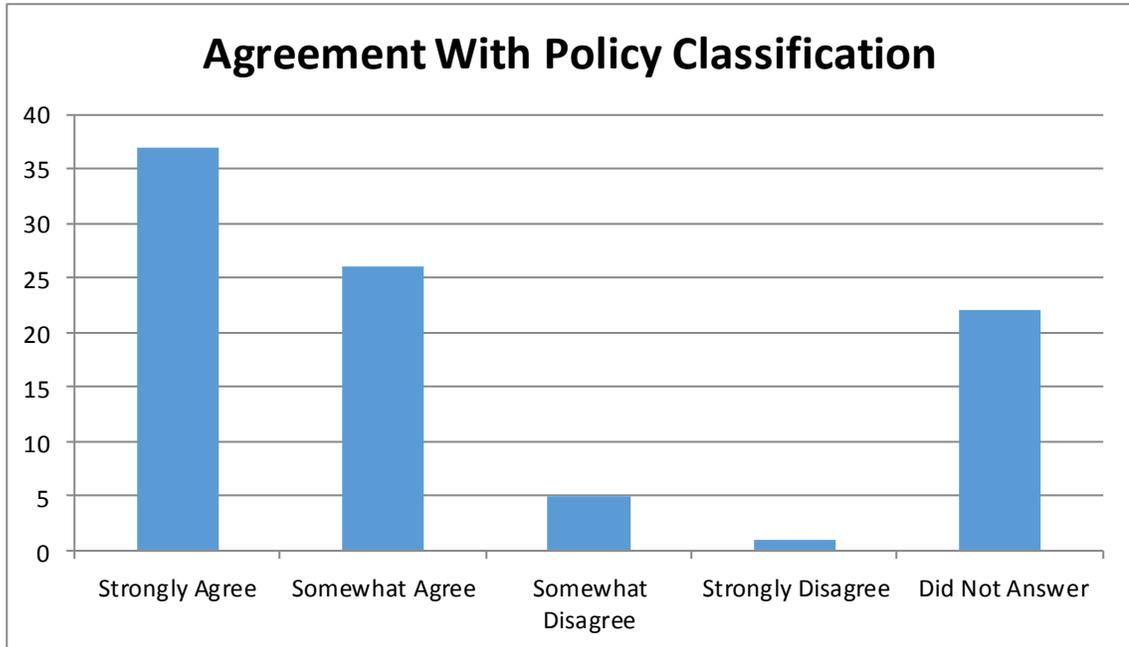
Figure 8. Agreement With Policy Classification

The participants were questioned on their understanding of their agency's social media policy. As shown in Figure 9, the majority of respondents stated that they understood the policies There were no significant (p<.05) relationships between understanding the policies and respondents' individual characteristics.

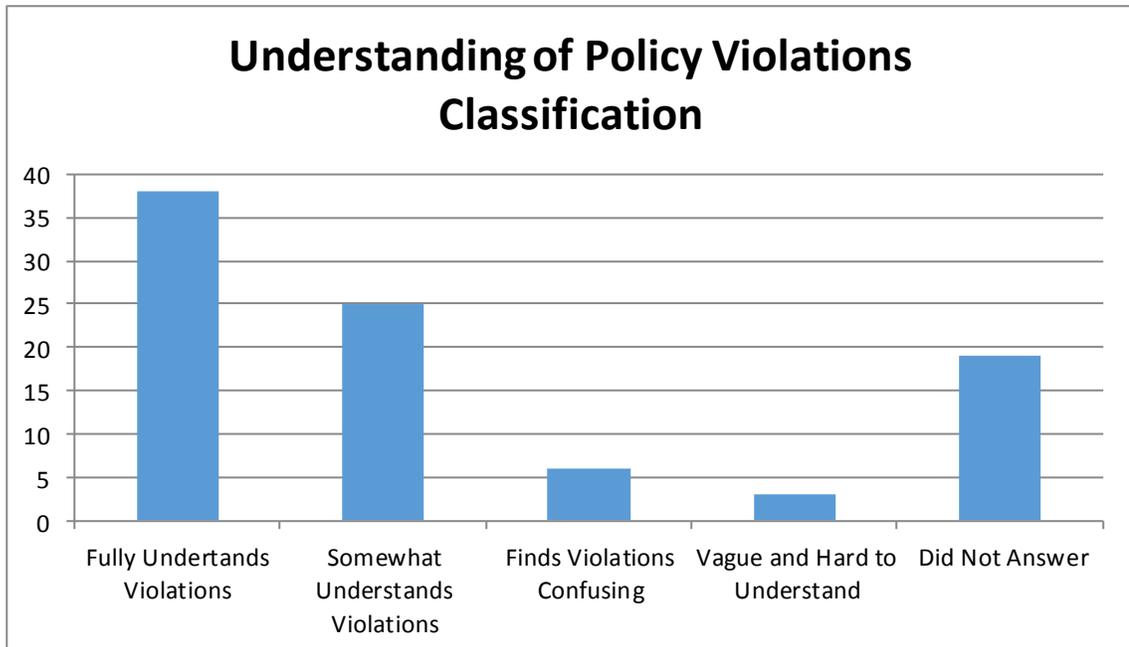**Understanding of Policy Violations Classification**

Figure 9. Understanding of Policy Violations Classification

Perhaps the most data came in the form of the open ended question at the end of the survey when the participants were asked if any portion of the policies were vague or hard to understand. When the participants were asked in an open ended style question if there were parts of their agency policy they were unsure or unclear about, the resounding majority said no or just chose not to comment. Nevertheless, the few participants that did comment stated some interesting things. For example, some of which are mentioned in the text below. One participant made the comment that employers should not force an employee or perspective employee to give passwords to private accounts. This practice has been common practice within law enforcement agencies in the past, but there are questions concerning the ethics and legalities of this convention. Other comments concerned the fact that agencies and employees need to be on the

same page, which might indicate there is some lack of understanding of the social media policy in question. Another participant wrote that their policy is enforced like it should be and stated violations are handled on a case by case basis instead of consistently across cases. Last, some participants said that the social media policy and procedure was never discussed or explained to them.

Overall, most of these respondents worked for agencies that have social media policies, and most of them at least somewhat understood the policy. Further, most of these individuals at least somewhat supported the agency's policy, even though most of them indicated they held somewhat of an expectation of privacy concerning social media. Additionally, there were no significant ($p<.05$) differences in any of these responses based on gender, age, race, education, or type of agency. This exploratory study, however, has some limitations that should be addressed in future studies. These limitations, along with suggestions for future research, are included in the next section.

CHAPTER IV

CONCLUSION

There were no significant (p<.05) differences in responses to survey items regarding social media privacy and the understanding of agency policy based on individual characteristics or type of agency which respondent work. Even though finding weren't statistically significant, these findings bring up some important questions that should be addressed in future research.

For Example most respondents reported that they at least somewhat agreed with and understood the social media policy, why are these policies violated? Although the data collected for this study are not conclusive concerning this question, there are some potential answers that should be explored. Maybe one potential problem with social media policies of law enforcement agencies is that they are written vaguely for the protection of the agency. They cannot possibly list all of the violations so they provide vague definitions and subjective explanations of what constitutes a violation. Words such as inappropriate, discredit, and detrimental are used repeatedly, and all these words have different meanings for different people. These words bring ethics, morals, values, and beliefs into the equation. Additionally, supervisor may have a differing opinion on what is inappropriate or offensive, thus making violations somewhat of a moving target.

Another issue that was brought to life and will be looked into in future studies concerning this topic is enforcement of social media policies. Who is

actually the Facebook Police? Based on the literature, news stories, some content analysis of social media posts, and a little bit of personal experience, it seems the public is actually playing the role of big brother and policing these sites. The officer places something on his or her social media site and it is viewed by countless people who apply their ethics, morals, values, and beliefs to determine its inappropriateness. There seems to be no way for agencies to list all possibilities of this because the implications could be infinite. Once a complaint has been received by the agency, the social media offender is punished by the amount of public outrage the comment or post incited. Thus the violations and punishment are a moving target again. The policy content analysis revealed that each of the policies made statements that were protecting the agency's image and reputation. Since those ethical style standards are placed on words like inappropriate and offensive, etc. The agencies are always on the offensive and keep trying to do damage control. This is a testament to the era of political correctness in which we live.

Take for example the forced resignation of Captain Clay Higgins formerly with the Saint Landry Parrish Sheriff's Department. He made a public service announcement to local gang members letting them know he and the other law enforcement agencies in the area were coming for them and would not be afraid of them. He also urged the citizens of Saint Landry Parrish not to be afraid and to cooperate with the police. The message was harsh and given the magnitude of the agencies involved in the filming it, it is hard to believe that the sheriff had no knowledge of what Higgins was doing or how strongly opinionated he was.

Those attributes got him the job to begin with after all. The cooperation of all those agencies within the video would not have been possible without the sheriff knowing, and the agency heads of the other departments agreeing to participate. It was when the tough message was found to be offensive that the sheriff department disavowed any knowledge of the video and let the blame fall squarely on Higgins which ultimately led to his resignation. The other agencies in the video were never mentioned, but someone had to be sacrificed to save the reputation of the departments involved.

There is a limit to what law enforcement officers will commit to on paper. In future works the surveys will not be conducted in the same manner. The survey was administered by an agent of a department that holds some authority over the student. They have to pass their continuing education so some students may have been uncomfortable to answer honestly being afraid they could be identified by their agency.

There is a sense of loyalty in law enforcement even when the agency is in the wrong at times so not many of the participants may have felt safe answering the questions honestly. The sheer number of those that chose not to answer the questions about policy agreement and the understanding of the policy tend to bolster this possibility. Sometimes what is not said can lead to a better understanding. In the future more ethnography and anonymity within any survey given may bring about more conclusive answers.

This study has shown it is clear there is an expectation of privacy on social media. Whether or not this expectation of privacy truly exists is still being deliberated on in the Supreme Court and once decided will have huge ramifications on the law enforcement world, as well as, civilian employers. A recent article on Policeone.com asks the question "How far should public agencies go to restrict employees' social media posts?" This article shows example after example of officers being punished for voicing their opinion over matters that do not apply to law enforcement. An example of this type of discipline that proves policy enforcement comes from public opinion, is the one where an East Baton Rouge Parrish Louisiana Sheriff's Deputy was terminated for posting his story of how he had been treated in a local McDonalds. Once the post became a source of public controversy the agency stepped in and punished the officer in an effort to distance itself from the opinion of the public (Policeone.com, 2016). The article also talks about the expected level of privacy and that the court system will eventually have to rule on this matter. The author also makes note of vague and ambiguous policies that attempt to undermine behaviors that are guaranteed under the umbrella of the first amendment (Policeone.com, 2016). It seems as though the lack of monitoring and enforcing by agencies, coupled with vague policies that are reactive instead of proactive; it is safe to say they have created the law enforcement social media anomaly when it comes to the punitive nature of those who do face full enforcement of the policy.   Hopefully, legal rulings and more research in this area will help agency

administrators develop and revise comprehensive social media policies that are

easily understandable, fair, and consistently enforced.

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APPENDIX

APPENDIX A:

Social Media Survey

Social Media Survey Questions

1. Sex   M   F

2. Age
   1. 18-25
   2. 26-35
   3. 36-45
   4. 46-55
   5. 56 – older

3. Race
   1. Black
   2. White
   3. Hispanic
   4. Asian
   5. Other_____

4. Educational Level
   1. GED
   2. High school diploma
   3. Some college
   4. Bachelor's Degree
   5. Master's degree or above

5. Agency Type
   1. State
   2. Local

6. What is your attitude concerning privacy and social media?
   1. Strongly agree with privacy in social media
   2. Somewhat agree
   3. Somewhat disagree
   4. Strongly disagree with privacy in social media

7. Does your agency have a social media policy?
   1. Yes
   2. No

8. What are your feelings toward that policy?
   1. I strongly agree with it
   2. I somewhat agree with it
   3. I somewhat disagree with it
   4. I strongly disagree with it

9. What is your understanding of the types of behavior that violate this policy?
   1. I fully understand social media policy violations
   2. I somewhat understand them
   3. I find them some confusing
   4. I find them very vague and sometimes hard to understand

10. Is there any portion of you agencies social media policy that you extremely vague or invasive? If so please explain.