2012

Social Media Investigations for Law Enforcement™

by Doug Nolte

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Welcome!

Good morning and thank you for attending this **POLICE TECHNICAL** course.

My name is Thomas M. Manson, founder of **POLICE TECHNICAL**, the company which is presenting this technical training course. Today you will be an attendee in a course which **POLICE TECHNICAL** and your instructor have been preparing for many months, and, truthfully, have been preparing for many years.

POLICE TECHNICAL has worked for several months to make your class today a reality. Each year we receive training requests from agencies across the country, and every successful class is the culmination of 4-6 months of coordination, marketing, and logistics. A May or June class likely began with a training request from the previous year.

Your instructor has also worked for many years preparing to teach this class. In addition to several years of law enforcement experience, many dedicated to the subject of your class; he or she has completed a lengthy process with **POLICE TECHNICAL** to become one of our instructors. This process involves a documented hiring process, a thorough background investigation, a detailed instructor and materials development process, and a continuing program of mentorship.

POLICE TECHNICAL and our instructors work hard to provide superior quality training for law enforcement in computer applications, online investigations, and forensics. I can tell you without hesitation, "Your course today will be one of the best you have ever had in this subject, and your instructor is one of the best in the field of law enforcement".

I know you'll find this class valuable, but if ever want to talk with me about your experience, or if you would like to talk about bringing a **POLICE TECHNICAL** training course to your agency or department I would happily speak with you.

Enjoy your class, and thank you again for attending this **POLICE TECHNICAL** course.

Respectfully,

Thomas M. Manson
POLICE TECHNICAL
812-232-4200 | www.policetechnical.com | info@policetechnical.com

Our History

In 2004 **POLICE TECHNICAL LLC** was establish to further professionalize the law enforcement training process created by Thomas M. Manson.

In 2007 **POLICE TECHNICAL** was recognized as a Sole Source Provider by federal law enforcement agencies, offering a level of training unavailable from any other source. **POLICE TECHNICAL** incorporated in 2009 to provide a suitable structure to expand business operations.

In 2010, **POLICE TECHNICAL** scheduled more than 50 national training courses (primarily PowerPoint® for Public Safety™).

In 2012, 6 new courses were being taught by instructors.

Introduction

The foundation for a successful investigation is a good understanding the law you are investigating. What is particularly challenging in this particular period of law enforcement is how social media is changing the way in which investigators must gather and preserve evidence.

While old fashioned "stakeouts" are still common, what is becoming more common are the "electronic stakeouts". Detectives gathering critical pieces of intelligence left by criminals on line. Criminal association, evidence of crimes committed and general lawless behavior are being captured and preserved on every form of social media. Today every investigator and every prosecutor needs to have a good understanding of what information is available and how to go after it.

Understanding how social media can and does affect witness credibility is a valued tool for any prosecutor.

This guide scratches the surface of what anyone tasked with investigating a criminal should know about social media and investigations.

Doug Nolte, July 2012

Goals of the Course

1. Show how history of social media guide us towards the future of social media

2. Learn what our courts are saying about social media

3. How to conduct an "electronic stakeout"

4. What happens if your star investigator is a social media nightmare!

5. What are the common social media channels

6. Preserving your evidence, one post at a time.

7. Understand what a Facebook Page is

8. Understand what a Twitter Page is

9. Understand what a YouTube Channel is

10. Provide insight into the future of social media

Course Overview

This course is a condensed version of the more in-depth Social Media Methods for Law Enforcement TM. Taken from an investigators perspective, this course will broadly identify challenges that investigators and prosecutors must realize when conducting investigations using social media.

No investigation is perfect, so learning to identify a weak point in an argument can save a tremendous amount of time for an investigator in finding and charging a case. Prosecutors can use evidence gained and submitted in social media platforms, assuming they understand how the pieces fit together.

This course should create a dialogue between investigators and prosecutors to help establish the next wave of criminal investigations.
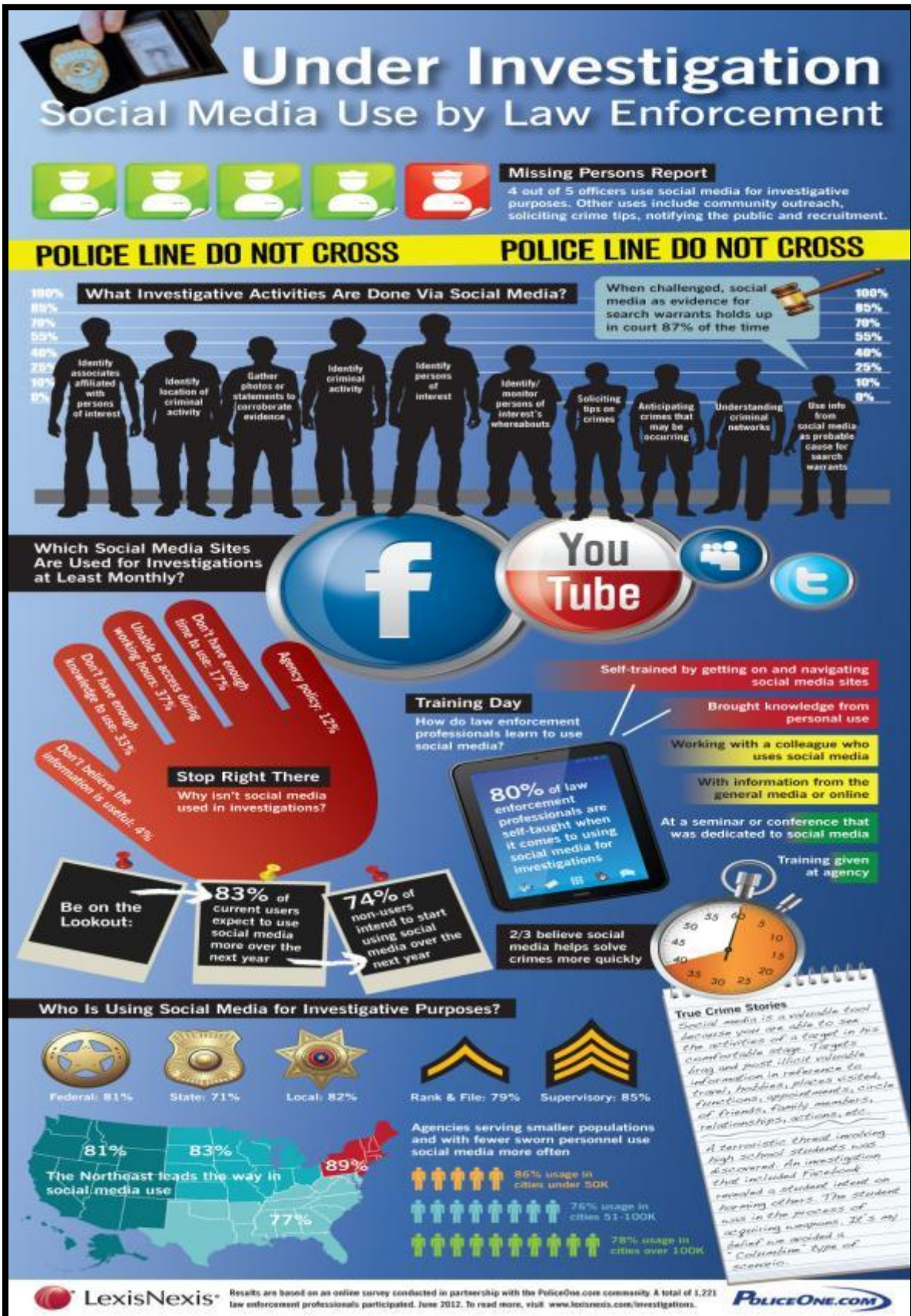
"Social-networking data is a contested part of a complicated legal ecosystem – in some cases, courts have found that such data is protected by the Stored Communications Act." --Carly Carioli, a reporter for the Boston Phoenix

 Research on agencies using Social Media

- Facebook and YouTube are the most widely used platforms.
- 67% believe social media helps solve crimes more quickly
- 87% of the time, search warrants utilizing social media to establish probable cause hold up in court when challenged, according to respondents
- Close to 50% of respondents use social media at least weekly
- Only 10% of respondents learned how to use social media for investigations through formal training given at the agency
- Lack of access and familiarity are primary reasons for non-use – 70% are either unable to access social media during work hours or do not have enough background to use
    - o July 2012 www.lexisnexis.com/investigations.

Notes:

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	Voluntary Disclosure Allowed?		Mechanisms to Compel Disclosure	
	Public Provider	Nonpublic Provider	Public Provider	Nonpublic Provider
Unopened e-mail (in electronic storage 180 days or less)	No, unless § 2702(b) exception applies [§ 2702(a)(1)]	Yes [§ 2702(a)(1)]	Search warrant [§ 2703(a)]	Search warrant [§ 2703(a)]
Unopened e-mail (in electronic storage more than 180 days)	No, unless § 2702(b) exception applies [§ 2702(a)(1)]	Yes [§ 2702(a)(1)]	Subpoena with notice; 2703(d) order with notice; or search warrant [§ 2703(a), (b)]	Subpoena with notice; 2703(d) order with notice; or search warrant [§ 2703(a), (b)]
Opened e-mail, other content files being stored or processed	No, unless § 2702(b) exception applies [§ 2702(a)(2)]	Yes [§ 2702(a)(2)]	Subpoena with notice; 2703(d) order with notice; or search warrant [§ 2703(b)]	SCA does not apply [§ 2711(2)]
Noncontent records	No, unless § 2702(c) exception applies [§ 2702(a)(3)]	Yes [§ 2702(a)(3)]	2703(d) order or search warrant [§ 2703(c)(1)]	2703(d) order or search warrant [§ 2703(c)(1)]
Basic subscriber information, session logs, IP addresses, (anything in § 2703(c)(2))	No, unless § 2702(c) exception applies [§ 2702(a)(3)]	Yes [§ 2702(a)(3)]	Subpoena; 2703(d) order; or search warrant [§ 2703(c)(2)]	Subpoena; 2703(d) order; or search warrant [§ 2703(c)(2)]

The Stored Communications Act (SCA) only protects electronic communications services (ECS) and remote computing servic (RCS) providers that make their services available "to the public at large, whether for a fee or without cost." If users need a special relationship to get access to a service, the service is nonpublic n disclose users' electronic communications voluntarily.

Source: **A USER'S GUIDE TO THE STORED COMMUNICATIONS ACT - AND A LEGISLATOR'S GUIDE TO AMENDING IT Orin S. Kerr**

1971

Two computers sitting next to each other exchanged an electronic mail message. Hence, the first E-mail is sent!

1978

Bulletin Board Systems (BBS) are used for the first time to help allow a systematic organization of information that multiple users can access to post and retrieve information

Still widely used in the electronic world today, most commonly called a forum or user group.

March 1989

Tim Berners-Lee proposes a file management system

December 1990

Berners-Lee creates and implements the first Hyper Text Transfer Protocol (HTTP) transfer between a client computer and server.

The World Wide Web was born

From 1990 to 2000

Instant Messaging (IM/CHAT)

Online communities (America Online, Prodigy)

Napster (late 90's)

Litigation over copyright infringement

Metallica and Dr. Dre had music being released without approval

2000 to present

High speed internet   Friendster

MySpace   Facebook

Twitter   E-Commerce

The Five Axioms for Social Media and Law Enforcement:

1. If you _____ it they will _____ .

2. You don't take a _____ to a _____ .

3. If you _____ now, you will _____ on a much

   _____ .

4. If you _____ with _____ you will get _____ .

5. Every _____ has their _____ .

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What Social Media Platform to Use

Knowing which platform to use and when is important. While social media is relatively undefined, it has a few rules which if broken can hurt your message.

Facebook:

This is the most common social media site used by over 850 million users. It is the most dominate player in the social media market. Users of Facebook often will feed their status updates to Twitter, so if you are a Twitter user you can see another user's Facebook Update.

How to successfully use Facebook:

> ➢ Update regularly. If possible daily updates will drive users to view your content and see you as active on Facebook.
> ➢ After you post, monitor for feedback and respond in a timely manner.
> ➢ Establish page owners for identity purposes.
> ➢ Create two way communication

Twitter:

Twitter is a very user specific application used over 300 million users. With only 140 characters available (that includes spaces and punctuation) a "tweet" is very limited in capacity. By its very nature Twitter is used on a more frequent basis by the user.

How to successfully use Twitter:

> ➢ Use Twitter for frequent updates. For instance, during a large scale incident, it can be used to update locations that are closed, damaged or otherwise need to be pointed out. Traffic updates are another great use for Twitter.
> ➢ Re-Tweet when possible. This allows for a great community experience. It acknowledges the significance of the original "tweet"
> ➢ Monitor your account to see what "tweets" are being read by your users.

YouTube:

YouTube is a video posting site that has gained a tremendous following in the past few years. Many companies use YouTube because they can produce quality videos and upload them to a free account with a broad base of users, at virtually no cost.

How to successfully use Twitter:

> ➢ Use YouTube to create and produce crime prevention messages, such as burglary prevention, personal safety, and other messages your agency needs to get out to the public.
> ➢ Create news releases that can be viewed on topics that are significant to the agency but might not get the media's attention. These can be things such as annual awards, department achievements or information bulletins
> ➢ Highlight employees or units that don't get much visible recognition, such as Records or other other support staff!

While the Big 3 are Facebook, Twitter and YouTube, other social media platforms are coming on line daily. Some of the others that you might use at some point:

Google +

Google + is a rapidly growing social media network that Google has created. It is a direct competitor to Facebook and has similar attributes. The features that Google + users seem to enjoy include the ability to use an integrated approach to computing. One log on will give you access to your email, photos, YouTube, calendar, and thousands of "apps" that allow users to tailor their online approach, with social media sight Google + at the hub.

LinkedIN

Linked in is the social network for professionals. It boasts that most Fortune 500 CEO's have an account on LinkedIn. It allows users to post resumes, search for job and find job seekers. It allows users to pay an upgrade fee and get more direct access to employers and contacts. It has a function that allows the users to join business groups that center around industry specific trades. Many companies sponsor their own page on LinkedIn.

Pinterest

This social network is relatively new to the social media game. However, industry experts expect the trend to continue for Pinterest. It combines the ability for a user to find things they like on the web, "pin" those "interests" onto their account. They can organize their account by interests, decorating, cooking or any other choice. They can then share their Pinterest with others. It allows enthusiasts to leverage the interest of others by sharing information among several users accounts.

Weblogs (Blogs)

Weblogs or blogs are sites that allow the user to create and post their thoughts and ideas. Many share photos and written commentaries. In the law enforcement area, many agency heads use a form of a blog to comment on crime trends, departmental issues and achievements. A blog allows a user to express their opinions on subjects and use a wide range of media to support and enhance the experience.

Blogs can be a dangerous. There is a fine line between expressing opinion and your constitutional right as an employee of government.

Social Media Checklist

Once the decision has been made and approval granted to go forward with social media, the planning process is important. Without a blueprint to direct your overall strategy, your agencies reputation could be seriously impaired. In law enforcement, we go over operational plans with a fine tooth comb. Social media should be no different. A well thought out plan can pay big dividends. The follow is a check list to go through and determine how your agency will move forward with your social media strategy.

✓ **For each social media platform your agency will use, decide who the administrators will be.**

Picking the right people is key to the success of any project. Social media by its nature is social and interactive. Picking people who are good at engaging citizens, following up on requests and are knowledgeable about your agency are important factors to consider when selecting an administrator.

✓ **Decide on what type of information will be posted and how often it will be posted.**

Your agency will need to decide on what type of information you will post online. Some agencies will not put anything online that has to do with an active investigation. Other agencies use social media strictly as a crime prevention tool, and skip real time information. Having a strong policy will ensure that your message is consistent and timely.

✓ **Decide how you will interact with users using your social media sites.**

Some agencies will not allow posts to be made to their social media sites. This allows them to control the conversation and tone. Other agencies will invite comments and will seek input to questions by their users. Both strategies can work for an agency, however consistency in how an agency interacts is important.

✓ **Create a social media policy that defines the scope of the agencies social media activities.**

Law enforcement creates policies and regulations regularly. Social media is no exception. This allows the agency to articulate the methods by which their employees and users can interact with each other. It is always a good idea to consult with your agencies legal representation to make sure you policy is accurate for your area. The IACP has excellent model policy suggestions at www.iacpsocialmedia.org

✓ **Consider the message before posting it; perhaps you should get a second opinion!**

Many messages are simple and need no explanation. However, there are times that the message is important enough that getting it right is critical. Humor, sarcasm and opinion are RED FLAGS that can get an agency into trouble. Sometimes it is wise to get a second opinion before you push "POST"

✓ **Budget plenty of time for social media if you expect to get any benefit from it**

Social media is far from being free. One of the easiest misconceptions is that it cost nothing to implement. While true you can spend no money on social media sites, the human capital is an important consideration. What you put into this project will determine what you get out of the project.

✓ **Read the user agreement before you activate an account.**

Understanding the rules of each social media site is important. In law enforcement we encourage people to read the "fine print". It is no different for an agency. Understand the do's and don'ts with each social media platform. Nothing looks worse than an agency tasked with upholding the rules, breaking them!

✓ **Marketing your agency is a concept you should encourage.**

Law enforcement and marketing are two terms we don't associate often. However, today more than ever, the ability and need to positively market your agency is important. So, take some time to develop a message or theme and put it out to your users. You will be glad you did!

✓ **Evaluate your strategy on a regular basis by using social media metrics**

Just as law enforcement evaluates crime statistics and make changes to address crime trends, a smart agency will look at how they are doing in the social media statistics. With most major social media platforms offering a way to review user's statistics and demographics, it is easy to see what is happening with your message. It could give your agency an opportunity to make stronger connections.

✓ **Have fun with social media!**

If your agency is going to spend the time to develop and implement a social media strategy, then above all it should be fun. Officers and staff will embrace the opportunity if they are allowed to enjoy it. Your user's will use if they enjoy it as well. If you make some missteps, that is okay, your user's will appreciate your candor!

As you go forward with your social media methods, keep this checklist in mind. If you already have started your methods and things have leveled off, a quick refresher could be all that you need to do to get it jumpstarted again.
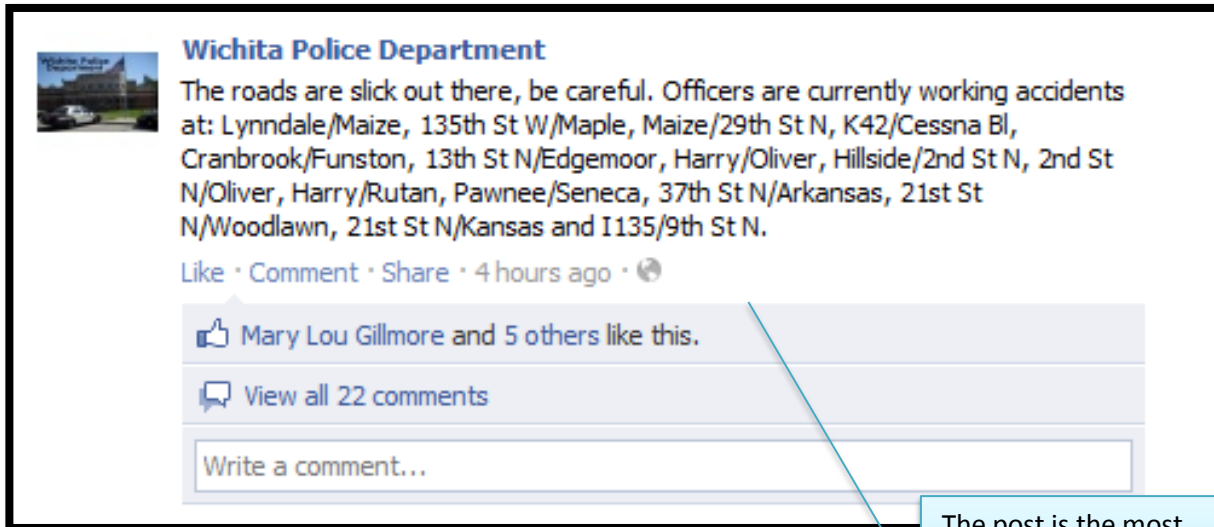
Profile Picture

Applications

Cover Photo

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Admin Panel

The Admin Panel is located at the top of your Facebook Page. You have quick access to features when you click on the Show Page button.

Edit Facebook Page

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Facebook Posts

Wichita Police Department

The roads are slick out there, be careful. Officers are currently working accidents at: Lynndale/Maize, 135th St W/Maple, Maize/29th St N, K42/Cessna Bl, Cranbrook/Funston, 13th St N/Edgemoor, Harry/Oliver, Hillside/2nd St N, 2nd St N/Oliver, Harry/Rutan, Pawnee/Seneca, 37th St N/Arkansas, 21st St N/Woodlawn, 21st St N/Kansas and I135/9th St N.

Like · Comment · Share · 4 hours ago · 🌐

👍 Mary Lou Gillmore and 5 others like this.

💬 View all 22 comments

Write a comment...

> The post is the most common interaction point for communication.

Mike Tener Sounds like everyone forgot how to drive in the rain.
4 hours ago · Like · 👍 7

Krista Attar Mike that happens every year.
4 hours ago · Like · 👍 1

Karen Elizabeth Scoville Bartel Dooooooon't TAIL GATE!!!!!!!!!!!!!!!!!!!!!!
4 hours ago · Like · 👍 4

Stewart Haddad Slow down ya morons lol
4 hours ago · Like · 👍 2

Rebecca Higgs Oy! Why is it that when it gets slick people suddenly forget how to drive?
4 hours ago · Like · 👍 1

Linda Tillman They don't forget how to drive when it gets slick they never knew how to drive in the first place.
4 hours ago · Like · 👍 10

Krista Attar Maybe they have never had there pants scared off em while in a vehicle. One time that's all it takes (for smart people)
4 hours ago · Like

Connie Conrad When it rains people think they can drive faster and it does get slick with the oil and grime on the road just slow down before u would when the roads are dry remember to alway wear urseat belts
4 hours ago · Like

Caitlin Tadlock Adding these to the traffic reports.
4 hours ago · Like

Wichita Police Department More at 135th W/Hayden and 9000 E Cherry Creek
4 hours ago · Like · 👍 1

Martina Mosher wow, slow down and take your time
4 hours ago · Like · 👍 1

> When you click on the "View" comments you expand the thoughts of your followers. This is where interaction begins.
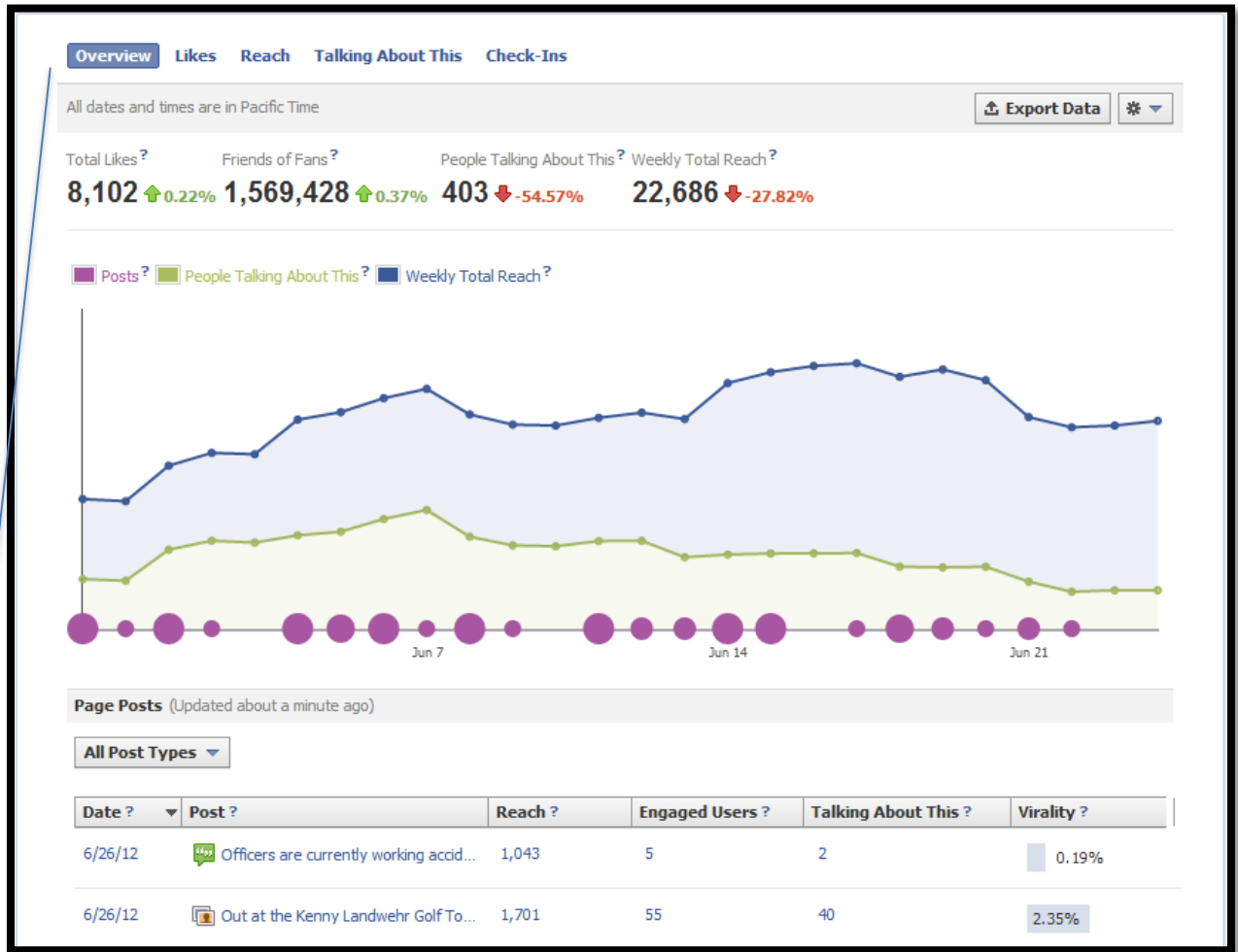
Facebook Activity Log
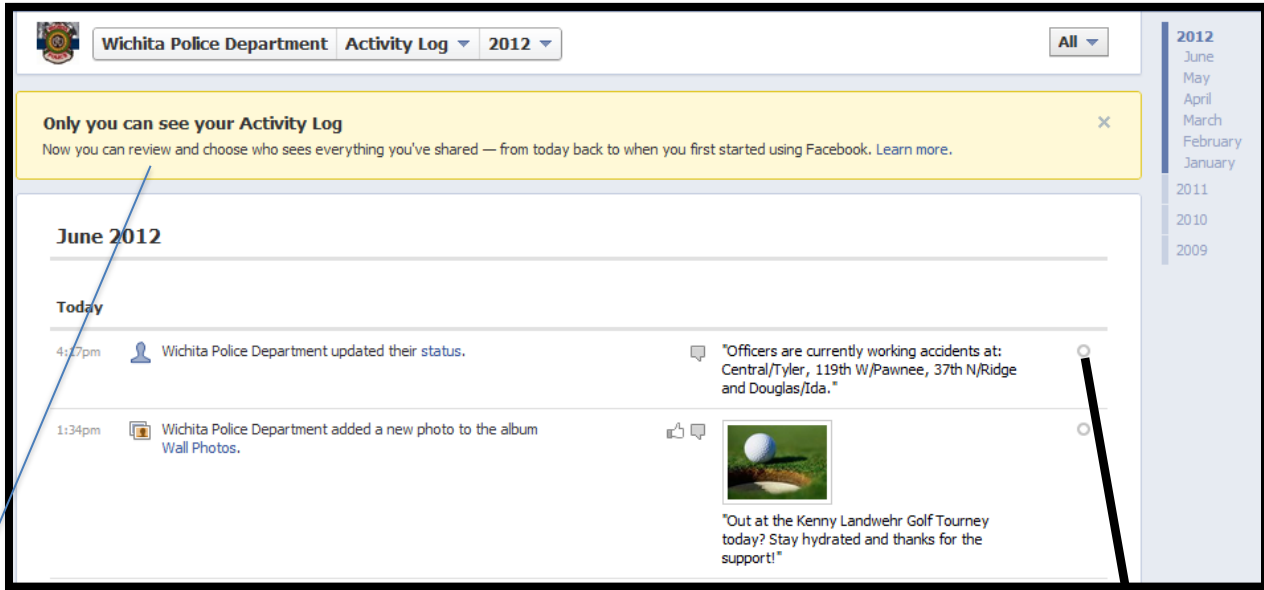
The activity log allows the page owners to view posts and hide or delete them. Deleting a post can create problems if you need to recall them for any reason.
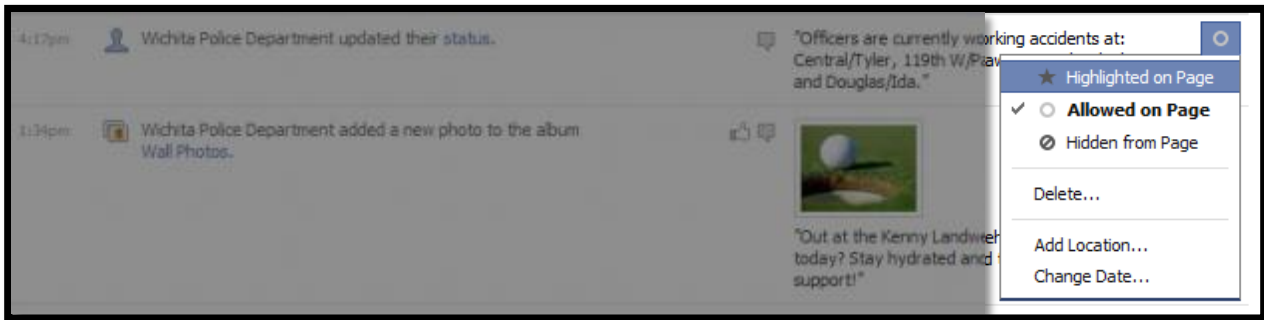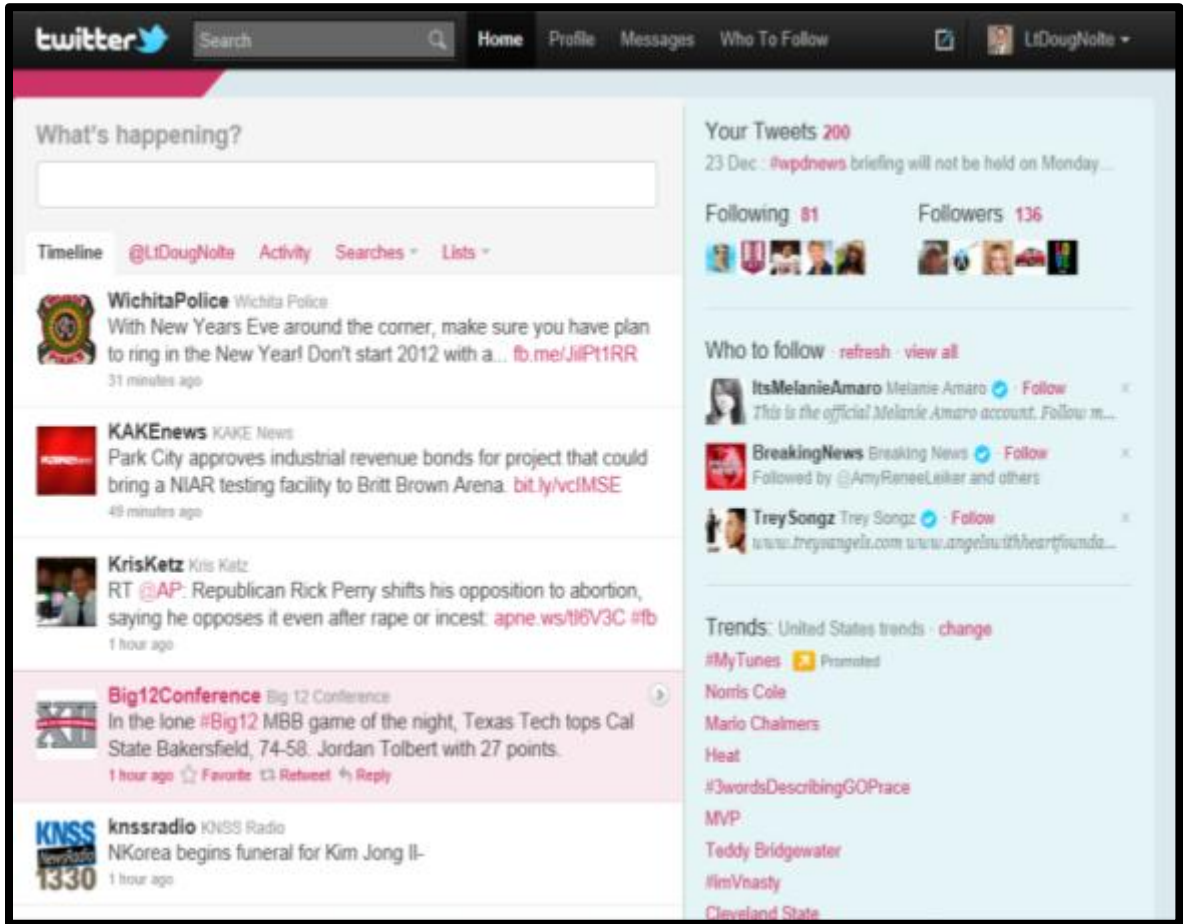
The Facebook Insight page is very important to any agency. This is the "metric" used to evaluate effectiveness of using Facebook.

Twitter

Basics

The anatomy of a tweet!

Words that follow the # symbol are called Hashtags. They allow you to search a tweet.

Re-Tweet works like message forwarding. It passes it on. Reply allows users to comment on the tweet.

The Information Bar

Your info lets you know your last tweet, who is following you and who you are following.

Your Tweets 200
23 Dec : #wpdnews briefing will not be held on Monday…

Following 81   Followers 136

Who to follow · refresh · view all

ItsMelanieAmaro Melanie Amaro ✔ · Follow   ✕
This is the official Melanie Amaro account. Follow m…

BreakingNews Breaking News ✔ · Follow   ✕
Followed by @AmyReneeLeiker and others

TreySongz Trey Songz ✔ · Follow   ✕
www.treysangels.com www.angelswithhe...fer.ls

You can follow what is trending on Twitter. Helpful to see if a trend is going on in certain geographical locations.

Trends: United States trends · change
#MyTunes ↗ Promoted
Norris Cole
Mario Chalmers
Heat
#3wordsDescribingGOPrace
MVP
Teddy Bridgewater
#imVnasty
Cleveland State

Searches

Searches allow you to look for people and hashtags that you are interested in following or searching for.

#wpdnews is an example of a hashtag
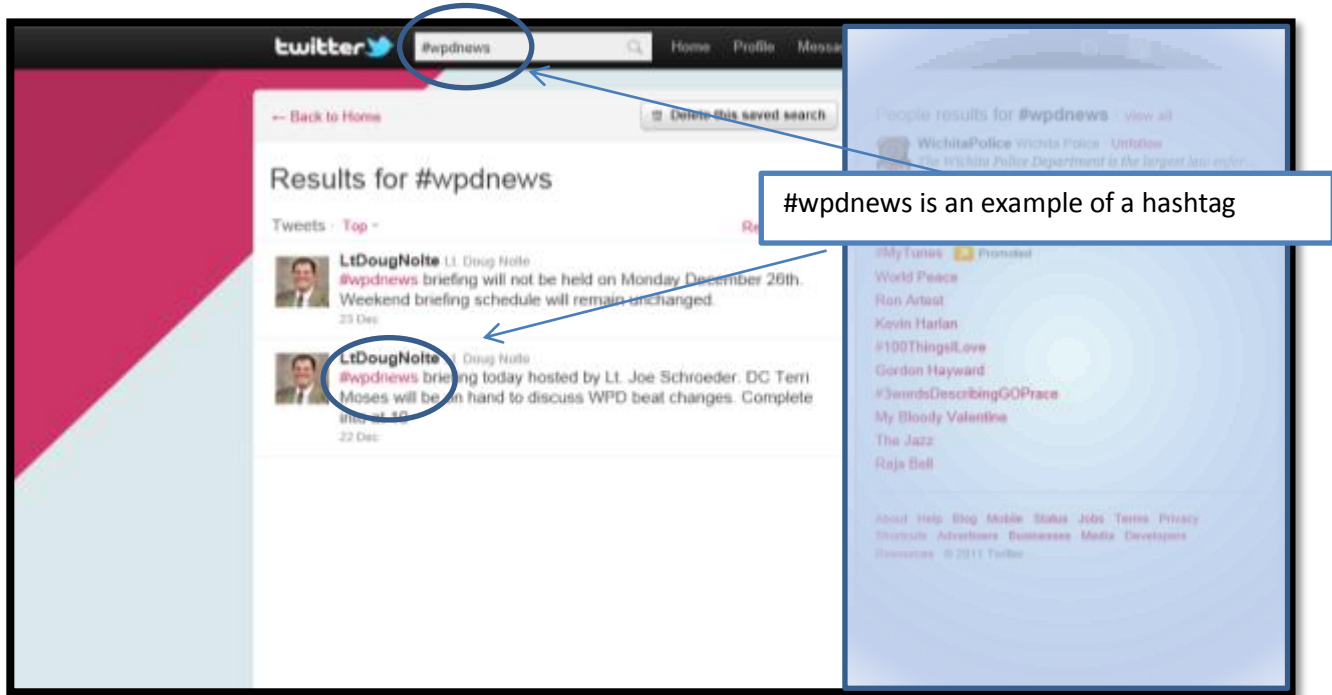
Searches are very important to sift through large numbers of tweets to find topics and tweets you are interested in.
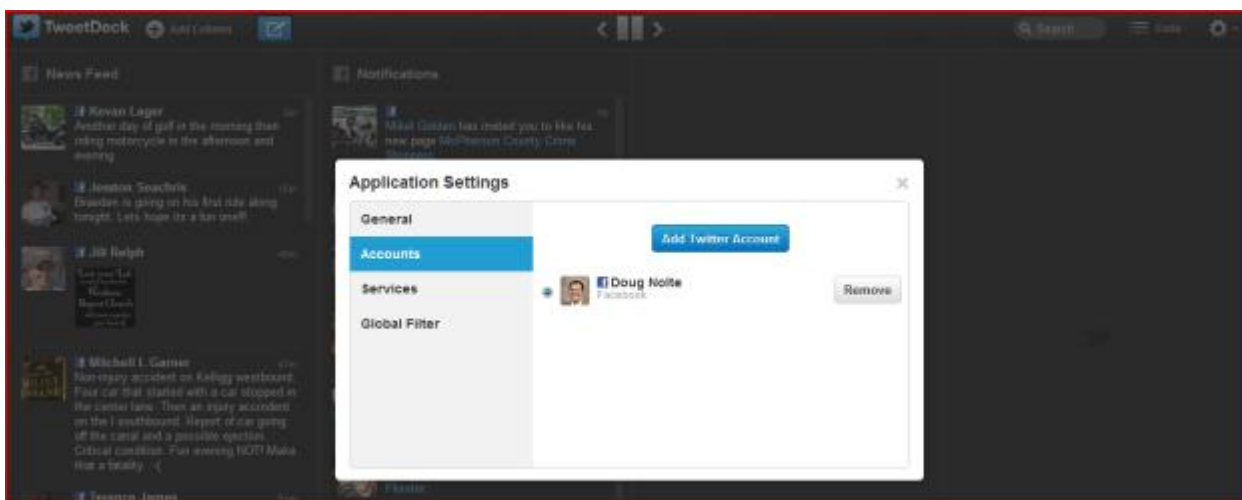
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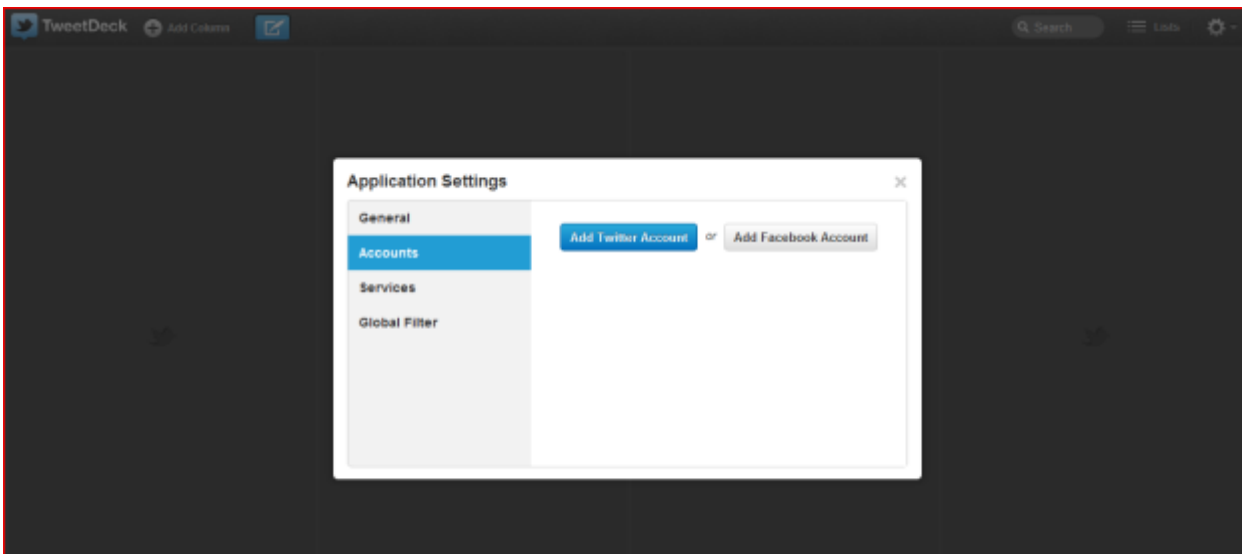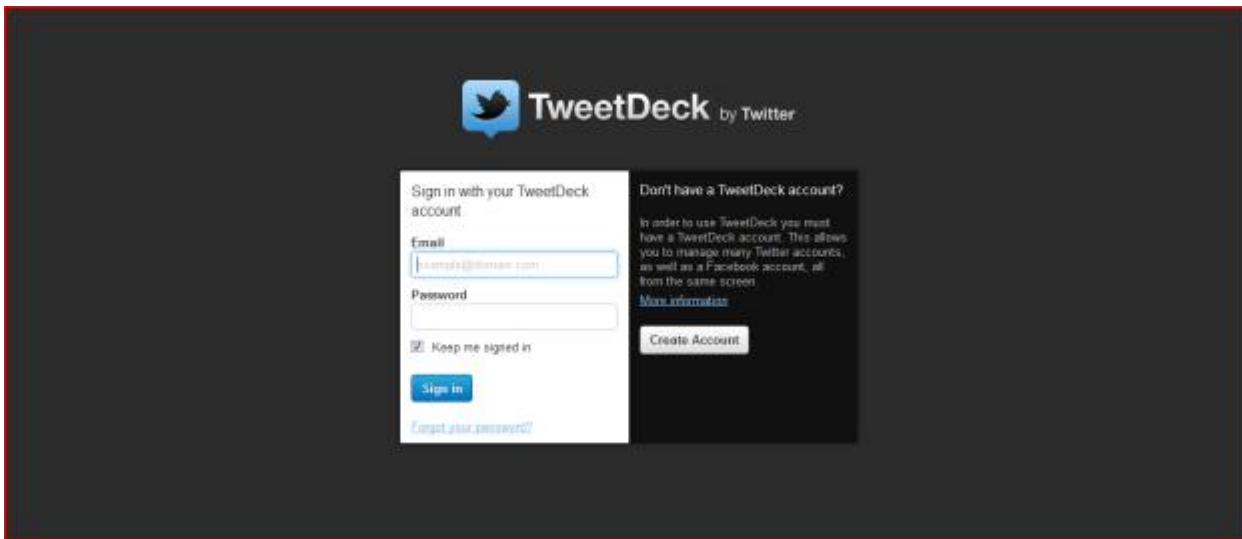_____
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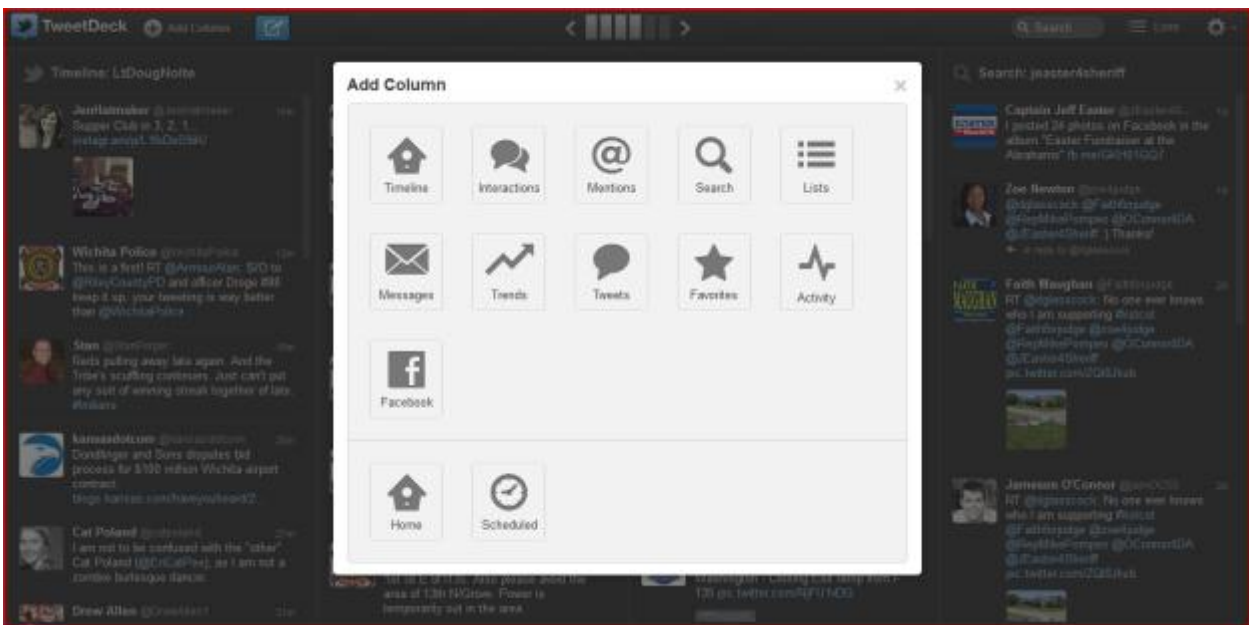_____

Twitter Messages
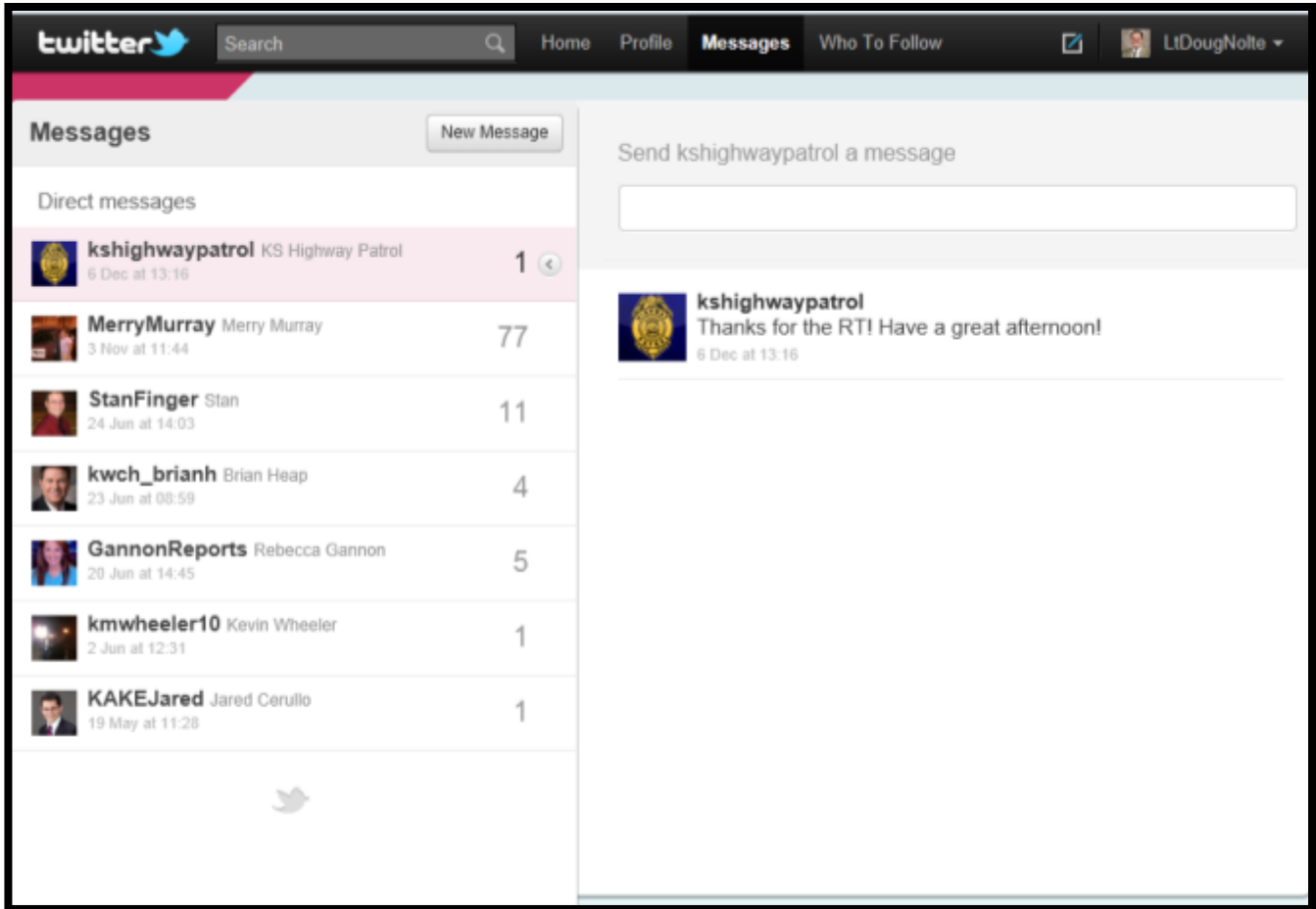
Twitter messages allows you to easily send and receive private messages. The direct messages do not appear on "Twitter Feed" for everyone to see.

Caution!! If you click "reply" to a tweet, it is not a private message. Anyone who can see your Twitter Feed will know what was said!

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Police Technical National Courses

Cell Phone Investigations™ by Aaron Edens

Data from cell phones. Simply the most comprehensive course on cell phone examination and investigations. From the handset to the tower to the phone company to the courtroom.

Craigslist Investigations™ by Wayne Nichols

Methods and tools for successful Craigslist investigations. Case examples include property related crimes, drug investigations, prostitution, and enticement of juveniles.

Digital Forensics and Evidence Handling™ by Andrew E Neal

Data from devices. How the process works, how to handle digital evidence, what not to do, how to win in court, future directions, and building on your own in-house lab.

Excel® for Public Safety™ by Amy Kupiszewski

Harnessing the power of Microsoft Excel® to better manage data and improve investigations. Telephone tolls, financials, arrest stats, fugitive lists and calls for service analyzed with a few clicks.

PowerPoint® for Public Safety™ by Thomas M. Manson

Designed to assist all personnel become more efficient and proficient with PowerPoint® Faster development, internet videos, E911 audio, Splash Screens® and custom animation.

Social Media Methods™ by Doug Nolte

Designed to help departments and their personnel utilize social media effectively to manage their online presence; a prerequisite for any online investigation.

Visit www.policetechnical.com **to view the national training calendar**

Note: all national classes are two days in length, $350.00 per person, include manual, certificate of completion, and access to additional downloadable material (when applicable)

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POLICE TECHNICAL has provided technical training to law enforcement since 1998

In-Service Training

An In-Service is the fastest, most cost effective way to provide technical training to your personnel. We typically provide 2 days of training for up to 40 people at your facility.
An optional 3rd day of training for most classes offers students more hands-on time with the instructor.
Simplified pricing includes all expenses: Instructor fees, meals, travel, lodging, and training materials.

Contact our office for rates and scheduling:

812.232.4200 or at info@policetechnical.com