

SOCIAL NETWORKING HAZARDS FOR LAW ENFORCEMENT: SHOULD YOUR PERSONAL BLOGS BE USED AS AMMUNITION?

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Abstract

The use of social networking is a growing trend that provides risk as well as opportunity. Social networking websites can reveal a large amount of information, both personal and professional and user behavior is often the preferred topic of discussion on blogs. Is this litany of thoughts, ideas, emotions, and superfluous information protected by the First Amendment of the Constitution? Information obtained through surveys from the Sheriff's Department of each Florida County and several state level law enforcement entities revealed that the use of social media websites is increasingly being considered as part of the background investigation process prior to employment. The information presented here bodes well for the legal wrangling involving ones right to free speech and a company, campus, or law enforcements right to utilize information legally obtained in their decisions to employ, promote, terminate, accept, discipline, and prosecute those who post revealing blogs on a forum designed for just that purpose. Does ones online persona present an accurate reflection of ones character?