

BLOG POST

Posting Tweeting Tagging #Gagging

July 3, 2014

Hey, did you know that you can get yourself in a whole lot of trouble on social media? No, seriously, you can! Wait, you already knew that? *Everyone* knows that? Well then, why does it keep happening?

In yesterday's *Dallas Morning News*, there was a story about how the Dallas Police Department botched the Twitter announcement of a public intoxication arrest. Specifically, over the weekend, DPD spokesman Max Geron tweeted that Denver Broncos cornerback Aqib Talib had been arrested. But it turns out that Dallas police had actually arrested Aqib Talib's brother, Yaqub Talib, who is about as much an NFL player as I am. But the internet being what it is, "Aqib Talib's arrest" went viral, and for all practical purposes, he's been convicted in the court of public opinion.

While there are many lessons in this minor debacle about the propriety of publicly announcing high profile arrests (DPD certainly does not announce *all* of its arrests), or whether Twitter is the appropriate vehicle for public announcements (although for some public figures, a 140-character limit would be a thing of beauty), the lesson that I want you to consider is how damaging social media can be. It can hurt in any number of ways:

- You're trying to convince federal agents that you were out of town when certain events occurred, but it just so happened that you "checked in" at the local gym.
- You're trying to convince the Federal Election Commission that your donations were above-board, but you tweeted pictures of yourself with various politicians.
- You're trying to convince SEC regulators that you have an arms-length relationship with another company, but you posted pictures of a night on the town with the company's owner.
- You want to convince the federal prosecutor that she should want you as a witness and not a defendant, but you posted "government workers are like ticks" last Tuesday (along with a picture).

In those instances, there could be innocent explanations across the board: You mixed up the days. You contribute, but never improperly. You and the owner just happened to be at the same place at the same time. But social media has given you a barrier to surmount, one entirely of your own making, and the stakes are often enormously high.

And privacy settings? Not a panacea. I'll see your privacy settings and raise you a subpoena and a search warrant.

In the days when hashtags were pound signs, there was generally no contemporaneous public diary of your activities. Now, from when you woke up (“awake and feeling great!”), to what you ate (“scrambled eggs and salsa, #imlovinit”), to your afternoon mood (“soooooooo sleepy”), to opinions of your coworkers (“I wish Bob would stop staring at me. #creepy”), it’s all out there. And sometimes that oversharing of information can write a narrative that gets you into a great deal of trouble.

So just take an moment to think before you make a public pronouncement. Taking an iStep back from your iPhone or orbiting a different Galaxy for a change may save you a lot of hassle. Remember that a little #discretion may go a #longway.

(Aside: Yes, I get the Alanis Morissette-style irony of posting a cautionary tale about social media on a blog. But hey, #youarereadingit.)