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SOCIAL NETWORKS CONNECTION AND THE CRIMINAL OFFENSE OF MURDER

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Abstract: *Social networks quickly became an extremely important means of social interaction of different users, which in many ways influenced them to become the focus of research of different disciplines in the social sciences. It is evident that social networks have brought many benefits to communities around the world, but with positive impacts come negative ones as well. Related to this is the lack of criminological research on their role in the domain of crime, criminalization, victimization and crime prevention. The author of this paper starts from the basic assumption that a wide range of technological innovations in modern times provides numerous new possibilities that could help in investigations into murders, as well as increased interaction between police services and citizens. This is also the reason for the growing interest of police services in social networks not only to collect but also to share information and connect the police and the community. On the other hand, social networks can be a reason for committing the crime of murder. However, it is evident that scientific and professional research does not fully cover the role and importance of social networks in committing murder.*

Keywords: *social networks, murder, investigative actions, police in a community*

INTRODUCTION

The public's interest in the murders has always existed, and sensationalist headlines in the media have always attracted attention. Given that the media report on violence and murder on a daily basis today, the general public is not spared exposure to the massive amount of information in which perpetrators of violence and murder are presented as cold-blooded perpetrators, without providing additional knowledge about the motives that led to such outcomes. Precisely because of that, we are witnessing to what extent the perpetrators and their actions are commented on and interpreted on the Internet and social networks, regardless of the small amount of information available to individuals. It is also an obvious fact that indicates how much interest in the crime has been transmitted over the years to different generations. Even medieval sources tell us that traveling actors took advantage of people's great interest in crime by spreading information about such works upon their arrival in the new city with the intention of attracting as much attention as possible to their performances. (Ignjatović, 2005:15).

However, despite that, the way of reporting is not significantly different compared to today; most often media justify, condemn or call for murder. In many cases, with the help of "unofficial" sources, by talking to family members of the victim or persons from the environment of the perpetrator and the victim, another "truth" about the perpetrator, the victim and the circumstances of the crime is placed. Social networks with their sites represent a modern age phenomenon in which individuals communicate through a profile that represents their public figure and network of connections. "An example is Facebook, which began as an experiment at Harvard, then spread to high schools and colleges across the United States and soon became the largest social network that became part of the daily lives of people around the world." (Fletcher, 2010).

In this regard, it is evident that social networks are continuously growing and developing over time; further, the way they affect society in positive and negative aspects is also developing. “In the broadest sense, social networks are a phrase we use to describe communication applications such as Facebook, Twitter, Instagram, Snap Chat and many others.” The fact that posting on social media, commenting or responding can lead to loss of life is unbelievable for many. In the period of the creation of social networks, the basic assumption was that it was something useful and good, because, among other things, it was possible to maintain contact with friends and family for many other things, but no one assumed negative connotations. “Social networks entertain people, and at the same time provide them with information about what is happening in the world and the immediate environment around them. They can also see trends and what’s new and what’s coming in the future, and at the same time they are able to network better with each other to find the job they are looking for. With a little effort companies and nonprofit organizations can become much more visible to the general public.” (Fletcher, 2010) Secondly, the importance of social networks in resolving socio-economic dangers has been the subject of debate in both scientific and political circles. From the perspective of the killings, opinions have become that social networks encourage political instability, crimes and violent demonstrations. “An example is the United Kingdom’s concern that social networks are responsible for the rise in homicides in London as well as Facebook-related homicides in the United States.” (Dreyfuss, 2017;Browning, 2018).

On the other hand, it is evident that social networks attract users from all walks of life, and the way we started living in the online world today has changed significantly in relation to our usual privacy and security. “Today’s big challenge is related to increasing the volume, speed, diversity and credibility of data on social networks, leading to the creation of several concerns, including privacy and security.” (Browning, 2018) In addition, it also proves to be a means of preventing and investigating crime, if handled intelligently and wisely. “The current era is an era of information and information is everywhere, and today there are several ways people communicate and share information through Twitter, Facebook and other social media tools, through blogs, content sharing, such as pictures and videos, as well as through mobile texts.” (Browning, 2018)

1.SOCIAL NETWORKS AND CRIMINAL INVESTIGATIONS

Social networks, such as Facebook and Twitter, are a revolutionary way to connect, communicate and share information. Users can personalize their profiles by posting photos, updating other information, interests, current and past events and the like. “According to data from March 2015, Facebook is one of the most popular social networks, with 1.44 billion active users per month, and with an average of 936 million daily posts and 798 million daily active users worldwide.” (FIR, 2015) On the other hand, the prevalence of adult social media users in the United States increased significantly from 8% in 2005 to 74% in 2014. In addition, 54% of Internet users in the United States post personally created content on the Internet, and 47% share photos and videos they found on other popular social media platforms (Duggan et.al, 2014).

In recent times, widespread acceptance of social networking platforms has spread to police organizations around the world. “Given the growing number of social media users, social networking platforms provide an easily accessible and rich source of information that police organizations can use to prevent and respond to criminal behavior.” (Browning, 2018) Although empirical research on this relatively new phenomenon is limited, it is evident that the adoption and use of social networks is becoming increasingly pronounced in law enforcement agencies at many levels. “In a survey of 600 U.S. law enforcement agencies conducted by the International Association of Chiefs of Police, 95% of agencies reported using some form of social media. The results from previous research by the said international organization indicate that the number of U.S. law enforcement agencies using social services has steadily increased from 81.1% in 2010 to 95% in 2014.” (IACP 2015) In this regard, the Police Research Forum emphasizes that 98% of US law enforcement agencies plan to expand the use of social networks in the coming period (PERF, 2013).

That social networks can be a useful resource in the work of community policing was also pointed out by a study by the International Association of Police Chiefs, which emphasizes that law enforcement agencies primarily use social media for investigative purposes. According to the International Association of Police Chiefs, 82.3% of U.S. law enforcement agencies use social media in criminal investigations. „Of these agencies, 87.1% use social networks to view profiles (activities of suspects), 67.7%, seek public assistance in posting surveillance videos or images, and 62% use secret identities to monitor suspicious activities and gather intelligence

(58, 3%) or to set up supervisory content (56.5%).“ (IACP 2015) In one study involving 1,221 members of law enforcement agencies, surveyed officials considered social networks to be a valuable tool for performing routine investigative functions (Lexis Nexis Risk Solutions, 2012). In addition, the results showed that four out of five officers use social networks for investigative purposes. Social networks have been identified as an efficient and valuable resource for criminal investigations, and with 67% they have helped to resolve many cases faster.“ (IACP 2015)

In doing so, four primary uses of social networks in criminal investigations were identified, such as a multitude of sources, situational awareness, intelligence gathering, and gathering evidence of criminal intent or elements of crime. “First, a multitude of sources of information occur when individuals or groups seek the effort of a larger entity or population to obtain the necessary resources such as help, ideas, specific content, and the like.” (Omand, Bartlett, Miller, 2013: 804)

On the other hand, it is generally believed that social platforms provide a viable option for criminal investigations because of their ability to share information with a wide and active audience at no extra cost. “Social networking platforms provide quick and immediate access to information, and the use of multiple resources for police organizations is twofold because they enable the strengthening and improvement of community policing partnerships and increase the efficiency of performing primary policing functions.” (Voigt, Hinz, Jansen. 2013)

“In this regard, law enforcement agencies can develop partnerships with the community “by entering the wisdom of the masses.” (Omand, Bartlett, Miller, 2013: 805) On the other hand, in times of immediate need, agencies may seek community assistance to help in the investigation by exchanging information (e.g., photographs, videos, advice, etc.) about a particular criminal act or persons of interest. “Second, social networks are fast communication media that allow users to continuously distribute information in their own social circles.” (IACP 2015)

As an example of the use of social networks for investigative purposes is the case by the Boston Police during the investigation of the bombing at the Boston Marathon; social networks proved to be a powerful way to use within the police community, as well as for investigative purposes. In April 2013, police in Boston used social media to inform the community about the investigation, obtain evidence in the investigation through public assistance, and reassure community members by correcting inaccurate data from the media. “Redistribution of information by users expands coverage and may increase the likelihood of reaching potential witnesses. By obtaining the necessary information from establishing an active partnership with the community, law enforcement agencies can be better equipped to enforce law, maintain order, and provide services. Compared to the cost of traditional media (for example, newspapers, TV, etc.), social networking sites like Facebook and Twitter are free to use.” (IACP 2015) In this regard, it should be noted that organizational resources (eg staff costs) are an important budget item, but it is necessary to determine in more detail whether social networking platforms can be an adequate alternative in terms of cost reduction (Davis, Alves, Sklansky, 2014).

The second strategy is called “real-time situation awareness”. One of the many benefits of social networking platforms includes instant access to real-time information. “By using a *hashtag* (e.g. #BostonBombing), individuals can create trends or track a particular event during its development. Considering the increasing presence of social media use, police organizations can gather intelligence by tracking and monitoring specific trends and (or) groups to develop a better understanding of their community.” (Omand, Bartlett, Miller 2013: 815) “Social media platform monitoring is a proactive approach that allows police organizations to anticipate potential criminal activities and provide more effective responses. This was especially pronounced during large public gatherings in order to better prepare law enforcement officials.” (PERF, 2013)

In addition, intelligence gathering can provide insight into individuals or interest groups. Similarly, awareness of the situation, monitoring the behavior and attitudes of a certain interest group can now take place through social networks. Also, members of criminal gangs actively use social networks to promote and present their image. Fortunately for law enforcement agencies, social networking technologies also enable geo-tagging in posted content. “The location of photos, videos, tweets and status updates can be quickly tracked via geographic locator websites. Thus, police organizations can gather intelligence on gangs or criminal groups to use as evidence or to develop proactive strategies.” (Morselli, Decary-Hetu, 2013: 160-168). „Furthermore, police organizations can use social networking sites to identify criminal intent or criminal elements during an investigation for both crime prevention and prosecution.“ (Omand, Bartlett, Miller, 2013: 806) „Interception of communication between suspects or interest groups can occur in the virtual world using intelligence gathering techniques.“ (Bartlett et al. 2013) „Police

organizations can browse the social networking sites of people of interest to find and identify accomplices or criminal networks and systematically collect information that could be used as evidence. In addition, it is not uncommon for close friends, partners and family members of potential suspects to be monitored in order to identify them in posted photos or videos. Although research on the use of social media by law enforcement agencies is evolving, current literature suggests that social media is becoming a means of transforming law enforcement agencies to improve relations with communities and investigate crimes.“ (Lieberman, Koetzle, Sakiyama, 2013)

However, it is evident that most of the considerations are focused on researching the ways in which organizations use this resource, and very few draw attention to the use of social networks in the case of arresting and convicting criminals. “Considering the nature of social networks and the ever-evolving technology, law enforcement agencies will need to pay significantly more attention to social networks. Given that younger generations are now growing up in societies where technological advances are ubiquitous, the use of social networking sites could be a sustainable resource for recruiting and retaining younger generations who are known to be increasingly technologically capable.” (Wilson, Dalton, Scheer, Grammich, 2010) Despite the lack of research related to law enforcement agencies, they claim that social media recruitment techniques are becoming increasingly popular among government organizations (Wilson, Dalton, Scheer, Grammich, 2010)

2. THE INFLUENCE OF SOCIAL NETWORKS ON THE COMMISSION OF THE CRIME OF MURDER

The issue of privacy is directly related, among other things, to the debate on sensitivity to victimization. “Facebook and other social networks have been identified as potentially harmful spaces, especially for young people, especially in relation to sexual harassment. Although there are numerous examples of the above, let us mention the case of a British student who was raped and killed by a sex offender who befriended her pretending to be a teenager. Her family has joined British child advocates in asking Facebook to install a so-called “panic button” to help young people get online safety information. While the company has resisted this, a new child protection app has been introduced that offers advice to young users and login options.” (Handley2010) The first case of the victim was also recorded in Australia, where the victim of the murder had previously met the killer via Facebook. “As *The Sydney Morning Herald* reported on May 27, 2010, “criminals are increasingly using Facebook data banks to access information to help them deceive users.“ (Timson 2010b) As a result, the police warned the teenagers of the danger of posting photos and other personal data on social networks and of their misuse for criminal purposes (Timson 2010a).

Given the specificity of social networks and the large number of different cases, it is very difficult to achieve a generalization of the use of social networks and murders. For example, there are evident cases in which the victim and the perpetrator did not know each other. For example, a man who thought he was dating the girl he was talking to on the internet, but it turned out that it was a man with his friend who robbed him and eventually killed him. “Another interaction was that two men met online, and one killed the other because they wanted fame on the Internet, and there was no mutual interest in them, everything was done because of the attention of the others.” (Timson 2010a) In other cases, each of them knew each other and allowed aggression to defeat them. Many of them were young adults or teenagers who did not have complete control over their feelings and aggression. This is especially interesting in the case of a young man who killed his father because he deprived him of the opportunity to use social networks. „This is a similar case with friends who quarreled on social networks, which is why they met in person, after which one killed the other.“ (Timson 2010a)

“A special case where the social network was used as the basis for the murder would be the case of Nicole Lovell, who was 13 years old when she was killed. She thought she was communicating with a friend in the Kik messaging app, but she became victim of a fake profile. She spoke to an 18-year-old named David Esenhauser, a student with whom she became intimate. At first, David denied this interaction, but after questioning, he admitted that he had killed Nicole, but he did not act alone.” (Van Sant, 2019) In this case too, this young girl died because of the interaction she had online through the messaging app, and if the app didn’t exist, neither would the field connection, and Nicholas would still be alive.

“It is estimated that Facebook users spend 8 billion minutes every day on the website. With a small number of staff tracking 500 million active users, Facebook is thought to be paying the price for being too popular. The key to preventing crime in the cyber world, according to

Facebook officials, should be dialogue between Facebook and the police.” (Handley 2010a) Related to this is the claim that Facebook is fully prepared to cooperate with the police when specific cases arise. “However, although the company has renewed its privacy policy and introduced simplified privacy settings options, it remains of the opinion that users use the service because they like to share information.” (Timson 2010b)

Although the likelihood of becoming a victim of crime on Facebook is small, secondary victimization is perceived as a real threat. Thus, in Australia, Facebook was criticized for its inability to prevent and respond to vandalism on the page when paying tribute to the three murdered children and teenagers. According to media reports, disturbing images, including child pornography, were posted shortly after the honor page was opened, in what was described as criminal behavior in the form of posting offensive material on dedication pages to provoke revolt and reaction. In this regard, the detective who was in charge of one of the cases called on parents to monitor the use of their children’s Internet, and called on the site administrators to pay tribute and to take responsibility for monitoring the websites. “However, he also indicated that “Facebook [should] be able to remove inappropriate material in a timely manner.” Facebook has since announced that it is developing new security measures to address this issue that will result in the automatic removal of abusive posts.” (Hough 2010)

“The presence of convicted offenders on Facebook is one of the hot topics in Australia and around the world. In Britain, prisoners have been accused of using Facebook to further harass their victims. The families of the victims asked Facebook and other social networks to act and “take responsibility for what is on their pages.” (Handley 2010a)

CONCLUSION

The use of social media has revolutionized the way information is now shared and used. Namely, social networks have enabled their users to exchange content and opinions without depending on traditional or newspaper media. This greatly influenced them to become a relevant subject of interest for the police services. A large amount of information, including those related to the criminal sphere, is of special importance for the work of police services.

In addition, social networks are gaining increasing attention from police services, which have recognized the possibility of improving cooperation with the community, further and above from simple data collection. Related to this is the understanding that social networks must cooperate with the police. This is yet another layer of debate that requires careful criminological research.

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