

## SOCIAL MEDIA: WHO HAS ACCESS TO YOUR “PRIVATE” INFORMATION?

CHANCES ARE YOU HAVE A FACEBOOK PAGE. IN FACT, **THERE ARE OVER 600 MILLION PEOPLE ON FACEBOOK TODAY.** FURTHER, FACEBOOK STATES THAT, ON AVERAGE, ALL OF THOSE USERS COMBINED SPEND 700 BILLION MINUTES ON THE SITE EVERY MONTH.

If you are not on Facebook, there is a good chance you are on Twitter. While not as large as Facebook, Twitter now has over 175 million users. Both sites are growing at a rapid pace. These are just two of the many social networking sites available today. While such sites are great for contacting friends, getting to know family members, and keeping up with trends, there are also negative aspects of these utilities that we don't often think about.

Self-Incrimination via social networking sites is becoming more and more common. In this modern time, everyone is using sites such as Facebook and Twitter to investigate people. We often think that only our friends are checking our profiles, but this is not always the case. Employers, police officers, lawyers, judges, and private investigators use these sites to gather information about you. There are numerous cases of individuals losing their jobs because their employer checked their Facebook page and found that they were either saying negative comments about the company, the boss, or sharing too much information pertaining to the company. Further, more and more police departments use social networking sites to catch criminals.



**HOW DOES THIS AFFECT YOU THOUGH?** JUDGES ARE USING SOCIAL NETWORKING SITES NOW AS WELL. IN A RECENT LAW.COM ARTICLE, THE SITE FOUND THAT 40% OF JUDGE'S SURVEYED USE FACEBOOK. It is a reality that this is affecting Social Security Cases. A recent Social Security Blog post shares the following case:

A decision before a federal judge in a case concerning Social Security disability benefits turned on the plaintiff's profile photo on her Facebook page. The judge became skeptical about her claim that she could not work because of asthma after seeing her Facebook photo, where she appears to be smoking. A scathing footnote in the opinion *Purvis v. Commissioner of Social Sec.*, 2011 WL 741234 (D.N.J., Feb. 23, 2011), tells the entire story:

Although the Court remands the ALJ's decision for a more detailed finding, it notes that in the course of its own research, it discovered one profile picture on what is believed to be Plaintiff's Facebook page where she appears to be smoking. Profile Pictures by Theresa Purvis, Facebook, [link omitted because it's broken] (last visited Feb. 16, 2011). If accurately depicted, Plaintiff's credibility is justifiably suspect. ([www.disabilityinsurancelawyerblog.com](http://www.disabilityinsurancelawyerblog.com))

*Note: If a judge is using outside evidence, they must allow the legal representative to respond to that evidence.*

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When it comes to posting pictures, use strong discretion when deciding which pictures you post. For instance, according to The Facebook Effect: 35% of employers chose not to hire a person based on an applicant’s social networking site. The biggest reason why they chose not to hire a person was inappropriate pictures. Further, if you are tagged in another person’s photo, you cannot delete that picture, because it belongs to the other person. Further, those pictures are never really deleted. If you put a picture up, another person can copy and paste that elsewhere. It happens more often you think.

### HELPFUL TIPS:

THE FOLLOWING ARE HELPFUL TIPS FOR STAYING SAFE WHILE USING SOCIAL NETWORKING SITES:

- Keep your accounts private
- Use discretion while posting pictures
- Research people who want to be your “friends”
- Do a Google web and image search of your name every six months to see what information about you is online
- Most importantly, use common sense



STAY IN TOUCH!

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