



# Why do people record and post illegal material? Excessive social media use, psychological disorder, or both?



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## ABSTRACT

In this study, we examined the prevalence of recording and posting illegal material among 442 young adult undergraduates (aged 18–27) and the relationship between the frequency of this behavior, social media use, antisocial personality disorder (ASPD), and borderline personality disorder (BPD). Overall, 13% of the sample had posted illegal activity (underage drinking, lewd behavior, or other illegal activity) and 28% had recorded (or been present when someone else recorded) lewd or other illegal activity. Prevalence rates were higher among those who used social media excessively and those who met criteria for ASPD or BPD. However, in logistic regression analyses, only social media use and ASPD emerged as unique predictors of posting and recording illegal material. Thus, there appear to be at least two separate routes to recording and/or posting illegal material. One fairly innocuous route is the excessive use of social media, which may desensitize individuals and hinder their ability to apply appropriate filters. Another more ominous route is a pervasive psychological disorder (ASPD), which is associated with lifelong recklessness, impulsivity, and lack of empathy. For either route, education on the lifelong ramifications of digital media is imperative.

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## 1. Introduction

In June 2014, the Huffington Post highlighted a case where three fraternity brothers from James Madison University were expelled after graduation for filming and subsequently sharing with others a video of them groping and trying to undress a female friend while on Spring Break (Kingkade, 2014). Apparently, the victim found out about the video after people were sharing and discussing it on social media (Kingkade, 2014). A few years earlier, in the Steubenville rape case, a 17-year old football player from Ohio admitted to recording a video of a teammate digitally penetrating an intoxicated 16-year-old girl in the back seat of his car (Macur & Schweber, 2012). The boy who recorded the video claimed that he shared it with at least one person but erased it the next day. He was granted immunity and then served as a witness for the prosecution in the rape case involving two of his former teammates (Macur & Schweber, 2012). Social media featured largely in this case too, as shortly after the incident, anonymous activists released a picture of the two boys carrying a girl by her hands and feet and a video of other boys allegedly joking about the incident (Reuters, 2013). In another case featuring teenagers,

sexual assault, and social media, three Chicago teens sexually assaulted a teen girl by gunpoint, filmed the incident, and posted the video to their Facebook pages (Jauregui, 2013).

Sexual assaults of this sort are not new, but recording and then sharing or posting these assaults to social media outlets is a new, rather disturbing phenomenon. What leads these individuals to record this type of inappropriate behavior? And why would they subsequently share or post this illegal material online? The recorder-turned-witness in the Steubenville rape case stated that he was just having a moment of stupidity (Ove, 2013). And it could be that in our culture of constant pictures, tweets, and hashtags, the recording of every detail of one's life, even the inappropriate or illegal details, has become a habit, especially for those who use social media excessively. However, recording illegal acts seems to reflect impulsivity and recklessness, which would be consistent with borderline personality disorder. It also suggests a type of callousness and disregard for the rights of others that would be consistent with antisocial personality disorder. Both of these are serious, pervasive psychological disorders that are not simply lapses in judgment or desensitization to the appropriateness of social media content. With these cases now entering the courts, it is important to determine whether excessive social media use or a psychological disorder (or both) are related to the recording and posting of illegal behaviors. This was the goal of the present study.

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### 1.1. Social media use

The last couple of decades have brought about drastic changes in the way that we communicate. Where once there were only telephone landlines, letters, or telegrams that connected people who were physically distant, there are now almost endless options for communication with others via internet-connected computers or mobile phones. According to 2013 Pew Internet usage statistics (Duggan, 2014), 91% of American adults own a cell phone, and most of them use their phones for activities other than voice calls (e.g., sending or receiving text messages or accessing the internet). Moreover, 73% of American adults engage in some type social networking, and the list of popular social networking applications (e.g., Facebook, Twitter, Instagram, Pinterest, and LinkedIn) is ever-growing (Duggan & Smith, 2014). Young adults seem particularly inclined to social networking: among this age group, a full 83% use social media (Duggan & Brenner, 2013).

Considering the proliferation of computer-mediated communication in our society, it may seem unsurprising that many teens and young adults are using these technologies daily, documenting through words, pictures, and videos the moments of their daily lives, from the awesome (e.g., graduations) to the mundane (e.g., lunch). According to a recent Time magazine article, one's trail of social media activity is like an "intimate digital library that we allow the entire world to click through" (Schweitzer, 2014). Meanwhile, St. John (2006) described this generation as having a "willingness bordering on compulsion" to share the details of their lives on social media. Unfortunately, creating this intimate digital library sometimes leads to oversharing, which is potentially problematic from both a social and legal perspective. From a social perspective, people may judge information shared by oversharing as inappropriate to share (e.g., Winzenburg, 2012), and this might create distance between the sharer and observer. From a legal perspective, "oversharing" via social media has become a legal hot topic, and judges are trying to make decisions about these cases within the larger landscape of internet law (Boyden, 2012). So considering these potential pitfalls, why are people sharing so much? In their review of the Facebook usage studies, Nadkarni and Hofmann (2012) found that many people used Facebook (the most-used social networking site) to satisfy their needs for belonging and self-presentation. Therefore, the pictures and status updates are fulfilling social needs to connect with others, gain acceptance, and present an online version of oneself, either accurate or idealized (Nadkarni & Hofmann, 2012). However, recent studies have shown that certain types of people are more likely to share *inappropriate* material on their social networking profile.

### 1.2. How often and who is posting inappropriate or illegal material online?

A small number of studies have examined the prevalence of posting inappropriate or illegal material and/or the characteristics of people who post this type of material online. In one of the first studies in this area, Peluchette and Karl (2008) found that more than half of their undergraduate sample (56.5%) indicated that they had alcohol-related content (e.g., photos or comments) on their social network profiles, and a few indicated that they had marijuana content on their profiles. However, as the average age of their participants was 21.2, it is unknown whether the alcohol-related content reflected illegal behavior or not. Moreover, Peluchette and Karl (2008) did not examine the characteristics of those who posted such material. In a later study, Peluchette and Karl (2010) examined the characteristics of those who posted 10 types of "problematic profile information" including behaviors that could represent illegal activity such as "self photo drinking alcohol"

and "comments regarding use of illegal drugs," but also legal but inappropriate information such as home address and "self photo (-sexy or provocative)" (p. 32–33). They found that those who thought that their social network profiles portrayed a wild, sexually appealing, or offensive image were more likely to post inappropriate information, and those who thought their profiles portrayed a hardworking image were less likely to post such information. Finally, Karl, Peluchette, and Schlaegel (2010), found that those who are more compulsive in their use of the internet are more likely to post problematic material, such as substance use. Meanwhile, those who are more conscientious, agreeable, and emotionally stable are less likely to post this type of content (Karl et al., 2010).

In another study that examined inappropriate postings but not illegal behaviors, per se, Moreno, Parks, Zimmerman, Brito, and Christakis (2009) explored 18-year-olds' MySpace references to "health risk behaviors" (i.e., substance use, sexual behavior, and violence) on their web profiles. More than half of the MySpace profiles included in their study contained some reference to a health risk behavior: 41% referenced substance use, 24% referenced sexual behavior, and 14% referenced violence. With regard to the characteristics of those who posted such material, they found that profiles that indicated religious involvement were less likely to include references to any of these behaviors, girls were less likely to reference violence, and those who were involved in sports or hobbies were less likely to reference violence and any other risk behavior. However, Moreno et al. (2009) did not look exclusively at illegal behaviors. For example, their category of sexual behavior included descriptions of sexual preferences or icons representing sexuality (e.g., a Playboy bunny), and their violence category included clips from violent movies and downloaded pictures of guns. Additionally, even in the category that referred to illegal acts (i.e., substance use), the authors included icons of beer brands and downloaded pictures of marijuana leaves as references to substance use. Therefore, it is impossible to determine from this study whether the participants engaged in or posted illegal behavior.

More recently, Glassman (2012) examined the frequency with which college students posted pictures of themselves or their friends consuming alcohol and whether the drinking was legal (over the age of 21). In his sample, 29% of college students had posted pictures of themselves consuming alcohol, and 56% had posted pictures of their friends consuming alcohol. A staggering 39% of those who posted these pictures (about 9% of the total sample) were not of legal age. Glassman (2012) found that those who posted pictures of themselves consuming alcohol online were more likely to consume alcohol; however, he did not explore the psychological or behavioral characteristics of those who posted this type illegal material online. Meanwhile, Stoughton, Thompson, and Meade (2013) examined the frequency of college students' social networking references to drug and alcohol use with regard to their Big-5 personality characteristics. Stoughton et al. (2013) found that those who were extraverted were more likely to reference alcohol and drugs in their posts; however, their study did not differentiate illegal from legal behavior (e.g., alcohol use under or over the age of 21).

Considered together, these studies suggest that a fairly high number of young adults post inappropriate material online, and those that do are more likely to be compulsive internet users, less conscientious, less emotionally stable, less agreeable, more extraverted, and less religious. However, none of the studies reviewed focused exclusively on the posting of *illegal* material, and none examined the prevalence of or characteristics associated with *recording* (or being present when others recorded) illegal material. As the recording of illegal material has become an issue within the current legal landscape (e.g., the Steubenville rape case), this is an important addition to this line of inquiry.

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