

# Faculty of Humanities and Social Sciences

## A Professional Perspective of Persuasion: An Analysis of Police and Prosecutor Perspectives and Experiences with Social Media's Effect on Eyewitness Testimony

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### B.A. Applied Criminology (Honours) Thesis



DOUGLAS COLLEGE

A PROFESSIONAL PERSPECTIVE OF PERSUASION: AN ANALYSIS OF POLICE AND  
PROSECUTOR PERSPECTIVES AND EXPERIENCES WITH SOCIAL MEDIA'S EFFECT ON  
EYEWITNESS TESTIMONY

by

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**By  
Tasha Nazar**

Thesis Submitted in Partial Fulfillment of the  
Requirements for the Degree of the Degree of  
Bachelor of Arts in Applied Criminology – Honours

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## **Abstract**

Every day, people across the country log onto Twitter, Facebook, Instagram, and other forms of public communication to get the latest information on significant events happening in their communities. One of the more newsworthy categories is often crime stories. For those who have witnessed a crime, turning to social media can become a form of influence that can affect their statement to the police and in court. This study takes a qualitative approach to examine themes consistent with social media's influence on eyewitness testimony. The project accomplished this by conducting six in-depth interviews with three police officers and three prosecutors. All the police officers were employed in the RCMP Major Crimes division, with two being part of the interview team at one point in their careers. Two prosecutors worked as trial crown council members for the BC Prosecution Service for most of their law careers. The last decided to keep their affiliations confidential. Five themes were discovered during the study. These themes included social media's status as neither good nor bad, eyewitnesses' decreasing importance in court, social media's impact on how participants talk with witnesses, the case-by-case nature of everything in the justice system and the differing definitions of social media.

**Keywords:** Social media, police, prosecutors, eyewitnesses, qualitative methods

## Table of Contents

Approval	ii
Abstract	iii
Table of Contents	iv
Chapter 1: Introduction	1
Chapter 2: Literature Review	5
Chapter 3: Ethics and Reflexivity	9
Chapter 4: Method	12
Chapter 5: Results	18
5.1: Social Media is Neither Good Nor Bad	18
5.2: Decreasing Importance of Eyewitnesses	21
5.3: Social Media Impacts the Way Police and Prosecutors Interact with People	22
5.4: Everything is on a Case-by-Case Basis	23
5.5: Differing Definitions of Social Media	24
Chapter 6: Reflections	27
Chapter 7: Strengths and Limitations	29
Chapter 8: Conclusion	32
References	35
Appendix A. Recruitment Letter	38
Appendix B. Consent Letter	39
Appendix C. Interview Questions	41
Appendix D. Mental Health Resources	44

# Chapter 1.

## Introduction

Eyewitness testimony is imperfect (Public Prosecution Service of Canada, 2011). Whether too much time has passed between an incident and an identification, or a witness experienced a suggestion that caused their memory to be tainted, there are many reasons eyewitnesses can fail to identify a potential perpetrator or, worse yet, claim the wrong person did it (Garrett, 2011). Social media has become one of the more recent additions to the ever-growing list of potential influences on eyewitnesses. Research within experimental psychology in recent years has shown that social media exposure can affect witnesses in various ways, often negatively, such as tainting testimonies (Frenda et al., 2011; Kleider-Offutt et al., 2022). Canadian case law, on the other hand, showcases more mixed results. Case law exhibits multiple instances where social media has hindered the progression of the case and tainted witness testimony, similar to experimental results. However, it has also highlighted instances where social media was integral to helping the witness establish the perpetrator's identity (*R. v. Green*, 2017; *R. v. Mohamad*, 2014; *R. v. Pearce*, 2017). There has been little criminological research that specifically considers the individual perspectives of those who work closest with witnesses, like police officers and prosecutors. In light of this knowledge gap, the research question explored in this study was: What are police and prosecutor perspectives and experiences with social media's impact on eyewitness testimony?

According to a Statistics Canada report with data from 2018 to 2019, over 90% of Canadians aged 15-34 regularly used some form of social media (Schimmele et al., 2020, p. 1). These statistics do not even include the increased time people have spent online due to the COVID-19 pandemic (Bilodeau et al., 2021). Exploring the effects of social media on

eyewitnesses is critical because social media can affect individuals, including witnesses, in various ways, which can lead to impacts on criminal cases (Schimmele et al., 2020). For example, there is a correlation between social media use and individual reports of a lack of sleep duration and quality, trouble concentrating on tasks, anxiety, lack of physical activity and many other issues (Schimmele et al., 2020). These problems can undoubtedly influence what a person sees and remembers during and after witnessing an event as stressful as a crime (Garrett, 2011). With social media being this prominent in people's lives and affecting them so negatively, one would assume it would be much more prominent in criminological literature. However, that is simply not true.

Although the topic of social media and witnesses does not appear as often in criminological literature, it does appear quite often in case law (Schimmele et al., 2020). In Canada, one early case that included social media as a prominent factor comes from the *R. v. Paxton* case in 2012, when the defence brought up a detective's Facebook activity as evidence of a tainted investigation. However, other evidence did not corroborate this argument, and the case was eventually dismissed (*R. v. Paxton, 2012*). In the context of the current study, one early case involving eyewitness identification and social media was in the *R. v. Herd* case from 2014. This case involved a victim using Facebook to identify the individuals who robbed him; the resulting identification was dismissed due to their online activity (*R. v. Herd, 2014*). Although both cases mentioned have proven to be hindrances for either police or prosecutors, many others demonstrate the helpfulness of social media.

Social media can often be a valuable asset for police, especially as an investigative tool (Spizman & Miller, 2013). Cases in which social media has helped can be just as common as those it has hindered. For example, in the case of *R. v. Green* from 2017, a Facebook request and



accompanying phone number were used to help the witness identify the perpetrator of a sexual assault. The examples of *Paxton* (2012), *Herd* (2014) and *Green* (2017) all display the importance of exploring the effects social media has on witnesses because it can inform people about the impact their actions can have on the success or failure of a case. However, although there are several court cases involving social media, there remains a significant knowledge gap within the world of criminological academic literature, especially concerning qualitative research.

Since this topic has yet to be explored in great depth within criminological literature, the current study uses an exploratory framework to examine the effects of social media on eyewitnesses from the perspective of police officers and crown prosecutors in British Columbia, Canada. As a result, this framework lays the groundwork for future investigation. This point is important in that much of the existing research in this area comes from a quantitative psychological perspective, in which case it focuses on the malleability of memory in individuals or looks specifically at the effects on the police lineup rather than addressing impacts on other aspects of the justice system like the crime scene or the courtroom (Frenda et al., 2011; Kleider-Offutt et al., 2022).

Police officers' perspectives are necessary to address because they deal with eyewitnesses on the front lines at the crime scene. At the same time, crown prosecutors encounter witnesses in a completely different context by preparing them for court and during the trial process. Both viewpoints are an essential addition to the literature to explore this interaction between eyewitnesses and social media from different perspectives. The two populations also allow for data triangulation during analysis. Triangulation in this context utilizes the two

different populations while using the same method to ensure that the conclusions made from the data have stronger credibility.

This study used a qualitative interview method guided by an inductive and interpretive paradigm (Hesse-Biber, 2017). The inductive process allows data to be collected before theory development (Hesse-Biber, 2017). Since this study was exploratory, the inductive process complemented the interpretive paradigm well. Mainly because one assumption of the interpretive paradigm is that meaning is socially constructed (Hesse-Biber, 2017). This way, I could focus on the participants' perceptions of social media's influence instead of 'objective' truths (Hesse-Biber, 2017). The exploratory framework also allowed for the investigation of meaning-making as determined by socially accepted experts in the field, in this case, police officers and prosecutors (Hesse-Biber, 2017). The study utilized in-depth interviews to emphasize those experts' lived experiences and individual subjectivity. I chose this paradigm and method to bring a new perspective to a significant and under-researched topic.

## Chapter 2.

### Literature Review

Considering this is a qualitative study focusing on a topic related to the justice system, it is essential to take a deep dive into the information already available through scholarly literature and case law. Although I consulted many examples of criminal cases and academic studies to establish the background for this study, information directly related to the topic was not abundant. As a result, I listed four cases from Canadian case law and four academic studies that were most emblematic of the resources consulted. The first two cases exemplify the negative impacts of social media on eyewitnesses, those being *R. v. Mohamed* in 2014 and *R. v. Pearce* in 2017.

In the case of *R. v. Mohamed* (2014), a witness was shown a Facebook picture from a friend after witnessing a shooting in front of a nightclub. The witness subsequently used that Facebook picture to identify the individual they believed to be the shooter in court (*R. v. Mohamed*, 2014). This identification was the basis for Mr. Mohamed's appeal in the Alberta Court of Appeal (*R. v. Mohamed*, 2014). In the second case of *R. v. Pearce* in 2017, after being sexually propositioned, a 14-year-old girl did a Facebook search and identified Mr. Richard Pearce from a photo on his profile. In this case, the Facebook search was enough for the judge to dismiss the charges against the defendant (*R. v. Pearce*, 2017). Because of this dismissal, the court will have difficulty charging anyone else unless new evidence comes to light due to her testimony becoming permanently tainted. Both cases have the same effect in the context of this study. They showcase the mitigating effects social media can have in a courtroom. Social media influences not only the identification process in a police station but also many other phases, including, but not limited to, court decisions.

Although it is apparent that social media can be a negative influence, it is essential to look at the other side and assess its benefits as well. The focus of this study was to determine influence, not solely detriment, which means considering both the positive and negative influences. One case where social media proved to be a helpful influencing factor was the case of *R. v. Green* in 2017. In this case, briefly mentioned earlier, Mr. Green was charged with a break and enter, theft, and aggravated sexual assault (2017). After the perpetrator left the scene, the victim used social media to find and identify them to police using the phone number he gave her and a friend request he also sent her on Facebook (*R. v. Green*, 2017). He was subsequently convicted (*R. v. Green*, 2017). In another case, cell phone communications, messages, and media coverage were all used to pinpoint when the individual charged with accessory after the fact knew about the victim's death (*R. v. Bedi*, 2016). Both cases demonstrate that social media does not always hinder a case. This point contrasts much of the academic literature surrounding social media and eyewitness influence.

When shifting focus from case law to the academic literature available, many relevant studies look more specifically at how social media affects eyewitnesses in the police lineup rather than at other stages in the criminal justice process. For example, in a study conducted in 2021 by Havard and colleagues, participants made an identification from two video lineups a couple of days after having been shown a crime video and completing a social media search task. Another study by Kleider-Offutt et al. in 2022 also utilized a lineup to illicit identifications from participants after getting them to complete distractor tasks, two before and one after the identification, as well as a Twitter search. Both studies using this experimental method found that social media had a negative influence when the wrong person was present in a post (Havard et al. 2021 & Kleider-Offutt et al. 2022). Simulating specific police procedures using lineups can

be appropriate for some research areas, such as experimental psychology. However, lineups are not the only times witnesses make identifications. As a result, the current study aimed to gain insights into social media's influence at different phases in the criminal justice process from a criminological perspective rather than a psychological one.

Upon closer examination of previous psychological studies, it becomes apparent that their focus on the police lineup also leads many of them to have similar methods. For example, both studies conducted by Havard et al. (2021) and Kleider-Offutt et al. (2022) utilize an experimental method that uses distractor tasks and social media searches. In another study by Elphick et al. from 2021, they employed a similar experimental method. This method is excellent for psychological research because it allows academics to focus on the memory portion of eyewitness identification in a simulated, controlled environment. These studies made me realize that although research in this area has increased in the last few years, the methods employed have all relatively been the same. However, there needs to be an exploration of different methods by those conducting these studies as a way to gain new perspectives on this topic. Therefore, the current study sought to offer a new perspective. This study sought to bring insights that a laboratory cannot replicate, as well as genuine opinions based on lived experiences from professionals who have seen and experienced a great deal. During this study, I utilized semi-structured interviews to gain results, which is different from the typical method employed to research this topic. However, I would like to discuss one particular study conducted by Spizman and Miller in 2013, which utilized similar interviewing techniques to achieve similar opinion-based results.

The study by Spizman and Miller (2013) utilized a similar paradigm to the current study to explore the impacts of social media on the American criminal justice system. They used a

mixed-methods, exploratory approach in the United States to inquire about university students' perspectives on police use of social media. They found that, although dependent on the scenario, there was general support from students for the use of social media by the police. Spizman and Miller's study is critical to highlight here because, like the current study, it sought perspectives on how social media affects a specific population. However, instead of asking university students about social media use by police, the current study focused on asking police and prosecutors about social media use by witnesses. The current study also uses a method comparable to Spizman and Miller.

While the current study added another population and used Canadian participants, the current study included two interview questions related to the same topic of the Spizman and Miller article. I asked both populations of participants about their social media usage and whether they could check witnesses' social media histories. Within the current study, I asked these questions to learn more about the evidence-collection process, including how people within the CJS confirm witness testimony using social media. This goal was in contrast to Spizman and Miller, who wanted to gain civilians' individual perspectives on police interactions with social media.

## **Chapter 3.**

### **Ethics and Reflexivity**

The Douglas College research ethics board (REB) classified this study as low risk (REB-FY2023-14). However, low risk still entails risk, and informed consent is critical because of the possible emotional and mental ramifications of asking for potentially unpleasant personal experiences, opinions and perspectives in a semi-structured interview (Hesse-Biber, 2017). As a result, I reminded participants throughout the interview that their participation was voluntary and that they could withdraw consent at any point without consequence or explanation (Hesse-Biber, 2017). I gave each participant a consent letter to review and sign before the interview and asked if they had any questions concerning the letter before asking any questions. This letter informed each participant about the purpose, procedure, risk, confidentiality, the definition of voluntary consent, and what it meant for this study. Each of these letters was kept securely in the researcher's home.

The second ethical issue I attended to was the possibility for distressing feelings to surface. Because this study asked participants with high-stakes and high-risk professions to talk about their personal experiences and perspectives, there was a possibility that a topic that may have been distressing for them could come up. Also, due to the free-flowing nature of semi-structured interviews, it can be difficult to predict precisely where the conversation will lead. Because of this, a specific topic could have led to possible feelings of, but not limited to, anxiety, fear, or discomfort. To help mitigate this problem, I supplied a list of mental health resources available to those working in law enforcement and as crown prosecutors to all participants at the end of the interview (see Appendix D). Also, if participants began to feel discomfort at any time during the interview, the conversation was stopped altogether or paused for however long they

needed. Participants were also sent the questions before the interview so they could decide ahead of time which questions, if any, they wanted to avoid answering.

Another ethical issue that a researcher must always prepare for is the accidental disclosure of confidential information by the participant or the researcher. In the context of this study, if a participant's data accidentally got disclosed by the researcher, they should not run into any significant legal, financial, social, or personal issues. However, this does not apply if the participant opted to remain anonymous or disclosed information they should not have, for example, specific names of anyone not publicly known. Accidental disclosure of this information by either the researcher or participant could be problematic due to the loss of privacy of those discussed during the interview. Also, any accidental disclosure of participants who chose to remain anonymous could lead to similar privacy and safety problems. However, because participants chose which experiences they spoke about, they often referred to public facts of the case and their opinions regarding those facts. As a result, accidental disclosure would not lead to large-scale problems. However, to further mitigate risk, I coded for confidential information by anonymizing all identifying data, substituting names for numbers and utilizing member checking to confirm their consent on specific statements. I took these steps to fulfil my ethical responsibilities as a researcher.

In a qualitative study, my role as the researcher is very significant. This kind of research is prone to bias, just as any other research paradigm (Hesse-Biber, 2017). Because humans are involved, there will inevitably be a form of bias; the difference comes with how transparent a researcher is and how much interest they have in preventing bias (Hesse-Biber, 2017). With that, I had to remember to be reflexive and transparent about my bias to ensure the study's validity. This means I had to understand that my participants' experiences significantly differed from



mine (Hesse-Biber, 2017). I am a researcher, but I am also a criminology student, meaning any bias I may have comes from books, articles, class discussions and lectures, and my knowledge only extends as far as the classroom. I am not a police officer or crown prosecutor, nor have I ever been to a crime scene or worked in a courtroom. The participants have unique experiences I will never have as a researcher, and they are the experts with the knowledge I sought.

In the interest of transparency and disclosing researcher bias, I needed to keep in the forefront of my mind that, as a researcher, I wanted this study to yield significant results. Because of this, I needed to be aware that I did not lead the conversation where I wanted it to go. Ensuring validity meant that if a participant had an unexpected opinion, it was my responsibility not to shy away from exploring that in order to subject my bias to competing claims (Hesse-Biber, 2017). Gathering competing claims also ensured that I was collecting all the information I could for the exploratory aspect of this study. Lastly, I needed to be aware that each participant trusted me to handle the information they told me in a responsible way. I was responsible for respecting the participants' wishes regarding how their information would be disseminated and stored. If I needed clarification regarding confidentiality, my supervisor, the REB guidelines, and the individual participant guided my decisions.

## Chapter 4.

### Method

All procedures and explanations mentioned in this section of the paper come from the third edition of *The Practice of Qualitative Research* by Sharlene Nagy Hesse-Biber, published in 2017. As mentioned previously, this study was conducted using an interpretive paradigm. The interpretive paradigm is about meaning-making through subjective experiences. In order to align with this paradigm, the current study utilized exploratory, one-on-one, semi-structured, in-depth interviews with participants. This study used an interpretive paradigm to conduct interviews because learning about participants' unique and individual perspectives was the sole focus.

The study recruited participants using non-probability, stratified, purposive sampling, and snowball sampling methods. The first three concepts mean that participants were purposefully selected as representatives of their field based on specific criteria such as their job and years of service. They were then free to refer other co-workers to me for the study if they chose to, which is snowball sampling.

Police officers and prosecutors were selected as participants because these two groups work closely together but interact with eyewitnesses in different contexts. Police work with people at the crime scene and during the investigation, while prosecutors interact with them in court. Participants needed to have criminal justice experience in the range of 15 to 20 years because I believed it would be beneficial to gain information as to whether the impacts of social media have changed over time. However, multiple participants had over 20 years of experience, and one police officer had 14 years. Lastly, participants needed to provide opinions and perspectives on stories related to eyewitness testimony and social media. These stories were from

cases they were directly involved with, second-hand stories from colleagues, or well-known cases in the public media. Below is a brief list of participants, their experiences, and affiliations.

**TABLE 1. Participant Characteristics**

<b>Participant</b>	<b>Years of Service</b>	<b>Current Title</b>	<b>Current or Past Affiliation</b>
P1	18	Staff Sergeant	Major Crimes Division, RCMP (Current)
P2	30	Retired Prosecutor	BC Prosecution Service, (Past)
P3	39	Retired Prosecutor	BC Prosecution Service, (Past)
P4	16	Sergeant	Major Crimes Division, RCMP (Current)
P5	28	Prosecutor	N/A
P6	14	Sergeant	Major Crimes Division, RCMP (Current)

In order to attain participants who met the criteria mentioned above, multiple gatekeepers were utilized to gain access to specific individuals I might not have been able to otherwise. The gatekeepers were all Douglas College Criminology faculty. One faculty member, in particular, was able to get me in contact with many subsequent participants, excluding those who were recruited through their co-worker's recommendations. The other two faculty members produced some names for the study; however, none of those individuals could participate because either their superiors did not allow it or they did not meet specific criteria for the study. This investigation also utilized snowball sampling so participants could recruit others, and the study's reach could extend to people the gatekeepers may not know. To accomplish this reach, after each interview, I asked participants if they knew anyone interested in participating in the study, and ultimately, two out of three police got recruited this way.

Each of the six interviews completed in this study lasted approximately one to two hours. The participants included three police officers and three crown prosecutors. I aimed for equal participant population numbers because it would ultimately simplify triangulation. I reached out to nine people; however, only six could participate. The reasoning for not participating included

self-exclusion due to a perceived lack of recent experience with the topic or an inability to clear the interview with their superiors.

As part of the study, I requested that each participant review the interview questions sent in an email before the meeting. The intent when sending the questions was so each participant had time to think in-depth about the experiences they wanted to tell. This point introduced another variable to the study: whether I interviewed participants who had been prepared. Five out of the six participants stated they looked through the questions, at least briefly. Some participants examined them with more depth than others, with P1, P2, P4, and P6 all having some, if not all, answers prepared in some form. I was late in sending P3 and P5 a copy of the updated questions, so both looked through them as in-depth as possible in the time they had before our interviews started. I offered P5 extended time to review the questions since I sent them the updated questions the morning of our interview, but they chose to continue at the scheduled time.

These interviews with participants were one-on-one but also in-depth. In-depth interviews, particularly exploratory ones, are critical for qualitative work because they allow individuals to talk freely and give their unique perspectives from a position of expertise. The interviews were also semi-structured to allow participants to direct the conversation where they felt was best and most effective while also allowing me, as the researcher, to touch on specific topics. The interviews were also audio recorded, in person or through Zoom, at a neutral location that did not indicate the nature of our meeting unless otherwise determined by the participant. For example, the participants who felt most comfortable in a neutral location met over Zoom in each of our homes, and the ones comfortable in a non-neutral location met with me at their workplace. This way of conducting the interview was the most effective way to build rapport and create the best environment for sharing. If the participant could not meet in person, the interview

took place over Zoom using a securely encrypted Douglas College licenced account designed for research students.

Since interviews were audio recorded, I could transfer my focus to more effective prompting rather than note-taking. Once the audio-recorded interview was complete, I transcribed all dialogue personally. This process included a word-for-word written account of the verbal data in the interview. Transcription would still have occurred similarly if the participant did not want to be recorded. However, instead of a word-for-word transcription, the question would have been listed, and their answer, as written in the notes during the interview, would have been written below. However, all participants opted for recordings. In order to maintain confidentiality and stay concise, data was anonymized by replacing names with numbers where the participants stated they wanted to remain anonymous. One participant in this study opted to remain anonymous, so their name was omitted from the transcript and the chart above. All others stated they approved the usage of their names. The same audio recorder was used for in-person and Zoom interviews. The recording was done this way instead of using the in-application recording software so that the transcription process could be the same. It also allowed for simpler tracking of raw data for the sorting and analyzing process.

Three different techniques were used to analyze the qualitative data and answer the research question for this study. I looked for differences and similarities between participant answers and repetition and utilized a technique called cutting and sorting (Bernard et al., 2017). For example, one theme that presented itself by looking for differences and similarities was that social media, on its own, is neither good nor bad. It is simply something those working in the justice system must manage. This theme was discovered by re-reading notes made during transcription, comparing similarities in answers between participants, and finding that all

participants mentioned this theme somewhere in their interviews. The process of repetition, which happens through the identification of similar ideas within groups of text, also became a vital aspect of the analysis (Bernard et al., 2017). The repetition of specific answers and experiences went along with the use of cutting and sorting quotes to identify specific themes.

In the context of this study, I cut quotes from transcriptions and sorted them by question. I listed all the questions I asked participants and ‘cut’ the essential parts of their answers, with context, and ‘sorted’ them so all their answers to each question got grouped together. When answers were similar or virtually identical between all or close to all participants, this often became the basis for a theme. For example, one of the themes presented through this process was that social media’s presence and potential influence on witnesses impact how police and prosecutors talk with people. When I consolidated all participant answers and quotes into a separate document and assessed their answers to the question about social media’s influence on participant interviewing techniques, every participant, except for one, said that this influence does affect how they interview witnesses. The one exception participant mentioned that although social media’s potential influence on witnesses does not influence how they interview, they are aware of its impact when speaking with them. This commonality between quotes in answer to this question about social media’s potential influence on a witness impacting the interviewer in some way was the basis for the theme. The last part of the methods to be addressed was the process of establishing triangulation through the data collected.

Multiple methods were used to triangulate data and information within the study. The first form of triangulation used was data triangulation. There were two groups of people (two data sources) to accomplish this kind of triangulation: police officers and prosecutors. Data triangulation was practical for this study because the two populations were already built into the

research question. These two unique perspectives, explored due to their distinctive position of working together yet having completely different relationships with witnesses, allowed for comparison and triangulation. In addition, the literature review checked the method's reliability and the theoretical conclusions used. The literature review can triangulate data because articles can clarify and confirm the information collected in this study without the same biases of the researcher. For example, suppose there is a common finding within my study and other articles referenced in the literature. In that case, I can have more confidence that my conclusions are valid and that the interpretation was not based on personal bias. However, suppose the conclusions are the same across multiple articles, and I found something different. In that case, it is worth another look to confirm that my interpretations are based on what participants told me and not what I wanted to hear.

## Chapter 5.

### Results and Discussion

Approximately five themes presented themselves, and each will be further explained in its own section. Those themes are listed below:

1. Theme one addresses the point that **social media is often neither good nor bad**. It is another thing those who work in the justice system must manage.
2. Theme two concerns participants' experiences with **eyewitnesses' decreasing importance in the criminal justice system**.
3. Theme three looks at how **social media's potential influence on witnesses can influence how police and prosecutors interact with people**.
4. Theme four considers that **all things in the criminal justice system are subject to the fluctuating nature of the justice system itself**. A lot is on a case-by-case basis.
5. Theme five addresses **the differences between police and prosecutor definitions of social media**.

#### 5.1 Social Media is Neither Good nor Bad

Something that was not initially expected was the participant's general indifference towards social media. The initial belief I had going into this project was similar to what the literature had suggested and even what P3 mentioned in their interview:

The one I will talk about is a case where I had, where we were able to show how incredibly reliable an eyewitness was, and its, I think its important because I think probably the answers you're gonna get from a lot of these questions, in a lot of your



interviews is “Oh my god, this is all a big disaster, and we can’t rely on eyewitness testimony anymore, there’s all these problems, blah, blah, blah.” (P3).

I thought those in the criminal justice system would be rather pessimistic about the digital influence ruining their investigations and court processes. However, this was not the case.

Almost all participants mentioned at one point that social media itself is neither good nor bad. It can hinder investigations if the witness becomes tainted and cannot separate what is from their memory or outside influence (P2). However, it can also help investigations (P1). For an example of a time social media helped an investigation, P5 gave this story:

I recently had a case where, ... not recently, a while back, where somebody had walked into a store in Squamish and stolen a couple of jackets, and the store had a video camera. And so, they took that footage, the owners of the store, took the footage and posted it on their Facebook page. And one of the employees who wasn’t there at the time, just an employee at the store, had looked at the footage and said, “That’s, you know, [my co-worker]. I used to work with [them] at this very store five years ago.” (P5)

In another story of interest, P6 talked about a case where social media was vital in the identification of a perpetrator of a sexual assault:

It was a break-and-enter, a sex assault and a theft investigation. A young woman was at home alone was awoken by an intruder in her house, and he sexually assaulted her and stole some items. She had never met that person before, but before he left, she asked for his phone number so that maybe she could contact him down the road for a date or something, and he actually gave it to her. And then they ended up communicating a little bit, and she identified him or through Facebook; he tried to friend her on Facebook and

through Facebook, she confirmed his ID. “Yes, this was the guy who was in my house.”  
(P6)

Both statements from P5 and P6 showcase this helpful aspect of technology and social media more specifically.

When asking participants whether they believed social media could influence people, a frequent statement was that it could, but so can many things. P2 mentioned, “But it is so difficult to have a discussion, a holistic discussion, without talking about the other factors because social media is only one of many factors that affect identification.” While P5 mentions:

Yes, it does. I mean, I think any information somebody has about, about the accused characteristics that doesn’t come from their own memory has the potential to taint their evidence. So, if they’re talking to their friend who also observed the incident and they’re discussing what the accused looked like, and one person says, “Oh no, he wasn’t wearing a yellow shirt; he was wearing a red shirt,” and then the person who we’re talking about, the particular witness, has their evidence tainted by what their friend says. Obviously, that happens in a social media type of context; they’ve read it on Instagram, or they hear about it, they see somebody talk about it on TikTok or, you know, whatever. It would have the same sort of negative influence on identification, meaning it would taint the witness’s identification. (P5)

Something else that became clear after the interviews was the discrepancy between the literature and what participants told me on this topic. In the majority of the articles referenced, like McGorry (2016), Albright (2017), and Frenda, Nichols, and Loftus (2011), they had a significant emphasis on how much of a negative impact unreliable witnesses have on the

criminal justice process. Although the current study's participants acknowledged this situation as harmful, it was often not as detrimental as the current literature made it out to be. This was because of what P1 mentioned as the responsibility of officers to gain an "entire forensic net or web of corresponding detail and independently verifiable facts." For a witness to be considered reliable, police and prosecutors must have a "web" of other facts that corroborate the witness's testimony (P1). If the witness is incorrect, investigators and prosecutors can rely on the other independent evidence and facts of the case to prove the accused committed a crime. As P5 mentioned, "[eyewitnesses are] very frail evidence, it's not, it's not ideal evidence to convict someone on the basis of eyewitness[es] ... in-court identification." In contrast to this finding, McGorry (2016) mentions that the "potential unreliability of witness testimony [is] ... one of the greatest issues in any criminal prosecution" (p. 1).

## **5.2 Decreasing Importance of Eyewitnesses**

The second theme involved the disappearance of eyewitness importance over the years, especially in the courtroom. Participants cited many reasons for this problem. However, responses could be broken down into two main reasons: improved investigation techniques, including technology and interviewing techniques, and a higher awareness of the frailties of human memory. For example, P3 mentioned this:

And in reality, and I was gonna say that to you, the reality is, is that eyewitness identification has become less and less and less important as forensic information or investigation techniques have become more sophisticated. You can get DNA off of almost everything now: fingerprints, you can get cell phone triangulation, you get surveillance cameras, there's all kinds of stuff. (P3).

P3's quote suggests a gradual change occurring in court, from relying on witness testimony to placing higher reliability on technology and more sophisticated investigation techniques.

However, although witnesses have been seeing a decrease in importance over time, according to the prosecutors I spoke with, it is still important to note that they did not write off all witness evidence as no longer having value. For example, P6 mentioned:

Now, as far as specific evidence at trial? Typically, social media is not really relied upon at court because it's not, it's too problematic in the course really assessing the veracity of it, there's too many unknowns. What's really important at trials and courts are witnesses to give evidence of what they themselves saw or experts that can speak to the integrity of certain technologies or whatever. (P6)

This quote by P6 suggests that some forms of technology, like social media, can be regarded as problematic for the court. As a result, witnesses still hold value because they can provide authenticity that technology cannot.

### **5.3 Social Media Impacts the Way Police and Prosecutors Interact with People**

The third theme centred on the idea that social media can and does not only influence witnesses but also how police and prosecutors interact with people. Since it is almost a given that witnesses or victims will look to social media in some form at some point during the criminal justice process, it has become vital for police and prosecutors, to question their witnesses in a way that helps them separate where information is coming from (P1). In fact, the term “drill down” in the context of questioning people was mentioned by two out of three police participants (P4; P6). These quotes from P4 and P3 mention this change over time:

So, where in the past, we may have just said, “Have you talked to anyone about this?” But now we have to say, “Okay, did you read about this? Did you see any of this? Did you see a TikTok video?” It’s much more; we’re doing a lot more legwork into that drill down. Versus, you know, 20 years ago, where it was just, “Who did you talk to about this?” You know, it’s 20 years ago, where it’s just, “Who did you call about this afterwards?” (P4).

So, it’s really important for the police to get people’s statements before they’re subjected to it before they’ve had a chance to have their friends say, “Oh my God, I heard about this!” So, it’s changed the way things are investigated, I think, and it adds a time pressure that didn’t used to be the case. (P3).

Participant’s answers to these questions were relatively consistent with the literature on this topic, specifically the Spizman and Miller article from 2013. In general, prosecutors varied more in response compared to police; two mentioned they had used social media in some form in the commission of their duties, and another said they never would. Compared to police, who all mentioned social media as a beneficial investigative tool, this is consistent with what Spizman and Miller (2013) found concerning police use of social media. Privacy was also something mentioned by participants in the current study, as all specifically mentioned that without a warrant, they can only look at what is publicly available. Privacy was a point of contention with students in the Spizman and Miller (2013) study, as it was one determining factor as to whether they approved or disapproved of social media’s use by police.

#### **5.4 Everything is on a Case-by-Case Basis**

The fourth theme considers how everything in the criminal justice system is subject to the fluctuating nature of the justice system itself. Everyone working for the justice system is offered a form of discretion for a reason; no case ever happens the same way twice. As a result, witnesses have to be dealt with on a case-by-case basis. What worked one time may not work the next. P2 mentioned in response to a question about whether witnesses look to social media to find people, saying that “it depends on the nature of the crime.” While P3 mentioned in response to the age range of people using social media, “I don’t think you can make a generalization like that. I think you have to deal with the individual.” P4 mentioned this theme a lot compared to other participants, saying the word “depends” 13 times, “depending” 1 time and “case-by-case” 3 times. P6 also mentioned the word “depends” in this context seven times, sometimes mentioning the word multiple times while answering one question. For example, when answering the question, at what time do you believe social media is most influential, they said, “It depends, ... it depends on the nature of the incident, it depends on the time frame” (P6).

## **5.5 Differing Definitions of Social Media**

At the beginning of this study, there was no debate about the definition of social media. My original definition was specific to what I believed to be the ‘typical’ or ‘traditional’ social media apps such as Snapchat, Facebook or Instagram. The articles referenced throughout this study also utilized similar definitions if they mentioned one. However, after interviewing the second participant, it was apparent this would be a point of contention moving forward, as P1 and P2 were already working with vastly different definitions of social media. In order to account for this phenomenon, I decided to put my initial definition of social media aside and integrate these differing definitions into each participant’s analysis. As a result, I began asking participants about their working definitions of social media at the beginning of each interview. It

later became clear that although there were some common keywords in people's definitions, such as "public" or "communication," there were still significant differences.

Both groups, police and prosecutors, tended to have different definitions of social media. Overall, prosecutors had more expansive definitions that included more mediums than the police. The following quotes from P3, a prosecutor, and P4, a police officer, showcase this difference. P3 mentioned:

I don't think you have to define it. It can be anything. I mean, it can be, its Instagram and its Facetime or not Facetime, Facebook and you know all those things now, Twitter and all of those sorts of things. But, I mean, in reality, I think it's got a much broader definition: its newspapers, its television reports, its radio reports, its billboards, its, all of that is social media. And it all influences everything. (P3)

When discussing P4's definition, they mentioned, "When I think of social media, I'm thinking of the apps that people are using to generate their communications, so Facebook app, sorry, Facebook, Twitter, WeChat, Snapchat, that type of thing."

Police tended to work with a similar definition I had at the beginning of this study, a more 'traditional' one, those close to Statistics Canada, the Merriam-Webster dictionary and other literature articles. For example, Statistics Canada defines social media as "digital platforms that allow users to create and share content ... online profiles, and to interact with other users," this definition lines up with P4's statement on the apps people use to communicate perfectly (Schimmele et al., 2020, p. 1). One difference was that police officers P1 and P4 usually referred to social media apps like Facebook and Twitter. However, even though P6, a fellow officer, referenced these apps in their interview, they were pretty broad and seemingly intentional in not

mentioning the term “app” in their formal definition. This description indicated that their formal definition was broader than their colleagues but, in practice, was relatively similar.

Compared to police, P2, P3 and P5, all prosecutors tended to have a broader definition that included at least more mediums. P5 was the prosecutor who provided what appeared to be the closest to a traditional definition, stating, “To me, social media is any sort of media or medium that is used by members of the public or journalist to communicate information or news to the general public” (P5). So, although it sounds as though P5’s definition could be closest to the traditional one, their mention of the word ‘medium’ means that their definition could include not only digital communication but also newspapers or TV (as did P3)



## **Chapter 6.**

### **Reflections**

The research question for this paper was: What are police and prosecutor perspectives and experiences with social media's impact on eyewitness testimony? Because this study was exploratory and the nature of it allowed for an interpretive paradigm, there was going to be no right or wrong answer; there was simply going to be something to discover. As a result, this question was answered, yielding compelling results. These results not only needed to focus on the themes related to participants' collective experiences and perspectives but, most importantly, the bigger picture related to individual participants' backgrounds and why they chose the experiences they chose and shared the perspectives they did.

Police and prosecutor's experiences and perspectives were heavily influenced by their job and focus within the criminal justice system. For example, because P2 was a prosecutor dealing with sexual assaults and other crimes against vulnerable people, the experiences they gave involved crimes against children and sexual assault. P3 worked on murder trials and gave examples of murder cases they tried involving social media. P5, another prosecutor, gave various examples, from murder cases to ones involving theft. P1, P4 and P6 were all police working in the major crimes division, and as a result, many experiences they talked about were crimes involving kidnappings, sexual assault, and murder. It appeared that the prosecutors gave a wider variety of answers, while the police officers' answers were often similar. This point remained true even when considering the fact that although the police officers came from the same division, they still had a variety of different backgrounds. For example, among other things, some previous experiences involved corrections from P1, economic crimes from P4 and the Integrated Homicide Investigation Team (IHIT) from P6. Nevertheless, despite these different

backgrounds, they all appeared to have similar experiences to report when social media was involved. One factor that could influence this similarity is that policing, in general, could include similar experiences that may not be present in prosecuting.

Not only did participants' experiences, and therefore their answers, depend on their job titles, but I also found that the length of time participants had to consider their answers to the interview questions also affected how they answered. I found that the participants who had answers prepared often relied upon what they had decided in their heads or written down before the interview. This phenomenon initially caught my attention when interviewing P4. P4 came prepared with a printed list of answers, and when asked questions they had missed, they found it either hard to answer or could not answer at all. For example, for question ten, where participants are asked to tell of an experience they had where social media helped a case in some way, P4 missed this question on their original read-through and could not think of one on the spot. Although this could show that P4, in particular, may have relied too heavily on their notes to answer questions, I believe this indicates the usefulness of sending the questions ahead of time. If participants were not provided with the questions, they likely would have taken much longer to answer if they could come up with something at all. P5, who could not view the updated questions beforehand, also took quite a long time to answer.

## **Chapter 7.**

### **Strengths and Limitations**

Transparency is always essential to any research study as it adds validity to one's work (Hesse-Biber, 2017). Part of the transparency process is stating the study's strengths and being honest about where the study has limits. The first limitation was in the selection of participants, specifically when it came to the police population. Although all police officers had a variety of backgrounds, they all came to this study from the same division of the RCMP with very similar years of service, with only four years of difference between the individual with the least experience and the most out of the three participants. Although it was not feasible to search longer for potential participants from other divisions with more diversity of time served due to the timeline set out for this study, it might have added another perspective to the results if police officers were currently working in divisions other than Major Crimes, especially considering the diversity of experiences prosecutors had.

Another limitation to contend with was time constraints. Although I had determined that this study had reached its saturation point, as many of the answers began to look very similar across both populations, the amount of time did limit the scope of this study (Hesse-Biber, 2017). For example, with more time, I could have done a more extended search and reached out to more diverse sets of police officers in order to assess whether similar answers were due to actual similarity in experiences or because there is a similarity in the type of police officers who decide to work in the Major Crimes division. I could also select participants with comparable years of service between the two populations, as all prosecutors had significantly more experience within the CJS than police.

However, these limitations can be explained as part of the exploratory process. This study aimed not to find concrete, generalizable answers but to explore the perspectives of a few police officers and prosecutors to establish analytic generalizability, which is what this study accomplished (Hesse-Biber, 2017). So, even if the saturation point was reached due to similar experiences stemming only from similarities in the type of officers who work in the Major Crimes division, their experiences as individual officers are still valid. As a result, they should be considered a launching point for developing other studies on a similar topic, as is the goal of exploratory work (Hesse-Biber, 2017).

Although there are limitations to this study, there are also many strengths. The first strength was the ability of the study to evolve and change. Qualitative studies using an interpretive paradigm have the freedom that many other studies do not in that the study itself allows more space to evolve with the results. As the study went on, it was apparent that some aspects needed fixing. For example, as mentioned in the results and discussion, some questions were changed or added as my study evolved and new information became available. This freedom allowed participants to dictate the results of their interviews and, subsequently, the results of this study, which is the goal of the interpretive paradigm. Another strength is the two different populations studied. I gained information from two sources: police and prosecutors. These sources allowed for data triangulation and ensured more significant reliability (Hesse-Biber, 2017).

The last strength of this study was its ability to reach the point of saturation (Hesse-Biber, 2017). During data collection, I found that after speaking with most participants, many answers to the questions started to sound the same. Of course, questions about experiences were often different because that is the nature of personal stories; they will be individual to each person.

However, all other information became repetitive. Answers were often either precisely the same or utilizing similar phrases or sentiments between all participants or between the same groups of participants. For example, for one question regarding whether social media's potential influence impacts the way the participants interview witnesses, all participants said it did; however, P2 stated that it did not, but they were "aware of the impact of social media on somebody's recollection of the event." Although they did not believe social media influenced their interviewing techniques, they were aware that it could affect the memory of the individual they were talking to, echoing the same underlying sentiment as the other participants.

## **Chapter 8.**

### **Conclusion**

Social media's influence on witness testimony from a qualitative perspective was important to explore because although social media may not be as influential as initially expected, it still affects people to a certain extent (Schimmele et al., 2020). Although the themes of this study focus on social media's role as neither good nor bad, eyewitnesses' decreasing importance, and the impact of the fluctuating nature of the CJS, among other things, the primary importance of this study comes in its ability to educate. Education is integral to the necessity of this project, acting as a guiding purpose. This point is essential because even if social media is not as big of a problem in practice, according to the participants I spoke with, it is still vital that people know that there are influences that can affect their testimony. As P6 says, "It is about really, I guess, education, and if there is a bit of an awareness of the potential impacts [of social media], then that's a good thing. But that's all really that can be done."

With these findings and conclusions also comes the potential for further research. Just because answers can be found with one study does not mean research ends there. For example, this study found some fascinating themes, one being that eyewitnesses appear to have less significance over the years, especially in court. With this theme came some engaging questions. One that could be explored with further research is the possible impact this shift to technology over witness testimony will have on the criminal justice system. A term known as the 'Tech-Effect' has been gaining more attention in criminological research, which is closely associated with the 'CSI-Effect' (Davis et al., 2011; Paullet et al., 2013). These terms often get used to describe jury behaviour in a courtroom, with the 'Tech-Effect' describing the potential for jurors to acquit when no form of technology like video footage or social media posts are brought as

evidence (Davis et al., 2011; Paullet et al., 2013). In comparison, the more specific CSI-Effect is used to describe the potential for jurors to acquit when forensic science, such as DNA or fingerprints, is not brought forth as evidence (Davis et al., 2011; Paullet et al., 2013).

Both effects may be an interesting source for further research when considering their ties to the theme of the decreasing reliability of witnesses in court. With technology becoming more ingrained in our everyday lives and its sophistication increasing, it will only become more challenging to tell what is real and what is not. Although the courts have yet to become over-reliant on technology, it is possible that day could come. This speculation, paired with the relative speed at which new technology gets developed and the slowness with which the justice system moves, makes it possible that technology and video evidence may not be as viable as they once were, similar to the evolution of eyewitness testimony. Not long ago, witnesses were viewed as indispensable, especially if they presented as confident in their identifications (Garrett, 2011). What happens when technology reaches this point? This topic could be the source of further research, asking police and prosecutors about their perspectives on the ‘Tech-Effect’ and how this could affect not only jurors but also the court process as a whole.

This study is significant to the field of criminology because it offers a new perspective on something only recently explored in the field of psychology. With the case studies mentioned, it is easy to see that social media has played a role in case law for many years (*R. v. Mohamad*, 2014; *R. v. Paxton*, 2012; *R. v. Pearce*, 2017). Although this study may not be generalizable to other police and crown prosecutors across Canada due to the small sample size, the patterns and themes that have been extracted can be a great jumping-off point for further criminological research. It can also act as a way for citizens to be aware of how their actions can influence an investigation. In the *R. v. Pearce* (2017) case, using Facebook to make an

identification was enough to get charges dismissed against the alleged perpetrator in court, leaving the victim's testimony permanently tainted. If a crime happens, people need to be aware that their actions can have real consequences in the criminal justice process, and this study can help inform people from an expert perspective.



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## Appendix A.

### Recruitment Letter

To Whom it May Concern,

I am writing to let you know about an opportunity for you to participate in a research study about police and prosecutor experiences with social media's effect on eyewitness testimony.

Participation will include approximately one to two hours of your time participating in a one-on-one, in-depth interview. The study will be conducted at a time and date most convenient for you. I want to discuss your time as a police officer/prosecutor and your experiences with eyewitnesses. You will be asked about your specific opinions and experiences dealing with the intersections of social media and eyewitness testimony, whether you believe social media affects eyewitnesses and what can be done to mitigate these impacts.

I am looking for participants who are either police officers or crown prosecutors who are either actively serving or recently retired. I would appreciate participants with a few stories about how social media has impacted witnesses. I would also like to talk with those who have worked for at least 15 to 20 years within the criminal justice system, as I would appreciate a perspective on how the impact of social media has changed over time.

If you or someone you know would be interested in participating in this study and meet the criteria above, or you would like additional information, please feel free to contact me, Tasha Nazar, at [nazart@student.douglascollege.ca](mailto:nazart@student.douglascollege.ca). If you prefer to speak with my supervisor Caroline Greaves, you can contact her at [greavesc@douglascollege.ca](mailto:greavesc@douglascollege.ca). This study has been reviewed by the ethics board at Douglas College. However, if you have concerns or want to view the standards to which this study has been held, you can contact the Research Ethics Board directly at [reb@douglascollege.ca](mailto:reb@douglascollege.ca) or visit [Research Ethics & Policies | Douglas College](#).

I greatly appreciate your time, and thank you so much for your consideration.

Tasha Nazar

Honours Student

Douglas College

## **Appendix B.**

### **Consent Letter**

Police and Prosecutor Perceptions and Experiences with Social Media's Effect on Eyewitness Testimony

Dr. Caroline Greaves, Faculty Supervisor, [greavesc@douglascollege.ca](mailto:greavesc@douglascollege.ca), 604-527-5301

Tasha Nazar, [nazart@student.douglascollege.ca](mailto:nazart@student.douglascollege.ca), 778-246-0506

#### **Purpose**

I am a third-year student at Douglas College running an exploratory study on the experiences police, and prosecutors have with eyewitnesses and how social media may affect their descriptions of crimes. This study hopes to gain knowledge about how police and prosecutors deal with social media's impacts on the testimonies and identifications witnesses make.

#### **Procedure**

You will get asked to participate in a semi-structured, one-on-one, in-depth interview. This interview will take place in person at a location that is most convenient for you. However, if you prefer an online meeting over zoom or a phone call, I can certainly arrange that. You will get asked about your experiences with eyewitnesses and, more specifically, how much you believe social media has impacted their descriptions of potential perpetrators.

#### **Risk**

While every precaution will be taken to reduce every possible risk, there are always some risks associated with any research study. In this study, you will not be asked questions extending risk further than everyday work stress. However, because of the free-flowing nature of semi-structured interviews, a particularly distressing case could get brought up that could lead to possible feelings of, but not limited to, anxiety, fear, and discomfort. As a result, if you feel the interview is too distressing at any point, let me know, and we will conclude the discussion or take a break immediately. If you withdraw consent, I will erase all recordings and information you have provided thus far.

#### **Confidentiality**

Your name will not be attached to any documentation or data other than this consent form and email communications unless you say you are comfortable with disclosing your name. With your permission, the interview will be recorded on a separate device and kept in a securely locked box that only I can access in my home office at 10293 243st., Maple Ridge, B.C. All identifying

documentation, including this consent form, will be held in the same secure location as the device with the raw interview. If you do not wish to be recorded, please let me know ahead of time so I can prepare to take physical notes. The interview will be held at a neutral location that is most convenient for you, with no signage or indication as to the nature of our meeting as long as it does not put you at unnecessary risk or violate confidentiality. If you do not wish to get identified, you will be assigned a numeric value in all documentation. All raw recordings of the interviews will be destroyed immediately after transcription. These transcriptions will only have you indicated as P (Participant) followed by your numeric value unless you have specified that using your name in the data is acceptable.

### **Voluntary Participation**

Your participation in this study is voluntary. If you wish to withdraw your consent at any point, please email me your intentions. If you do not feel comfortable telling me directly, you can contact my supervisor, Caroline Greaves, at the email provided. If you wish to withdraw consent during the interview, please let me know, and we can conclude the discussion, and I will immediately erase all information you have provided. You are not obligated to answer any questions you do not feel comfortable answering. Some of the questions I ask you may differ depending on your role in the justice system, but these changes will be minor. If you have questions about this, please get in touch with me at the email provided.

### **Questions and Concerns**

If you have any questions regarding any aspect of this study, please feel free to contact me at the email address provided above. All communications will be kept confidential. This study has been reviewed by the Douglas College Research Ethics Board (REB). However, if you have any concerns, contact the REB directly at [reb@douglascollege.ca](mailto:reb@douglascollege.ca).

If you would like to participate in this study, please sign and date the bottom of this page and return it to me, Tasha Nazar, at the email above. Please remember that signing this form does not obligate you to participate moving forward. You are free to withdraw your consent at any time. Simply let me know, and I will erase this letter and all communications.

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By signing this form, I acknowledge I have read and understood the terms and conditions of my participation. I understand that my participation is voluntary and can be withdrawn at any point. I understand that after I submit this consent letter, I will receive a confirmation from the head researcher to arrange a time and place that is most convenient for the interview.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **Appendix C.**

### **Interview Questions**

#### Demographic/Ice Breaker Questions:

1. How long have you been a police officer or prosecutor?
2. On average how many witnesses have you dealt with?
3. What is your most memorable experience with an eyewitness?
4. What is your definition of social media? What do you consider to be social media when conducting an investigation or prosecution?

#### Study Questions:

5. How often do you believe eyewitnesses get their identifications wrong in general?
6. Do you feel social media, according to your definition of it, influences eyewitnesses? If so, in what ways? What do you believe are the consequences of such actions? If not, what do you think has the largest influence on witness testimony, for good or bad?
7. How common do you believe it is for eyewitnesses to use social media to find a potential perpetrator before giving a statement?
8. In your experience, which age group is commonly influenced by social media exposure? Can this impact accuracy between age groups?
9. Have you experienced a specific time when social media was an influencing factor in an eyewitness's testimony? If so, how did the situation play out? What was your role?

- If not, do you know of a colleague or more well-known case where social media was a factor? If so, based on your experiences what is your opinions and perspective on how social media factored into that situation playing out?
10. Have you experienced a time when a witness searched social media and helped your case? If so, can you explain the situation? In what ways did it help?
    - If not, do you know of a colleague or well-known case where social media helped in some way? If so, can you give your opinions and perspective on how the situation played out?
  11. Do you feel social media can influence witnesses during court proceedings? If so, in what ways? Have you had an experience with this?
    - If not, what do you feel influences witnesses during court proceedings the most?
  12. Do you feel social media influences witnesses at the scene? If so, in what ways? Have you had an experience with this? (Police)
    - If not, what do you believe influences witnesses most at the scene?
  13. Have you ever had to discount a witness's statement because they misremembered something due to social media exposure?
    - If not, do you know of a time when this has happened in another case? What are your thoughts on how this case played out?
  14. In your perception, at what time in the process do you believe social media is most influential to the witness's testimony? For example, during an identification, in court, at the scene, etc.
  15. Does the idea of social media's potential influence on the witness ever influence the way you interview? If so, in what ways? If not, why?



16. In your opinion, can anything be done about eyewitness vulnerability online?

Prompts/Extra Questions:

1. Can you put a witness on the stand you know, or suspect may be compromised due to social media? If so, how do you prep them for court? Can you put a witness like that on the stand if there are no other options? How does disclosure work in a situation like that?  
(Prosecutor)
2. In your perception, has social media changed how eyewitnesses describe crime scenes and potential perpetrators over time? If so, what has changed?
3. Have you ever used social media yourself to find potential suspects or help your case in some way? If so, what does this process involve? If not, what stops you from doing so?
4. In your opinion, have you noticed a change in the number of eyewitnesses at crime scenes or usable for court cases? If so, what has changed? Are you getting more or less witnesses? In your opinion what is causing this change?
5. Are you able to look at the witnesses' social media search histories before questioning them? If so, how does this process happen, and have you needed to do this? If not, why?

## **Appendix D.**

### **Mental Health Resources**

1. Crisis Centre/Mental Health Support Line, British Columbia – Is a helpline that can be reached 24 hours a day, 7 days a week to provide emotional support and links to helpful resources. They can be reached by phone at 310-6789 or by live chat at [www.CrisisCentreChat.ca](http://www.CrisisCentreChat.ca).
2. COPLINE – This is a 24-hour peer-to-peer international hotline for police officers in distress to provide confidential support. They can be reached by phone at 1-800-267-5463.
3. Government of Canada's Employee Assistance Program – This is a helpline that provides short-term counselling for personal work-related problems and crisis counselling to Canadian government employees, including the RCMP and the Public Prosecution Service of Canada. They can be reached toll-free at 1-800-268-7708.
4. PTSD Coach Canada – This is a mobile app that can be downloaded for free onto an Apple or Android device through their corresponding app store. It was developed by Veterans Affairs Canada and provides resources and information regarding managing symptoms of PTSD. More information about the application can be found at this website [PTSD Coach Canada - Mobile Applications - Stay Connected - Veterans Affairs Canada](#).