

Closed Caption of Podcast 1.2:
New Tech, New Strategies: Investigating Cyber Abuse on Campus

IMELDA:

Welcome to the Cyber Abuse Project podcast series where we invite guests to talk about the use/misuse of technology in sexual assault, domestic violence, dating violence, and stalking (including cyber stalking). This project seeks to support the work of criminal justice professionals as they navigate these cases. I'm Imelda Buncab, Project Coordinator with the California Coalition Against Sexual Assault. Joining me is my co-host and colleague, Tyreena Heck, Community Initiatives Coordinator, with Break the Cycle. Hi Tyreena!

TYREENA:

Hi Imelda! Break the Cycle is excited to be working with the CA Coalition Against Sexual Assault as our partners in the Cyber Abuse Project, and we look forward to hearing from a variety of criminal justice professionals as this series continues. This is one of many resources the Cyber Abuse Project will be releasing to provide more focused technical assistance to criminal justice professionals that include law enforcement, campus safety, school resource officers, and school administrators.

IMELDA:

Yes, this podcast is the second episode in a series of six that will explore strategies to enhance the response of campus law enforcement officers in cyber abuse cases. In our first episode we focused on centering the series on the experience of youth survivors. Today we continue the series by discussing trends in social media, techniques for collecting evidence, and new training methods for campus safety personnel.

TYREENA:

That's right, today we are really excited to have our guest from the Austin Independent School District Police Department, Sgt. Lance Cox, who has trained hundreds of law enforcement officers on social media use and investigations across the state of Texas. In 2007, Sgt. Cox was promoted from School Resource Officer (SRO) to detective and started working on cyber abuse cases involving students. Today, Sgt. Cox is a contract presenter for the Texas School Safety Center at Texas State University and enjoys training fellow officers and civilians on the latest trends in cyber abuse with social media. Welcome everyone to the Cyber Abuse Project podcast episode New Tech, New Strategies: Investigating Cyber Abuse on Campus! And hello Sgt. Cox! It's a pleasure to have you here with us today!

SGT. COX:

Good Afternoon, I'm glad, I'm excited to be here.

TYREENA:

Sgt. Cox, can you give us some background on your experience in investigating cyber abuse cases involving dating and sexual assault as a School-Based Law Enforcement agent?

SGT. COX:

Sure, I was fortunate in my law enforcement career to begin before the whole social media boom. I was a young officer when social media came on the scene when the cellphone boom hit. Which really changed the dynamics of relationships. When I moved into my detective position in 2007 things on social media were really getting their start, so a lot of our investigation shifted from personal face to face crimes to cyber crimes. Which was a whole new area for us, something the older officers at the time had to train extensively on. It changed the game across the board specially when we are talking about dating relationships.

TYREENA:

Sgt. Cox you started your career over 20 years ago at the beginning of the social network boom. How has addressing cyber abuse cases changed over these last two decades? Have you noticed any trends in the platforms students are using?

SGT. COX:

I have, a ton! So I think and this is my opinion. I think that the students that we serve every day and the ones that are a part of our investigation they are the trend. They are the ones that accept the trend. Digital media, the social media changes everyday there's a different platform. People always ask me, what's the one they use the most? I have a hard time telling them. It changes every day! I always like to ask the kids how many of you are on Facebook? Facebook has now become Myspace. Nobody is there except for the older generations. They moved away from it they are using Instagram, Snapchat and every other new social media platform that is coming out. I think that the biggest draw to that is the movement towards the full anonymity on social media. They don't have to be themselves, they can be anyone. Which changes the game again for law enforcement.

TYREENA:

Have you noticed any trends in the types of abuse happening with technology?

SGT. COX:

The use of technology makes it easier for the abuse to occur. Not so much physical abuse, but the mental aspects of it. I use kids loosely we are talking about 12-20 years old here, they are the ones that we deal with. They have a hard time disconnecting from digital media. The kids that don't spend all of their time together in a relationship face to face mix all of it together online somehow. And kids that would normally not be abusive, mentally abusive moving in to physical abuse face to face find it easier to do it online. What does that look like? There's so many different ways that they can use that power against their significant other. Is it words? Is it pictures? Is it secrets that they share with each other that now they are going to share with everyone? Is it blackmailing the other party? Is it holding something over head until they get something that they want? Possibilities are almost endless.

TYREENA:

Noticing all of the many different trends...Has there been any changes in the way school-based law enforcement professionals have been trained on this issue?

SGT. COX:

There has been, because digital media and the evidence that comes with it is totally different than the way we collected evidence even ten years ago. Because now we have to worry about quicker destruction of evidence than say writing something down on a piece of paper. Someone was passing notes that had red on it, threats were being made to someone through a third party. Well now is being done with digital media whether is through the phone or through some social media app. And again like I mentioned, a lot of time with things being as anonymous as they say they are. It's even more difficult for us to gather that evidence. So we have to train our officers on what's expected at the offset of a criminal investigation now rather than waiting to later to get that evidence. Because if we wait, the chances of them destroying it themselves. Whether is deleting it from their phone, deleting their profile, deleting whatever app they were using. The chances of us getting that, lessen now the longer we wait. We have to train the officers, to what to look forward up front. And be conscious of these things so that we know what we need to gather. As far as phones, computers whatever the case may be at the offset of the investigation.

TYREENA:

Many social networks are starting to follow Snapchat's model of expiring stories and posts after 24 hours. Along with the issues of it being anonymous. What kind of barriers does this present for criminal justice professionals?

SGT. COX:

That makes the time crunch on us even more so. There are some tricks of the trade that we use to get information from these companies, from the parent companies of these apps. Just because is gone from your phone in front of you it doesn't necessarily mean that is gone. Most of the times it's stored somewhere we just have to figure out how long they retain it and if we can get to it in enough time before they dock it. Because you are talking about 2005 you go from a couple of thousands of users to millions to billions these companies can't store that much information. So, they have to consultate something you know the retention of that information on their side costs them more than it's worth to keep the app up and running. But like you mentioned a lot of those companies have followed snapchat's lead. Why were they so successful? because, hey! everything that I just sent you is gone. so I don't have to worry about it. It deleted it for me. Why not follow the lead of the app that just jumped in front of you? So, let's set up our platform this way to try and coerce their users over to our side. Unfortunately, for us the law enforcement that is the trend right now. Makes it a little more difficult, but we train on it, we constantly train our guys on the trends that we see. We try to stay connected to the kids that we serve every day and the ones that we are around to find out what's going on in their world. What are you using? Where do we need to go to further our job to better serve you?

TYREENA:

Absolutely! And I know, you know, with stories expiring within 24 hours and posts expiring so quickly. It creates that barrier. What are some practical ways law enforcement can collect evidence before it disappears?

SGT. COX:

Unfortunately, the best thing for someone to do, take a screenshot of that. Okay? But most people know what happens, if you screenshot something off Snapchat. It alerts the other person. (hey! I just took a screenshot of it). There's a built in safety feature, if you will on their side. The other user and we always put that up to them first. That will be the best thing for it. If not get another phone, get your parents phone, get somebody else involved and take a picture of it. If you can see it and we can't log in to your device or your account and get it from there, then take a picture. You don't have to screenshot it now because we don't want to put you in harms way anymore than they already. We ask them to just get someone else involved at the time take a picture of it. The easiest way to do it.

TYREENA:

Take a picture of the post on that person's phone, but with a different phone.

SGT. COX:

Correct! Because most victims are afraid that (you know) if I screenshot this they are going to know that I took a picture of it. They are going to know that I have a screenshot of it. That just puts a whole different set of pressure on them. To alleviate that pressure we just tell them to take a picture with a digital camera or somebody else's phone. So we have the message, we have the content before it goes away. We can link it to person who posted it and that just helps in our investigation. Because too many times people come to us after the fact. And they say "Hey, these are the things that were being said to me, but I don't have the post anymore". I don't know if that was really said. I mean, you can be coming to me and tell me anything. But, if I see it and I have something to physically hold in my hand as far as a picture or print out. And I can link what is being said to you as a victim back to the person that is sending it you. Chances for us moving to criminal charges are much bigger.

TYREENA:

So, the key to collecting evidence is really the screenshot. It's being able to take that picture of it and having it.

SGT. COX:

Correct! Specially in the a world of the disappearing messages now a days. You know, before that if you brought me something and said "hey, this person is harassing me online" it was easy as to let us log into your account right here. Let us take all the information we need and then we'll log out. Now a days we can't necessarily do that. If someone is sending you threatening messages on a Friday night or a Saturday night and you don't report it to us until Monday. Chances are we are outside of that 24 hour window and we are not going to see it.

IMELDA:

Also, young folks are sharing social media accounts. What kind of challenges or barriers can that pose when young people are sharing social media accounts and one of them is the abuser and then the other is the subject of the abuse?

SGT. COX:

The security of social media is probably one of the most frustrating things for us as law enforcement officers. Because no one policies Facebook, Instagram, Snapchat. And we found kids with multiple accounts under multiple names. As far as law enforcement goes, being able to take a screenshot of something that we are going to use as evidence. We have to be able to link it back to the person that you are telling us that is coming from. Can we do that just through a screen name? Probably not, we have to go dig in further to make sure that we know they are the ones that set up the account up. That's not their name, that's just a fake name that they are using. And then it gets a little bit more challenging as we go a long. Because as we evolve in our investigation, the kids are evolving in their suspicious activity online. I mean they know far more than we do. How to get around, (you know) with something simple as setting up a different account with a different email on a different yahoo, or gmail. And we found multiple logins usernames on different accounts. You know, we went from a 100 piece puzzle to a 1000 piece puzzle. To try and piece this things together for the investigation that involves digital evidence.

IMELDA:

And speaking of piecing a 1000 piece puzzle, how resource intensive are these cases for you to investigate?

SGT. COX:

Depending on the nature of what we are investigating. I mean they can get pretty labor intensive. I am thinking of cases right now that I've had in the past where I've got 3, 4, 3 inch binders full of digital evidence. Things that have been printed off, USBs drives that are just full of digital evidence and it's a very complicated matrix once you get inside. Because You have to go down the trail to another trail, to another trail. And depending on how sophisticated the person is that you are investigating it can be very easy or it can last for weeks. Trying to trace back to the source. It can be pretty tiring at times.

IMELDA:

Do you think because of how labor intensive these cases can be it can dissuade some folks to want to investigate. Or do you get a lot of support investigating these cases?

SGT. COX:

I think it can dissuade some people because this is not for everyone. I've worked with law enforcement officers who have 22 years career that don't want to touch digital media. Because they don't know anything about it They don't want to investigate social media crimes or anything that comes in through social media because they don't know anything about it. We as law enforcement even on the older end we have to adapt to to our surroundings. This is where the kids live. I have a 13 year old daughter so, I know. She's on social media as much as I allow her to be, but she's still there. And that's where she spends a lot of her time. So, I've worked

with kids, I have for the last 22 years and as an educational law enforcement officer I have to do what I need to do to stay up with the trend. I can't hide from it because then I am doing a disservice to the kids. I am doing a disservice to their parents the people that are involved in these investigations that want to tackle these types of crimes. Most of them want to be there, it's a whole different skills set from just being a police officer. Luckily, like I said earlier I got in very very early. Before it flourished like it is nowadays there were very few places that we had to go to investigate. It was (you know) Myspace, it was a chat room somewhere. Chat rooms are a thing of the past, but that's what we used to go. We would go and we would subpoena companies and we would get chat records from chat rooms. Because that's where everybody would hangout. Nowadays same thing they are just doing it through an app. The guys that want to take on some of these investigations. They are the ones that want to be there because that is something totally different they didn't teach this in the academy.

TYREENA:

Speaking of those trends. Over the last couple of months we've heard a lot about David's Law from School Resource Officers in Texas. Could you tell us a little more about David's Law?

SGT. COX:

So, David's law passed in this last legislative session. It affects public schools and cyberbullying in three different way. One thing that is important to know is that public schools and open enrollment charter schools are the ones that are affected by David's law. Private schools are not included under David's law. Now, they changed three different sections. The criminal cause, the silver code and the education code. On the criminal side they modernized the definition of harassment to include cyber bullying. Because up until now, harassment was either in person, on the phone or by electronic means. That's all it said, but it really didn't define cyberbullying it was a wide open topic. They also increased the penalty from a class C misdemeanor, which is a little citation. To a class A misdemeanor which is an arrestable offense. On the civil side of things David's law now makes it easier for someone to get a protective order, if you will, against the person that is bullying them. And depending on the severity of the situation they may issue a protective order against that person's parents as well. That's something that we've never seen before. Before now, if you were being bullied the old attitude was "just suck it up, you are gonna have to be tougher than that." but you know, we know that the game has changed tremendously with cyberbullying and the pressure that is being put on kids. Through David's law it gave us more teeth than we've ever had. Now, on the education side of things, David's law now gives public school administration the authority to address cyberbullying procures off campus. Which it never had, if it didn't happen in front of them, the rule was that they didn't have to do anything about it. So now, it gives them more power to address the bullying. It gives them the power to expel, to move to an alternative program, it now gives them the opportunity to report what's being given to them to law enforcement and then we look it internally.

TYREENA:

What actions are Texas schools taking to enforce the new policy?

SGT. COX:

Cyberbullying is a very sensitive subject right now. It is something that school districts are really paying attention to. Because we understand the ramification of someone being bullied continuously and no one addressing it. Working in the schools as long as I have. I've seen the evolution of (you know) bullying, cyberbullying to where we are at now. I've dealt with cases of extreme cyberbullying that didn't end well. As a law enforcement officer, as a parent that's hard for me to accept. Knowing that there was a child out there that was being bullied to this point. That they didn't feel like there was anyone else on their side and there was nothing else for them to do other than to try and take care of it themselves. Over the last couple of years school districts have really stepped up and said "hey we need to adopt policies on cyber bullying, we need to figure out a way to address it everyone needs to understand how it's going to be addressed and it's not going to be tolerated." Again we moved from the face to face bullying, shoving people in the lockers, punching people as you walk down the hallway. To the constant pressures and bullying online that happens all afternoon all night long when they are not together in school.

IMELDA:

I think that David's law is a really wonderful founding policy approach to addressing cyberbullying and online abuse. *Are you aware that these kind of laws have been adapted in other states and how has it helped you work?*

SGT. COX:

I haven't really focused too much on other states and how they have adapted the policy around cyberbullying. As we were working together here in Texas to put together David's law and try to tweak it to what we need it. I mean there was a lot of involvement of school district law enforcement, (you know) we worked closely with district administrators and had quite a bit of input on what we would like to see in this law. Because it is frustrating for us when parents come to us. You know, before this they wanted us to do something and there was nothing we could do. Because bullying was simulation. Unless they physically hurt your child, there was nothing I could do. Again, as a parent as a 20 year law enforcement veteran, who has done nothing but working with kids. That's hard for me to tell someone, but now (you know) David's law gives us the policy that we need in the school district. It allows the kids to report without fear of being bullied themselves. Use the administrators to deal with situations on and off their campus. And as for law enforcement if it gets to the point where it is severe enough for us to arrest. Kids can actually be arrested now, for bullying. In my 22 years that has never happened.

TYREENA:

Well you know, SGT. COX , in a perfect world, what kind of training would best equip school based law enforcement officers to investigate dating and sexual assault cyberbullying cases?

SGT. COX:

I think law enforcement officers dealing with these types of incidents it has to be a constant training. You have to evolve with the trends that we are seeing. Because I have been to trainings before that talk the latest and greatest, but s the same thing I saw 3 years ago and we all know that the things that we saw 3 years ago don't apply today. Training us on what's going

on in front. What are the things that you are seeing on your campus that you are dealing with the kids that you need training on. Relationships in general have changed. People are not teaching their kids how to have a relationship, kids are learning what they are seeing online. And a lot of the problems with the relationships that we deal with as law enforcement is mirrored from what they are watching online. "This is how I see people treating others, this is how I see couples acting online., that's what I do." When in reality, they are watching an edited video. That's not reality, the reality is the person sitting next to you and how you treat them. We have to constantly remind our officers, we have to constantly seek out trainings for them that puts them in that scenario. This is not the pen and paper days that we used to work in. If we are going to keep up with what the kids are doing we have to know what they are doing. I would love to see some youth led training. So that officers can hear a first hand perspective, especially from a 17 year old female. Who has being a bad relationship who has dealt with all this things. In this field as sensitive as the subject is. I think that would benefit us law enforcement to hear it from them, you know. "This is my personal experience in my relationship we did this investigation this are some of the things that I went through and this are the things I wish could of happened during this process. And then we as law enforcement can go back and change up our approach to a little bit. So that we are actually meeting the needs to the ones that we serve. Rather than just going after taking a call.

TYREENA:

Absolutely! So, you are saying having trainings that are led by young people. That would be the most helpful.

SGT. COX:

Because technology, again changes everyday. I keep up with it as much as I can. But even then when I mention some of the things that I know about to other people in law enforcement they are like, "What are you talking about?" Because we don't always keep up with the same thing. I have invested interest on social media. I am trying to keep my own daughter safe along with kids that I deal with at work. We are all trying to learn from each other.

TYREENA:

So maybe a combination of in-person training and also webinars?

SGT. COX:

I think if there is some type of youth led training that is developed. The youth, I think should be part of the instruction with the adults, because we as law enforcement officer I want to sit and listen to this young person in front of me. I would much rather hear it in person than watch it from a computer. I think that is more impactful to my everyday work to hear their story in person. And I think that would be great to do once a year. Obviously, you are not going to have these kids try to put a training together every six months. But if you could come up with one in person training, I think, that would be amazing! Just to kind of keep everyone up to speed and on topic.

TYREENA:

And you are saying that these trainings could be co-facilitated between a young person and an adult or/and law enforcement?

SGT. COX:

Yeah! If you can have law enforcement instructing the training along with the youth. I think that would be even better, because you are going to get my side of it. Whoever is conducting the training is going to get the law enforcement side of it and those law enforcement officers continuing the training are going to actually hear a first hand stories that aren't scripted from these kids that are standing in front of them. Because at the end of the day those are the victims those are the ones that we are there to help. And nothing is going to be more powerful than having one of them standing in front of them saying "Hey, this is what I went through. It was a great experience" I think that moving forward this are some of the thing I would of like to see happen just to make things a little better just because I'm not going to kid myself and say that all law enforcement officers are as sensitive as they need to be. They are not, but you know I think when you hear it from the ones that you serve those are how you make improvements. You take your job tweak it a little bit based on what they are telling you then the next person can reap the benefits of that.

TYREENA:

It's listening to the young people who are actually impacted by these issue and hearing their needs and getting training from those first hand experiences.

IMELDA:

And working with them and that's an important piece. You are really engaging them and asking young people to collaborate with you, because also in these cases they're the evidence collectors they have to takes these screenshots. They have to document everything just like if you will traditional stalking cases. The victim has to collect all the evidence before something else happens, and so just in the virtual world this happens to young people and that can take a toll and so to know that they have someone like you to work with them is so paramount and knowing that they can get through this. I really appreciate you saying those comments.

SGT. COX:

Sure I was a detective for 10 years, and I realize the more that I can empower my victim the stronger my case was going to be. Whatever it was it's always hard dealing with 13,14,15,16 year old victims, because they are scared, they don't know the system, they are not an adult, and they are not thinking clearly. So the more I can empower them. We are here to help you, we are hear to listen to you. I'm not just going to push you off on some other agency, because it's always easy for us to do. I can push you off on somebody else. I'll take the recognition for it and then these people are going to help you and they get bounced around to 4 or 5 different people, but when you have to sit down, spend time with them. They understand that you are there for them. I am here to help you, whatever I can do, they clearly understand that hey this may not work out, but it may work out. But we just can't give up on it. My work became easier the more time I put in, in the beginning the easier it was throughout the investigation. Most of the victims

that we deal with they want help, somebody that is going to listen to them and if you spend a little extra time. You build that trust. Everything on your side is going to be so much easier.

TYREENA:

We really appreciate all of the insight and knowledge you have on cyber abuse on campus. We cannot wait to share your expertise with criminal justice professionals and campus administrators across the country. Are there any final words or thoughts you want to share with our audience?

SGT. COX: You know first of all thank you guys for having me. I definitely enjoy being apart of this project. I think raising a daughter, this is extremely important to me. Whatever I can do, whatever knowledge I can share to get more law enforcement officers involved and get more kids out there that need us involved. If this helps we've done a good thing.

TYREENA:

Well Sergeant, thank you so much. We definitely appreciate it!

IMELDA: You just heard an interview with Sgt. Lance Cox in our second episode of the Cyber Abuse Project's podcast series. Tyreena, Sgt. Cox had so much passion for his work and for helping others.

TYREENA:

Yea he did, and he shared some great ideas on how to collect evidence and keep up with social media trends in order to investigate cyber abuse in sexual assault, domestic violence, dating violence, and stalking cases involving young people.

IMELDA:

Yea it sounds like he had some ideas that could directly benefit secondary campus safety personnel in the criminal justice field. What were your favorite takeaways?

TYREENA:

So one of the biggest things we learned from Sgt. Cox is around collecting evidence from young people during the cyber abuse case investigation. Sgt. Cox mentioned several times that the best way to collect evidence is by having the youth victim take a screenshot of the post, text messages, or comments in question before they're deleted or disappear. The quicker law enforcement can receive this type of physical evidence, the sooner they can begin to investigate the case and start their trace back process to identify the originator of the post.

IMELDA:

So capturing evidence with a screenshot is key, and this is something students should do as soon as they see one of these posts.

TYREENA:

Absolutely. He also mentioned that certain platforms like Snapchat alert users when someone screenshot their post. If that's the case then it may be beneficial to involve friends or another person who would be willing to store the evidence on their phone.

IMELDA:

It sounds like in order to increase the chances of a successful outcome in these cases, young people and school based law enforcement officers have to act quickly and work together during the investigation process. Were there any other striking takeaways, Tyreena?

TYREENA:

Yes, Sgt. Cox also talked about how young people are already the social media experts, and could potentially help criminal justice professionals in keeping up with trends in how each of the different platforms are being used. Sgt. Cox started his career over 20 years ago at the beginning of the social network boom, so he's seen how quickly students will switch from one platform to the next, and the difference in how students use each site or app. In his opinion, this could be a perfect opportunity for law enforcement to work in collaboration with youth to provide additional social media training for officers, that is led by young people. And quite frankly, I couldn't agree more with this amazing idea.

IMELDA:

Wow Tyreena, that sounds super interesting! Well that concludes our second episode in the Cyber Abuse Project Podcast Series. Thanks for joining and be sure to tune in to the remaining podcasts in the series by visiting breakthecycle.org.

TYREENA:

The Cyber Abuse Project addresses the use/misuse of technology in sexual assault, domestic violence, dating violence, and stalking (including cyber stalking) cases. Cyber Abuse Project is a project of Break the Cycle and the CA Coalition Against Sexual Assault. It is supported by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the authors and do not necessarily reflect the views of the U.S. Department of Justice, Office on Violence Against Women.

Visit Break the Cycle's website at breakthecycle.org and CA Coalition Against Sexual Assault at calcasa.org to learn more about our work and the Cyber Abuse Project resources.