TWEETS SPEAK:
INDEFINITE DISCIPLINE IN THE AGE OF TWITTER

STEVEN JAMES MAY

It was clear to anyone attempting a stroll through the downtown core of Toronto, Canada during the city’s 2010 G20 Summit that the Toronto Police Service (TPS), along with the Royal Canadian Mounted Police (RCMP) and other Canadian police services that comprised the ad hoc G20 Toronto Integrated Security Unit (ISU), were doing their best to manage the flow of people across the city. In addition to fencing off downtown streets and issuing special ID cards to residents and commuters, the Toronto Police Service was also doing its best to manage the flow of information during the G20, specifically information shared across the online microblogging platform Twitter.com.

This article explains how three North American police services have extended technologies of discipline via the monitoring and use of Twitter during and between mega-events such as the 2010 Toronto G20 Summit. Mega-events are defined as “high-profile, deeply symbolic affairs that typically circulate from host city to host city” (Boyle & Haggerty, 2009, p. 257). Taking as case studies the 2009 Pittsburgh G20 Summit, Toronto’s G20 Summit in 2010, and the 2011 Occupy Wall Street protests in New York City, the Twitter-related arrests of activists at these mega-events reveal the ongoing work of maintaining “indefinite” discipline (Foucault, 1977, p. 213) in North America. Furthermore, any citizen’s decision to share, or not to share, information on Twitter (information otherwise often publicly available) at any time also falls within the scope of such ongoing surveillance of Twitter, where users of the platform find themselves increasingly complicit in the work of their own discipline.

Twitter as a Site of Discipline

As Michel Foucault observed, police services in the West have had, since the eighteenth century, the dual responsibility of both apprehending criminals and
shepherding “the indefinite world of a supervision that seeks ideally to reach the most elementary particle” (1977, pp. 214–215). Police services have, according to Foucault, “extended an intermediary network, acting where they could not intervene, disciplining the non-disciplinary spaces” (1977, p. 215). Such disciplining, as defined by Foucault, is “a type of power, a modality for its exercise, comprising a whole set of instruments, techniques, procedures, levels of application, targets; it is a ‘physics’ or an ‘anatomy’ of power, a technology” (1977, p. 215). The job of the police then is, in part, to “assure that discipline reigns over society as a whole” (Foucault, 1977, p. 216). For example, the invitation made by the ISU leading up to the 2010 G20 Summit for Toronto residents and commuters to apply for special ID cards in advance of the summit was a disciplinary measure to direct the entire population of the city to comply with security measures. By willingly turning over personal information and proving to the police that they had a legitimate reason to be in Toronto’s downtown core, these ID holders were rewarded with hassle-free and speedy passage through the city. Those who did not apply for the “optional” ID cards risked being late for work, having their belongings randomly searched, and possible detainment. As Mark Andrejevic states, “increasingly individualized forms of governance” relate to the “offloading of the duties of monitoring associated with a panoptic regime onto the distributed subjects of the gaze” (2005, p. 485). Citing Foucault (1977), Andrejevic describes the “goal of panoptic discipline is not just to produce ‘docile bodies,’ but to maximize the body ‘as a useful force’ (221) to amplify, to ‘increase production, to develop the economy, to increase and multiply’” (2005, p. 485).

Foucault’s notion of “useful” bodies, along with Andrejevic’s concept of lateral surveillance involving “peer-to-peer surveillance of spouses, friends and relatives” (2005, p. 481), reveal the rewards of not posting certain information to Twitter. When users refrain from tweeting or re-tweeting activist-related mega-event information to Twitter, they are rewarded with hassle-free passage through Twitter’s “real-time information network that connects (them) to the latest stories, ideas, opinions and news about what (they) find interesting” (Twitter, n.d.). Alternatively, those Twitter users who do not refrain from sharing activist-related mega-event information risk jeopardizing such hassle-free use of the platform. Posts made to Twitter during and between mega-events represent a type of disciplinary amplification mentioned by Andrejevic, one that is directed at leveraging the work of tweeting and teaching tweeters to tweet as if someone is always watching.

The link between tweeting and discipline was succinctly highlighted by Toronto Police Service Deputy Chief Peter Sloly at a 2011 social media launch one year after the 2010 G20 Toronto Summit. At the press conference
announcing the TPS’s new social media presence and officer training program as “a means of extending (police) reach to all members of the community” (Toronto Police Service, n.d.), Sloly noted how the police were adjusting to social media’s “decentralized, high-speed, highly interactive information sharing environment” (Sloly, 2011). The Toronto Police Service’s post-G20 Toronto revamped social media launch in 2011 reflected a new appreciation for the role that a platform like Twitter plays in preserving discipline following the events of G20 Toronto in 2010. Just as 1999 was the year that underprepared and overwhelmed police at the WTO Summit in Seattle learned that they would need to revise future approaches to policing democratic protests in their streets, 2010 was arguably the year that police on duty at the Toronto G20 Summit learned that a new approach to social media management during mega-events was required. The TPS’s renewed focus on the “information sharing environment” (Sloly, 2011) of social media echoed similar Web 2.0 police communication management styles that were emerging elsewhere in the world at around the same time, specifically in the United States.

2009 Pittsburgh G20 Summit

While police use of Twitter in relation to the 2009 G20 Summit in Pittsburgh embodied a more passive approach of police surveillance to the platform and did not involve official gesturing on Twitter (in the form of replying to posts or following users via a registered Pennsylvania State Police Twitter account), it nonetheless was an early example of a North American police service acknowledging the connection between the sharing of information on Twitter and the maintenance of discipline.

As part of security preparations for the upcoming 2009 G20 Summit in Pittsburgh, the Pennsylvania State Police began monitoring Twitter using TweetDeck software after undercover police gathered information about planned protests at the 2009 G20 Summit at a local council meeting (State of Pennsylvania, 2009). Police monitoring of Twitter activity ultimately culminated in the FBI arresting two Americans, Elliot Madison and Michael Wallschlaeger, at the 2009 Pittsburgh Summit in reaction to the men’s use of Twitter during the mega-event. Charges of hindering apprehension and criminal use of communication were made against the men after they helped protestors at the G20 avoid police by relaying information obtained from cell phone communication and police scanners to Twitter (Pilkington, 2009). As described in the related police warrant, “using terms and phrases associated with the G20 Summit, the Pennsylvania State Police confirmed that Madison was in fact making use of one of several Twitter accounts to provide information to
intended participants in the non-permitted September 24, 2009 march regarding law enforcement actions relative to the march” (State of Pennsylvania, 2009).

While the charges against Madison and Wallschlaeger were later dropped, their arrests serve as an example of the effect of police monitoring of the sharing of information across Twitter during mega-events. In addition, the widely publicized arrest of Madison also created a Twitter-chill for users, instilling fear that Twitter users could be arrested if they simply leveraged the platform to assist activists at future G20 gatherings. In an interview following the incident, Madison stated that his use of Twitter during the summit was “the same as if you and I were walking down the street, and I said to you, ‘Hey, the police are on 42nd street, and they’ve said anyone who goes there will be arrested, so don’t go there’” (Thrasher, 2009).

According to Madison’s lawyer, Martin Stolar, the FBI’s arrest of Madison over his G20 Pittsburgh tweets was the first time that the FBI had claimed that “the posting of information itself is the crime” (Thrasher, 2009). As Stolar later noted in a television interview, with Madison’s Twitter post of the Pittsburgh Police’s disperse order, “the communication facility then, the cell phone or the computer that was used to post that message, becomes an instrument of the crime, and the use of that mass communication facility becomes … a crime” (Kouddous, 2009).

As an aim of mega-event security forces, managing information shared on Twitter involves pre-emptive monitoring of Twitter activity before the event and may include arrests. This approach to monitoring tweets shares a “pre-emptive doctrine” (Elmer & Opel, 2008) of policing that was perfected at the 2003 Free Trade Area of the Americas (FTAA) Summit in Miami, Florida. This pre-Twitter policing model, referred to as the Miami Model, combines a heavy police presence with pre-emptive arrests and extensive surveillance of mega-event host cities (Elmer & Opel, 2008). Thanks to the proliferation of mobile technology and social media, police application of the Miami Model towards maintaining discipline has expanded to incorporate police use and monitoring of platforms like Twitter.

Although the Pennsylvania State Police did not create an official “verified” police Twitter account, post original tweets, or re-tweet in relation to the 2009 Pittsburgh G20 Summit, such police use of Twitter did occur in relation to the 2010 Toronto G20 Summit.
2010 Toronto G20 Summit

Police engagement with Twitter in relation to the 2010 Winter Olympics in Vancouver, Canada provides useful context for understanding police use of Twitter during the 2010 G20 Summit in Toronto. TweetDeck.com shows that the RCMP registered two Twitter accounts—@v2010isu (English) and @gisv2010 (French)—on March 19, 2009, prior to the 2009 G20 Summit in Pittsburgh and well in advance of the 2010 Winter Olympics held in February of 2010. All tweets posted from these 2010 Winter Olympics Integrated Security Unit Twitter accounts followed a similar format. Every tweet included a short police statement followed by a link to another site, almost always the official V2010isu.ca and GISV2010.ca police service platforms. A typical tweet posted by the 2010 Winter Olympics ISU on January 21, 2010 simply states, “Media Advisory – Demonstration of security screening at Olympic venues http://ow.ly/12m5E” (Twitter, 2010). No replies were made via either Twitter account, no re-tweets were made, and only four Twitter accounts were followed by @v2010isu and @gisv2010. While these police accounts did officially announce the police presence on Twitter, unlike the use of Twitter by the Pittsburgh Police during the G20 Summit in 2009, the Vancouver Olympics police accounts were still used in a one-way, top-down advisory capacity, and little effort was made to use the platform to respond or to follow other Twitter accounts.

The RCMP used a similar approach to Twitter when it came to setting up a bilingual G8 Huntsville/G20 Toronto Twitter account for the 2010 G8/G20 Summits in Canada, @G8G20ISUca. While most of the 182 total tweets posted to the account simply included links to the RCMP’s official G8/G20 platform, use of the platform included following more Twitter accounts (primarily other police accounts) and posting a few replies to Twitter posts made by other users.

In contrast to the RCMP’s 2010 Vancouver Olympics and 2010 G8/G20 Summit ISU Twitter accounts, use of the Toronto Police Service’s account, @TorontoPolice, in relation to the 2010 G20 Toronto Summit provides an example of much savvier police gesturing via the microblogging platform. @TorontoPolice was registered on September 15, 2008 according to TweetDeck.com, which makes it one of the first, if not the first, official Twitter accounts registered by a police service in Canada. @TorontoPolice is also one of the more active verified police accounts with a total of 46,593 posted tweets as of June 23, 2013.

Leading up to, during, and after the 2010 G20 Toronto Summit held on June 26 and 27, the @TorontoPolice Twitter account actively posted tweets, replied to tweets, re-tweeted, and followed other Twitter users. Over the course
of four days (the day before the summit, the two days of the summit, and the
day after the summit), a reported total of 335 tweets were posted to the
@TorontoPolice account (T. Burrows, personal communication, July 5, 2011).
The majority of posts re-tweeted by @TorontoPolice during these four
days were supportive of the Toronto Police actions during the Toronto G20 Summit
weekend. Such re-tweeting by @TorontoPolice both increased the volume of
supportive tweets and momentarily returned buried supportive tweets back to
the first page of displayed tweets, which increased the visibility of the positive
tweets and their chances of being further re-tweeted.

Toronto Police use of Twitter during the 2010 Toronto G20 Summit did
not simply serve to advise the public on a certain summit-related topic or event.
Their tweeting also contributed to the flow of G20 policing facts, attitudes, and
reactions on the platform. The Toronto Police made a considerable effort to
contribute to the milieu of 2010 G20 Toronto Summit information on Twitter
by replying to posts made by other Twitter users and by thanking them for the
support. By replying to posts on the same platform where G20 Toronto policing
discussions were occurring, the TPS was able to manage the flow of
information on Twitter to a higher degree than if they simply posted a web link
to an official police statement. By re-tweeting and following users, information
shared on the @TorontoPolice Twitter page helped shape perspectives and
actions that flowed from the mega-event.

The @TorontoPolice account has also been an active follower of other
Twitter accounts, which we can read as another effort to maintain ongoing
indefinite discipline. As of March 18, 2011, @TorontoPolice was following a
total of 1,834 Twitter accounts, many of which were the accounts that
@TorontoPolice responded to in relation to the G20 Toronto Summit. In
addition to providing the Toronto Police with real-time information related to
what was happening on the streets of Toronto during the G20 Summit,
following Twitter accounts also allowed them to assemble a valuable profile of
G20 tweeters of interest. As noted by activist and surveillance scholar Kate
Milberry, anyone tweeting about the G20 was of potential interest:

I followed @TorontoPolice on Twitter myself. When I went on
the page, you go up on Twitter and it says, “you and this person
follow the same people.” So (@TorontoPolice) and I were
following G20 people on Twitter. At the bottom of that (list) was
my sister-in-law. She’s apolitical, she’s a mommy blogger. She
didn’t send one tweet about the G20. So basically,

---

1 As of June 23, 2013, @TorontoPolice is following 1,651 other Twitter users.
(@TorontoPolice) was on my page looking at who I followed and started following different people that I followed, to see, to gather information about what type of person I was. There’s no reason for (@TorontoPolice) to have been following my sister-in-law so it showed that (they were) somehow looking into me, trying to figure out who I was. (K. Milberry, personal communication, November 27, 2010)

The TPS monitoring and use of Twitter culminated in the 2010 detention and arrest of Toronto resident and tweeter Byron Sonne. Prior to the G20 Toronto Summit, Sonne was actively sharing information online, including tweets about the security fence constructed for the summit, additional CCTV cameras that were being installed, and other information related to mounting security measures. However, Sonne’s tweets ended five days before the summit was to start after he was stopped and arrested by the Toronto Police while riding a bus in Toronto (Kennedy, 2012). As a result of his sharing of information related to the G20 Toronto security fencing and CCTV installations on various online platforms, Sonne was arrested and ultimately charged with “possessing explosive materials” and “counselling the commission of mischief not committed” (Kennedy, 2012). During Sonne’s trial, the Crown argued that his criticizing of the G20 event online was a threat to security because he also had potentially explosive chemicals stored at his Toronto home (Kennedy, 2012).

While acquitted of all charges made against him in May 2012, Sonne’s arrest by the Toronto Police before the G20 Toronto Summit netted him a total of 330 days in custody leading up to his trial and prevented him from continuing to disseminate information on Twitter during the Toronto G20 Summit. By the time the 2010 G20 Toronto Summit had actually commenced, Sonne was temporarily offline and in police custody, leaving the TPS with one less tweeter disrupting the maintenance of discipline in the city.

2011 Occupy Wall Street Protests in New York City

Apart from being the unofficial home base for the global Occupy Wall Street (OWS) protest movement of late 2011, New York City was also the site of the arrest of Twitter user Malcolm Harris. Of all of the arrests made in New York during the OWS protests, Harris’s arrest by the New York Police Department is of particular note because of the role that his own tweets played in his ongoing prosecution. In defense of his arrest for disorderly conduct (Wolford, 2012) on the Brooklyn Bridge during an OWS protest in October 2011, Harris alleged
that police led protesters onto the bridge in order to arrest them (Ax, 2012). In response to the claim, prosecutors sent a subpoena to Twitter in 2012, demanding copies of since deleted tweets posted by Harris to his Twitter account during the Brooklyn Bridge arrests. While Twitter initially refused requests to turn over Harris’s tweets, under the threat of contempt and fines by the judge overseeing the case, Twitter eventually agreed to turn over the deleted tweets on September 14, 2012 (Ax, 2012).

As noted by blogger Josh Wolford, Twitter’s turning over of Harris’s deleted tweets set a precedent for future requests from police and prosecutors for information shared via Twitter. On December 12, 2012, Harris pled guilty to the charge of disorderly conduct at the OWS protest after the court’s review of his tweets from the Brooklyn Bridge revealed that he did indeed hear the police warn that he and others would be arrested if they walked onto the bridge (Buettner, 2012).

Malcolm Harris and his lawyer Martin Stolar (the same lawyer who represented Elliot Madison arrested for his use of Twitter during the 2009 G20 Summit in Pittsburgh) have indicated that they will not appeal Harris’s guilty sentence of six days of community service. Instead, they have stated that they will be seeking to appeal the decision to approve the subpoena issued to Twitter to obtain Harris’s deleted OWS tweets (Buettner, 2012). As noted by Stolar, it is the “legal precedent” (Buettner, 2012) established by forcing a microblogging service like Twitter to turn over a user’s tweets or otherwise face charges that poses a threat to the free sharing of information by citizens not only during mega-events but at any time.

When Twitter users’ tweets, including their deleted tweets, are not their own, an additional path opens up for police services as part of their ongoing efforts to enforce indefinite discipline. In light of Harris’s case, might the posting of future tweets or the review of archived tweets in the United States by a citizen on any topic whatsoever result in the poster potentially facing detention or even arrest? For example, if the New York Police Department had initially done a better job of monitoring and archiving the tweets Harris posted leading up to the OWS protest, a subpoena request for his tweets after the fact would not have been required because they would already have had them. Furthermore, the police would have also have had the option of pre-emptively detaining Harris in response to his tweets prior to the OWS protest, similar to the Toronto Police Service’s pre-emptive detention of Byron Sonne prior to the 2010 G20 Toronto Summit.
Conclusion

Police use of Twitter leading up to, during, and after the 2009 Pittsburgh G20 Summit, the 2010 Toronto G20 Summit, and the 2011 Occupy Wall Street protests in New York City collectively position Twitter as a relatively new contested space where a police services’ “disciplinary power to observe” (Foucault, 1977, p. 224) citizens during and between mega-events exposes the “infinitely minute web of panoptic techniques” (Foucault, 1977, p. 224) that are being used to govern and discipline democracies such as Canada and the United States. Seemingly idle stretches between mega-events and their related security measures also involve disciplinary norms tied to everyday Twitter use in North America. The three case studies I’ve touched on in this article reveal how the Twitter microblogging platform is intertwined with the “moving substrate of force relations which, by virtue of their inequality, constantly engender states of power … always local and unstable” (Foucault, 1978, p. 92) and the ways social media platforms are becoming increasingly embedded components of the day-to-day maintenance of disciplinary and control societies.

As police services around the world extend their technologies of discipline to social media platforms, one of the lessons to be drawn from past use of Twitter in relation to mega-event protest is that an underdiscussed component of Twitter and other (micro)blogging platforms includes the freedom extended to users who opt not to contribute content to these services. That is, by refraining from sharing information related to future mega-events via Twitter, non-users avoid having to confront and defend seemingly benign and ephemeral tweets that get flagged by police services. In turn, non-users benefit from being imperceptible, a benefit that was not available to tweeters like Madison, Wallschlaeger, Sonne, or Harris.
Works Cited


