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Social Media*Cyrus Dumps Twitter Over Privacy and Misuse of Information – A Message for Individuals and Businesses*

Is Miley Cyrus' dramatic dumping of Twitter this week over a lack of privacy and misuse of her information and material the start of a rebellion against Twitter and other social media?

Within days, her tart, clever rap video went viral as over 3.6 million viewers watched it on YouTube (<http://www.youtube.com/watch?v=2tSOTQPUQoU>). While reactions vary, it apparently resonates with many of them.

In it, she tells her fans why she deleted her Twitter page:

- Lack of privacy ("I want my private life private") and misuse of her material;
- Irrelevancy ("you write what you're doing, but who really cares?"); and
- Better things to do ("I stopped living for moments and started living for people").

In Locke Lord's recent *Client Alert* on social media,¹ we singled out **privacy** and privacy laws and the risks associated with the subsequent re-use and distribution of one's information in social media. Cyrus' little video reflects a realization that there is no real privacy in social media. And that her materials can be misused by others. She complains about tabloids that use it for their own profit.

This is a potent message to her followers and others that there can be no guarantee what you post on social media will remain private and will not be redistributed and misused.

The demographics of the viewers of her video are interesting (as cited by YouTube as of Oct. 14):²

Audiences

This video is most popular with:

Gender	Age
Female	13-17
Female	18-24
Male	45-54

But company management and employees need to be aware of these risks too. Social media are the new frontier of electronic discovery. The tweets and user-generated content are rich sources of information for competitors and parties to litigation.

Clearly social media can be an extremely valuable tool for customer relations, feedback and image management when properly used. Unfortunately for Cyrus and companies that totally opt out (by prohibiting use of social media altogether), they can no longer participate in the dialogue and be heard.

We continue to believe the best step for businesses is to adopt company guidelines and policies to govern and manage their use of social media. The law in this area has yet to catch up. Until the courts, regulators and legislatures have acted, all businesses are sailing in uncharted legal waters. For now, adopting guidelines and policies on social media probably affords the best protection against what lies ahead.

Endnotes

- ¹ See *Client Alert: Social Media and Business Insurance*.
- ² See Statistics & Data section in the YouTube link.

About the Author

Bruce W. Foudree is of counsel at Locke Lord Bissell & Liddell. Mr. Foudree concentrates in corporate and regulatory insurance law. He has written and spoken across the country on the legal aspects of using social media.