

DANIELLE KEATS-CITRON, *HATE CRIMES IN CYBER SPACE* (Harvard University Press, 2014)

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Digital Hate: When Anonymity Breeds Animosity

“Through their efforts and the efforts of anti-harassment advocacy groups, we are on the path to protect cyber civil rights and eradicate online harassment. As digital citizens, we must finish this work together.”¹

Danielle Keats-Citron’s *Hate Crimes in Cyberspace* is an important and comprehensive book discussing cyber civil rights, harassment and the potential social, legal and personal ramifications that can result from these rights being infringed upon. Citron’s book attempts to delineate the differences between simple “trolling” defined as “pulling pranks targeting people and organizations, desecrating reputations and revealing humiliating or personal information,”² and pure harassment. In addition, one of Citron’s main points throughout the book is that the incidence rate of online harassment towards women, is substantially higher than the incidence rate of online harassment of men. Citron also discusses how harassment focuses on other minorities such as people of color, or members of the LGBT community. Due to this, the harassment in question could potentially be considered a hate crime, which is where the title of

¹ See DANIELLE KEATS-CITRON, *HATE CRIMES IN CYBER SPACE* at 255 (Harvard University Press 2014)

² See Keats-Citron, *supra* note 1 at 52.

her book stems from. This review will look specifically towards the types of harassment that occur on the internet, the ramifications that result from that harassment, and what can be legally done to remedy the resulting situations.

Danielle Keats-Citron is currently the Lois K. Macht Research Professor of Law at the University of Maryland Francis King Carey School of Law there. Ms. Citron graduated cum laude from Duke University with a Bachelor of Arts degree. She then went on to graduate cum laude and Order of the Coif from Fordham University with her juris doctorate. Ms. Citron currently teaches and writes about information privacy, free expression and civil rights. She is also an internationally recognized privacy expert, whose work has been highly praised. Ms. Citron has published a number of law review articles in addition to this book. She is an Affiliate Scholar at the Stanford Center on Internet and Society, an Affiliate Fellow at the Yale Information Society Project, and a Senior Fellow at a privacy think tank called the Future of Privacy. Ms. Citron has advised federal and state legislators, law enforcement and international lawmakers on privacy issues, presented her research before many agencies, foundations and major universities, spoken at numerous conferences and on various National Public Radio shows, and works closely with a number of companies on issues involving online safety and privacy.

Hate Crimes in Cyberspace discusses the manners in which people use the Internet to attack others via violent online abuse. The book outlines how women are disproportionately targeted and subjected to severe harassment on the Internet, including sexual harassment such as comments detailing rape fantasies, comments defaming and degrading the women in an attempt to ruin their reputation, and often doctored sexually explicit photographs. The book also looks to how a single comment can escalate into full blown harassment, via creation of cyber mobs on so-called trolling websites. *Hate Crimes in Cyberspace* is split into two main parts. The first part of

the book focuses on the actual harassment itself. It lays out a number of examples of women and men who were harassed and attacked on the Internet, often for no reason whatsoever. The book goes into great detail when discussing exactly what happened to these people and how they were basically denied any sort of assistance or redressability from numerous law enforcement agencies. The problem with the Internet is that many, including untrained law enforcement officers, believe that the Internet is a place where speech is protected. There comes a point, however, where speech is no longer protected and the type of speech which is put forth is an actionable crime. That is the focus of the second half of Ms. Citron's book. In the substantially larger second half, she discusses moving forward from this harassment, and what we as a community can do to prevent this from happening to others. The second half of the book focuses on the violations of a person's cyber civil rights that occur when they are harassed online, and then goes on to discuss what legal options there are out there to protect those who have been victimized. It also delves deeper into the possibilities for legal reform, and what needs to be updated and changed in the world of cyber law in order to better protect and assist victims of online harassment in dealing with the fallout and ramifications of the assault on them.

Danielle Keats-Citron sets out to make the point that there is a distinct difference between protected Internet speech, and cyber harassment online that goes beyond what is protected. She then aims to indicate what options there are out there currently for the victims of this harassment, and also outlines what options there should be and what legal reforms can be implemented to assist the victims in the aftermath of harassment. The author begins with a number of horrifying examples of online harassment and abuse, including a woman who had revenge porn posted, one who had detailed rape fantasies posted about her and then had her social security number and all personal information posted online, and a law student who had so many defamatory comments

posted about her on an open forum that she had to temporarily drop out of school, and contact all of her potential employers to discuss the comments with them and explain that they were untrue. This is an especially poignant way to begin the book because it really draws the reader in and makes them empathize with the victims of this horrific harassment. The book goes into plenty of detail to make the reader fully understand what happened to these people, but even then it is almost impossible to imagine this actually happening to the extent that it does, despite the vivid picture painted by Citron.

This book is especially important for any lawyer or advocate who may encounter victims of cyber harassment, along with the victims itself. It portrays information in a clear and concise manner, but does not strip the emotion from the situation. In addition, the structure and development of the book is extremely clear. By starting out with examples of online harassment, and then proceeding into why the author thinks that these types of harassment occur, it provides an easy-to-understand introduction to the world of cyber harassment. Continuing on, Citron then provides information about how difficult it can be for victims of such harassment to proceed on with their lives, but then attempts to provide some measure of comfort via legal ramifications that could be imposed on the attackers, and also legal reforms that should be put into place to protect victims further. Citron lays out the material in a clear and effective manner so that even a lay-person can understand the legal concepts she is discussing. While there are some concepts that are more complex than others, Citron attempts to ensure that anyone interested in the topic would be able to read this book and understand what she is discussing. In addition, she provides information as to how we as a general digital society, must all come together and work as a unified force to prevent this cyber harassment from continuing and escalating.

I think this book is an extremely valuable resource when it comes to the topic of cyber harassment. Many people do not consider that their cyber harassment is also a crime, so cyber harassment is clearly something which needs to be discussed more so that victims have more opportunities to help themselves in the fallout of attacks such as these. Danielle Keats-Citron sought to inform the digital community about the impact that cyber harassment has on people, the types of cyber harassment there are, what can be done following a cyber-attack, and most importantly, what can be done to prevent attacks from occurring in the future. Through *Hate Crimes in Cyberspace*, Citron made it clear that these crimes are actionable and punishable crimes and something needs to be done about them. She also advocates for legal reform on the topic which is huge, because as of now there is currently a noticeable lack of law that is applicable to cyber-harassment and other similar activities that occur on the Internet. The Internet is becoming a massive part of daily life, and thus there needs to be more regulation to protect people from being victimized for no reason, simply because an Internet mob has chosen them as the target of their attack.

I found this book extremely interesting and also very informative. To be completely honest, I did not have an awareness of the extent to which cyber-harassment occurs. The statistics that were presented throughout the book were completely mind-blowing and I was both shocked and alarmed to discover just how many people were affected by this phenomenon. In addition, while I was aware that the anonymity the Internet provides bolsters people to do and say things they normally would not, I found it surprising as to the extent people utilized this when attacking others. It was also interesting to see how meek and apologetic people who had been vicious on the Internet became when their true identity was exposed. I would absolutely recommend this book to any and all lawyers, especially those who have an interest in the

intersection between technology and law, or those with an interest in constitutional law and civil rights. I would also recommend this book to anyone who is interested in the topic of cyber harassment and wants to learn more about how to combat it. While this is a somewhat law-centric book, the way it is written allows anyone to sufficiently understand the subject matter. This book is a fantastic read and deserves high praise as a paragon of information when it comes to internet privacy, cyber-harassment and the legal world.