

People who die can be virtually immortal in social media

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The Facebook page of Bill Watkins' mother lights up at least twice a year, on her birthday and on the anniversary of her death.

She passed away three years ago last month. And it unsettles her son that Mom remains a source of delight on the social media network.

Every July 31, Facebook notifies all of her online friends, including Watkins of Kansas City, that it's her birthday. Sadly, he knows that. But many others will then post happy regards on his mother's site, addressing her as if she never succumbed to breast cancer.

"They'll say, 'Oh, remember the time we did such and such?' " said Watkins, 31, who also lost a twin brother a decade ago. "It's that public form of expressing loss that bothers me a little. It's not the way I grieve."

Loss affects everyone differently. But nobody really goes away on the World Wide Web, and that provides great comfort to many grieving families.

To others, online accounts that linger in perpetuity only serve to remind that someone dear no longer occupies the real world.

Millions of owners of active Facebook accounts are deceased. But their posts live on, either as customized memorial pages - at least 3 million of those have been set up - or as unattended remnants of a life cut short in the social network.

Immortality isn't reserved just to social media sites such as Facebook.

A typical Web user has 25 online accounts, what estate planners today call "virtual assets." They include email, blogs, online bank accounts and Pinterest files of photos.

They don't vanish when the owners die. Unless families know the usernames and passwords behind the accounts, some virtual assets could reside indefinitely in a vast cyberspace cemetery.

Such issues gained attention in February when John Berlin of Arnold, Mo., posted an emotionally raw video clip on YouTube that went viral.

He was trying to obtain personalized video clips that should have been in the account of his late son, Jesse. As part of Facebook's 10th anniversary, the network had sent automated "Look Back" clips to all active users, displaying their most popular posts.

"I'm calling out to Mark Zuckerberg and Facebook," John Berlin said. "You've been putting out these new movies, these one-minute movies that everyone's been sharing. Well, my son passed away ... and we can't access his Facebook account.

"I want to see my son's video."

His tactic worked. Facebook contacted John Berlin and then issued a statement that it would offer families of deceased users access to Look Back videos.

Facebook went on to announce changes in its policy regarding special "memorialized" pages, allowing them to be visible to everyone the user allowed access to before dying. In the company's words, privacy settings of the dead would remain "as is."

Expect more policy changes, and perhaps new state laws, as online providers struggle to address the demands of surviving loved ones - especially parents and spouses - to access accounts of the deceased.

"It's a big issue, and something worth talking about" within families before death arrives, said Michael Ong, an estate planner and lawyer in Leawood, Kan.

"When someone dies, there's a lot of confusion over who can change and control those pages" in social media and blog sites, he said. "They may have thousands of photos posted. Some may want to keep a page up. Some may want to take it down."

For one of Ong's clients, it was important not to lose a dead daughter's cellphone account, a virtual asset commonly overlooked.

The mother just needed to hear her girl's recorded voice message from time to time.

Vincent Boos' Facebook page has been maintained by friends and family since his 2008 death in a car accident.

He was 22, a gifted singer finishing his first semester as a student at the University of Missouri-Kansas City Conservatory of Music.

"The thing that helps me the most," said his mother, Rochelle Boos of Olathe, Kan., "is when I write something on his page, it's almost as if I'm talking to him directly ... that maybe, somehow, he can see it."

Vincent Boos had shared his password and login information with one of his best pals, Tiffany Rippee. That allowed her to accept "friend requests" even after his passing. Today they number nearly 300.

Little sister Mariah Boos, also a singer, visits her brother's wall whenever she has a big performance. Just last month, Rippee posted a video clip of the upcoming TV series "Heroes Reborn." She wrote: "I wish you and I could enjoy the new episodes together. I knew you'd be super pumped by the news."

Especially for parents working through grief, the social media platforms that chronicle the users' interests and acquaintances can help keep alive memories of loved ones lost too early.

"When people post pictures that the parents have never seen before, that's the best gift that can be given," said Gay Kahler of the Johnson County chapter of the bereavement support group Compassionate Friends. "As a bereaved parent, it hurts to think you've seen all the pictures that'll ever be taken. A new one shows up, that's priceless."

It can be that way, said grief counselor Jennifer Shontz, or not.

Sometimes a Facebook friend will post a snapshot of a deceased person "not looking their best," in a hospital bed or bleary-eyed holding a cocktail, she said.

"You're getting into this whole conundrum of grief, which is so individualized, so many variables," Shontz said.

The trigger points for those grieving can be everywhere, Shontz noted, and they're hardly exclusive to the Internet: A loudmouthed uncle says something awkward at Christmas. A father finds a diary in daughter's closet - should he open it?

What new technologies allow, however, is an instant contact to the world without giving the message much thought.

Shontz, who works for hospice groups, said: "One thing to consider is: If your loved one was still here, what would their wishes be?"

Watkins said his mother, who died at 57, probably wouldn't mind that people still post on her Facebook page.

"But for me, let's just say it's kind of creepy," he said. "Grief for me is such a private, personal thing. ...

"This person has passed. And at some point, years down the line, you need to let the past be the past."

Social media sites will consider requests to deactivate someone's online account, erasing it from view. Procedures vary. But because of federal privacy laws and terms of service agreements with the deceased, in no case is the process simple, according to the Pew Research Center:

-At the request of an estate executor or a verified immediate family member, Twitter will deactivate an account as long as a copy of a death certificate or an obituary is provided.

-Facebook will do the same, making the necessary forms to do so available on its site. It also allows families to convert active profiles into memorials that will accept new postings.

A memorial keeps the deceased from showing up on friends' sites as people having birthdays, seeking new friends or being "tagged" in photos.

-Google has launched a feature called "inactive account manager," which prompts users to decide what should be done with their accounts if they die. Other service providers will deactivate email after an extended period without use.

Ong, the estate attorney, said headaches can be eliminated if online account holders share their usernames and passwords with trusted others. Or keep the information in a place where someone knows to look.

A growing assortment of secure, for-profit Internet sites, with names such as Legacy Locker and Perpetu, will store sensitive online information that a designated agent can access after a client's death.

Ong tells clients to appoint in their wills a "digital executor" as well an executor for real property.

"It may not be the same person," he added. "You may not want a spouse to have access to all your email."

In the absence of a will, few states have laws that govern the control of a deceased person's virtual assets.

That soon may change. The Uniform Law Commission, a nonpartisan panel of lawyers drafting legislation for states to consider, will meet this summer to roll out proposals outlining who controls the online dimensions of an estate.

"We want to treat digital assets in the same manner as property assets," said Suzanne Walsh, who chairs the committee studying the issue. "I expect quite a few states will grab what we put out in the fall. We have a lot of people sort of clamoring for this."

One is Ricky Rash, a Virginia dairy farmer.

Since 2011, Rash has been fighting with [social media](#) providers to gain access to his son Eric's accounts. Eric killed himself at age 15, and Rash felt a need to understand why.

The investigator who came to the scene where Eric lay dead of a gunshot wound, near a county road, asked Ricky Rash: Was your son depressed? Could he have been bullied or ridiculed online? Does Eric have a dark page?

"I still don't know exactly what a dark page is," Rash said. "We didn't find a diary. The only frontier we had to explore was electronic media."

His son had changed his Facebook password shortly before his suicide. The company and other online platforms balked at allowing the father to explore the hidden corners of Eric's accounts, citing the terms of his service agreement (which most users don't read before clicking "agree") and U.S. electronic privacy laws.

Rash said he was stunned to learn that privacy rights of a dead minor trumped parental rights of the living.

"I think these companies were growing so fast, they never thought that anyone would come back to seek that access," Rash said. "They'll put on more moves than a bucket of worms when you start asking those questions. They're making up rules as they go along."

Until Web users start thinking of the digital footprints they'll leave behind after death, loved ones without login information will be frustrated trying to find all that's out there, said Wanda Kelsey-Mendez of Kansas City Hospice and Palliative Care.

Kelsey-Mendez had a sister, Jeanne, who died in 2011.

Family members had gained access to Jeanne's Facebook account after Alzheimer's disease set in and some of her postings got strange. Having her password allowed the family to close down the account at their choosing.

The page was kept up for several months after Jeanne's death, allowing well-wishers to share thoughts.

"Then we were ready to have closure," Kelsey-Mendez said, and Jeanne exited Facebook.

Something sad followed on Kelsey-Mendez's own Facebook site.

And she wasn't quite ready for it, she said.

"I saw Jeanne disappear from my friends list."

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