

**Cyberbullying: An Online Crime**

**That’s Hard to Avoid**

**and**

**Harder to Recover From**



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**Court hears case of teen who sent beau texts urging suicide** 2 / 24

© Provided by Associated Press 24, 2015 file photo, Michelle Carter listens to defense attorney Joseph P. Cataldo argue for an involuntary manslaughter charge against her to be dismissed at Juvenile Court in New Bedford, Mass. Carter, of Plainville…

BOSTON (AP) — Dozens of text messages that a teenage girl sent to her boyfriend that encouraged him to kill himself were just words and do not constitute a crime, her lawyer told the state's highest court Thursday.

But a prosecutor argued that Michelle Carter pressured Conrad Roy III for weeks to end his life and engaged in "emotional manipulation" of a vulnerable teen who had struggled with depression and previously attempted suicide.

The Supreme Judicial Court heard arguments in Carter's appeal of a juvenile court judge's refusal to dismiss the manslaughter charge stemming from Roy's 2014 death.

The justices made it clear they were struggling with whether Carter's actions met the definition of manslaughter, peppering both side with questions about exactly what she did to encourage or assist Roy's suicide.

Justice Robert Cordy questioned Assistant District Attorney Shoshana Stern about what he called the "$100,000 question" in the case: "When did this cross the line — when did these words cross the line?"

In addition to the many text messages encouraging Roy to kill himself, Stern said, Carter also spoke on the phone with him while he was in his truck inhaling carbon monoxide fumes.

When Roy got out of his truck, she told him to "get back in," Stern said.

"I think what we can say that we know is that she was way over the line when she told him to get back in the truck," Stern said.

But Carter's attorney Dana Curhan said Roy was determined to take his own life. He said Carter repeatedly tried to talk him out of it but finally gave up about two weeks before his death.

"Even when she said, 'get back in the truck,' that was not the proximate event that resulted in his death," Curhan said.

Roy got back in his truck and waited until the fumes overcame him, Curhan said.

"The undisputed evidence is that Mr. Roy inflicted the harm," Curhan said.

Carter was 17 and Roy was 18 when he died in 2014. They had met in Florida two years earlier while visiting relatives. They kept in touch mostly through texts and emails when they both returned to their homes in Massachusetts — about 50 miles apart. They hadn't seen each other in more than a year before Roy's death.

"You can't think about it. You just have to do it. You said you were gonna do it. Like I don't get why you aren't," Carter wrote to Roy the day of his death.

Roy's body was found in his pickup truck in Fairhaven. Police found a gasoline-operated water pump in the back seat.

Carter was charged as a youthful offender, which makes her eligible for a sentence of up to 20 years in prison if convicted of manslaughter.

Attorney Joseph Cataldo, who also represents Carter, said after the hearing that prosecutors are attempting to criminalize Carter's free speech in the case when there is no law against encouraging or assisting suicide in Massachusetts. Thirty-nine states have such laws.

"It's not a case that should have even been brought," Cataldo said.

The court gave no indication on when it would rule.

<http://www.msn.com/en-us/news/crime/court-hears-case-of-teen-who-sent-beau-texts-urging-suicide/ar-BBrsV1O?li=BBnb7Kz>. Accessed 4-7-2016.



Bullying, Suicide, Punishment

By [JOHN SCHWARTZ](http://topics.nytimes.com/top/reference/timestopics/people/s/john_schwartz/index.html)OCT. 2, 2010

[TYLER CLEMENTI](http://topics.nytimes.com/top/reference/timestopics/people/c/tyler_clementi/index.html?inline=nyt-per) may have died from exposure in cyberspace. His roommate and another student, according to police, viewed Mr. Clementi’s intimate encounter with another man on a Webcam and streamed it onto the Internet. Mr. Clementi, an 18-year-old violinist in his freshman year at Rutgers University, [jumped off of the George Washington Bridge](http://www.nytimes.com/2010/09/30/nyregion/30suicide.html?scp=2&sq=Tyler%20Clementi&st=cse), and now the two face serious criminal charges, including invasion of privacy.

The prosecutor in the case has also said that he will investigate bringing bias charges, based on Mr. Clementi’s sexual orientation, which could raise the punishment to 10 years in prison from 5.

But the case has stirred passionate anger, and many have called for tougher charges, like manslaughter — just as outrage led to similar calls against the six students accused of bullying [Phoebe Prince, a student in South Hadley, Mass., who also committed suicide earlier this year](http://www.nytimes.com/2010/03/30/us/30bully.html?scp=4&sq=Phoebe%20Prince&st=cse).

What should the punishment be for acts like cyberbullying and online humiliation?

That question is as difficult to answer as how to integrate our values with all the things in our lives made of bits, balancing a right to privacy with the urge to text, tweet, stream and post.

And the outcry over proper punishment is also part of the continuing debate about how to handle personal responsibility and freedom. Just how culpable is an online bully in someone’s decision to end a life?

It is not the first time cruel acts and online distribution have combined tragically. In 2008, Jessica Logan, 18, hanged herself after an ex-boyfriend circulated the nude cellphone snapshots she had “sexted” to him.

Public humiliation and sexual orientation can be an especially deadly blend. In recent weeks, several students have committed suicide after instances that have been described as cyberbullying over sexual orientation, including Seth Walsh, a 13-year-old in Tehachapi, Calif., who hanged himself from a tree in his backyard last month and died after more than a week on life support.

Advertisement

[Continue reading the main story](http://www.nytimes.com/2010/10/03/weekinreview/03schwartz.html?_r=0#story-continues-3)

A [survey of more than 5,000 college students](http://www.campuspride.org/Campus%20Pride%202010%20LGBT%20Report%20Summary.pdf), faculty members and staff members who are gay, lesbian, bisexual or transgender published last month by the advocacy group Campus Pride found that nearly one in four reported harassment, almost all related to sexual orientation and gender identity.

Warren J. Blumenfeld, an associate professor of curriculum and instruction at Iowa State University and an author of the Campus Pride study, also conducted a smaller survey of 350 nonheterosexual students between the ages of 11 and 22 and found that about half of the respondents reported being cyberbullied in the 30 days before the survey, and that more than a quarter had suicidal thoughts.

“Those students who are face-to-face bullied, and/or cyberbullied, face increased risk for depression, PTSD, and suicidal attempts and ideation,” Professor Blumenfeld said.

But punishment for people who do such a thing is still up for debate. In the Rutgers case, New Jersey prosecutors initially charged the two students, Dharum Ravi and Molly W. Wei, with two counts each of invasion of privacy for using the camera on Sept. 19. Mr. Ravi faces two additional counts for a second, unsuccessful attempt to view and transmit another image of Mr. Clementi two days later.

If Mr. Ravi’s actions constituted a bias crime, that could raise the charges from third-degree invasion of privacy to second degree, and double the possible punishment to 10 years.

Tyler Clementi, Rutgers freshman Credit Agence France-Presse — Getty Images 

Still, for all the talk of cyberbullying, the state statute regarding that particular crime seems ill suited to Mr. Clementi’s suicide.

Like most states with a cyberbullying statute, New Jersey’s focuses on primary and high school education, found in the part of the legal code devoted to education, not criminal acts. The privacy law in this case is used more often in high-tech peeping Tom cases involving hidden cameras in dressing rooms and bathrooms. State Senator Barbara Buono sponsored both pieces of legislation, and said the law had to adapt to new technologies. “No law is perfect,” she said. “No law can deter every and any instance of this kind of behavior. We’re going to try to do a better job.”

Still, the punishment must fit the crime, not the sense of outrage over it. While some have called for manslaughter charges in the Rutgers case, those are difficult to make stick. Reaching a guilty verdict would require that the suicide be viewed by a jury as foreseeable — a high hurdle in an age when most children report some degree of bullying.

Besides, finding the toughest possible charges isn’t the way the law is supposed to work, said Orin S. Kerr, a law professor at George Washington University who specializes in cybercrime. “There’s an understandable wish by prosecutors to respond to the moral outrage of society,” he said, “but the important thing is for the prosecution to follow the law.”

The fact that a case of bullying ends in suicide should not bend the judgment of prosecutors, he said. Society should be concerned, he said, when it appears that the government is “prosecuting people not for what they did, but for what the victim did in response.”

Finding the right level of prosecution, then, can be a challenge. On the one hand, he said, “it’s college — everybody is playing pranks on everybody else.” On the other, “invading somebody’s privacy can inflict such great distress that invasions of privacy should be punished, and punished significantly.”

There is also the question of society’s role. Students are encouraged by Facebook and Twitter to put their every thought and moment online, and as they sacrifice their own privacy to the altar of connectedness, they worry less about the privacy of others.

Teenagers “think that because they can do it, that makes it right,” said Nancy E. Willard, a lawyer and founder of the [Center for Safe and Responsible Internet Use](http://www.cyberbully.org/).

Impulsiveness, immaturity and immense publishing power can be a dangerous mix, she said. “With increased power to do things comes increased responsibility to make sure that what you’re doing is O.K.,” she said.

That is why Daniel J. Solove, author of [“The Future of Reputation: Gossip, Rumor and Privacy on the Internet,”](http://docs.law.gwu.edu/facweb/dsolove/Future-of-Reputation/) said society needed to work on education.

“We teach people a lot of the consequences” of things like unsafe driving, he said, “but not that what we do online could have serious consequences.”

That sounds good, of course, but adults still drive recklessly after all that time in driver’s ed. And it is easy and cheap to say that “kids can be so cruel at that age,” but failures of judgment can be found almost anywhere you look.

After all, what are we to make of Andrew Shirvell, an assistant attorney general in Michigan who devoted his off hours to a blog denouncing the openly gay student body president at his alma mater, the University of Michigan? His posts include accusations that the student, Chris Armstrong, is a “radical homosexual activist” and a photo of Mr. Armstrong doctored with a rainbow flag and swastika. He told [Anderson Cooper that he is “a Christian American exercising my First Amendment rights.”](http://www.youtube.com/watch?v=PwObjKZg9Jw)

On Friday, [the attorney general’s office announced that Mr. Shirvell was taking personal leave](http://www.nytimes.com/2010/10/02/us/politics/02michigan.html) pending a disciplinary hearing.

A version of this article appears in print on October 3, 2010, on page WK1 of the New York edition with the headline: Bullying, Suicide, Punishment.

<http://www.nytimes.com/2010/10/03/weekinreview/03schwartz.html?_r=0>. Accessed 4-7-2016.

# Bullying Statistics 2014

# Modified : December 22,2015

**The Essential Guide to Bullying Statistics 2014 and recent bullying percentages.**

There is no doubt that bullying is a problem in U.S. schools, but just how much of a problem is it? [The latest bullying statistics](http://nobullying.com/bullying-rates/) 2014 reflect bullying in “real life,” as well as cyber bullying. The numbers related to any bullying statistics are both shocking and disheartening.

According to the U.S. Department of Health and Human Services’ (DHHS) anti-bullying website, [Stopbullying.gov](http://www.stopbullying.gov/), bullying is defined as “intentionally aggressive, usually repeated” verbal, social, or physical behavior aimed at a specific person or group of people. Some bullying actions are considered criminal, such as harassment or hazing; but “bullying” alone is not illegal. And recent news stories abound with tales of cyberbullying – where the target is harassed through social media or other technology – that have unfortunately resulted in victims’ suicides. The majority of bullying still takes place at school; 1 in 3 U.S. students say they have been bullied at school, according to the DHHS. More shocking bullying statistics for 2014 follow:

**Bullying Statistics 2014:**[**Middle School Mayhem**](http://nobullying.com/bullying-in-middle-school/)

[According to a UCLA psychology study](http://newsroom.ucla.edu/stories/bullying-jaana-juvonen-233108), bullying boosts the social status and popularity of middle school students. Psychologists studied 1,895 students at 11 Los Angeles middle schools, where students were asked to name the students who were considered the “coolest”. According to Jaana Juvonen, the lead author of the study, “The ones who are ‘cool’ bully more, and the ones who bully more are seen as ‘cool’”.

* **20** percent of U.S. students in grades 9-12 reportedly have experienced bullying or are feeling bullied, while **28** percent of students in grades 6-12 report the same. Experts agree that most incidences of bullying occur during middle school.
* According to one study cited by the DHHS, **29.3** percent of middle school students had experienced bullying in the classroom; **29** percent experienced it in hallways or lockers; **23.4** percent were bullied in the cafeteria; **19.5** percent were bullied during gym class; and **12.2** percent of bullied kids couldn’t even escape the torture in the bathroom.
* Most of the student in the study reported name calling as the most prevalent type of bullying, followed by teasing, rumor-spreading, physical incidents, purposeful isolation, threats, belongings being stolen, and sexual harassment. Surprisingly, cyberbullying occurred with the least frequency.
* **70.6** percent of teens have seen bullying occurring in their schools – and approximately **30** percent of young people admit to bullying themselves. With so many students seeing what goes on, one has to wonder why bullying proliferates – especially since the DHHS reports that bullying stops within 10 seconds **57** percent of the time when someone intervenes. Juvonen found in her study that “A simple message, such as ‘Bullying is not tolerated,’ is not likely to be very effective,” and that effective anti-bullying programs need to focus on the bystanders, who can step in and stop the behavior.

**Bullying Statistics 2014:**[**Lasting Effects of CyberBullying**](http://nobullying.com/the-effects-of-cyber-bullying/)

Most experts agree that bullying peaks in middle school, while children are making the transition from children to young adults. Although bullying certainly continues into high school – and even into adulthood, unfortunately – it does seem to subside with maturity. Even so, approximately 160,000 teens reportedly skip school every day because they are bullied, and 1 in 10 teens drops out of school due to repeated bullying.

* **83** percent of girls, and **79** percent of boys report being bullied either in school or online.
* **75** percent of school shootings have been linked to harassment and bullying against the shooter.
* Not shockingly, students who are bullies as young adults continue the trend of abuse and violence into adulthood. By the age of 30, approximately **40** percent of boys who were identified as bullies in middle- and high school had been arrested three or more times.

**Bullying Statistics 2014: The Bullying Targets**

Unfortunately, children and teens who are considered “different” from their peers are the most frequent targets of bullies and are constantly bullied. Special needs students; Lesbian, Gay, Bisexual and Transgendered (LGBT) students; students who are overweight; and students who are perceived as “weak” are the most likely targets of bullying by others. Nine out of 10 LGBT youth report being verbally bullied because of their sexual orientation, while **55.2%** of those students reported being cyberbullied. Of special needs students who report bullying, the majority of those who are victimized are students diagnosed with [Asperger’s Syndrome](http://nobullying.com/asperger-syndrome/), and students with Attention Deficit Hyperactivity Disorder (ADHD).

**Bullying Statistics 2014:**[**Stopping the Cycle of Bullying**](http://nobullying.com/10-ways-to-stop-bullying/)

Unfortunately, only **20**–**30** percent of students who are bullied tell adults or authorities about their situations. Without accurate reporting, it’s difficult to change the patterns of bullying and abuse that persist in the U.S.

**Shocking Facts about Bullying: Why Bullies Bully**

[It is only by understanding why bullies bully that we can be able to understand just how they pick their prey or victim](http://nobullying.com/why-bully/). When a bully wants to become popular, it is understood that he will pick on the most unpopular kid, one who has for one reason or another been shunned by the peer group. The bully will reason that the peer group will applaud this anti-social behaviour and he or she will then become popular at the expense of the poor victim.

If the bully comes from a home where fighting and violence is the order of the day, then he or she will see it as an acceptable behaviour in the society. The same case happens to be true in schools where there is a lot of bullying happening and helps understand Why Bullies Bully.

[A child who is bullied and rejected could also turn into a bully.](http://nobullying.com/why-would-people-bully/)

Power may also prompt people to bully others. Teenagers who are given power over the others should also be trained in leadership skills to keep them from exercising it in a negative way.

**Types of Bullies**

In order to know how to deal with bullies, you need to know what type of bully you are dealing with. Although bullies can exist just about anywhere , the three most common types of bullies are:

* School bullies
* Cyber bullies
* Workplace bullies

Bullying behaviors are common to all types of bullies, whether you need to know how to deal with bullies at work or how to deal with bullies at school. [All bullies are aggressive](http://nobullying.com/bullying-when-should-parents-get-involved/). Bullies do not like to be disagreed with. This aggression could be physical or verbal. Bullies may hit you or take your money. Threats can come to the victim, the victim’s family, the victim’s possessions or the victim’s pets, all by evil bullies.

The common result of bullying behavior is that the victim feels powerless. They never know when their bully is going to strike next. They also are confused as to why they are getting bullied in the first place. The reason why bullies pick victims really doesn’t matter. Bullies pick victims because that is what they do. Bullying behavior does not stop until bullies meet bigger and more powerful bullies.

<http://nobullying.com/bullying-statistics-2014/>. Accessed 4-7-2016.

Cyberbullying and Bullying Statistics 2014, Finally!

**The New Year has arrived and here at NoBullying.com, that means one essential thing. It is time for Cyberbullying and** [**Bullying Statistics 2014**](http://nobullying.com/bullying-statistics-2014/)**.**

When gathering bullying statistics 2014, we always look at major polls published worldwide and covering a big number of participants, we always look at the major trends and shifts in cyberbullying and bullying worldwide.
**Some of the key things we noticed when searching for bullying statistics 2014 are the following:**

1. Most Children showed more worry about Pornography and Violence shared on all social networks as well as pop-up ads and phishing.
2. More children are showing knowledge and understanding of what cyberbullying and bullying entails, although a big percentage still expressed not knowing enough on how to fight it or prevent it.
3. Less children are expressing feelings of low self esteem and bigger percentage of them are expressing the desire to remain survivors and winners in the battle against bullying and cyberbullying.

Check the Cyberbullying and bullying statistics 2014 we have gathered for you.

**According to** [**EU Kids Online**](http://www.lse.ac.uk/media%40lse/research/EUKidsOnline/Home.aspx)**, a poll conducted in February 2013 shows the following:**

**Pornographic content tops the ranking of risks named by children in relation to the internet (22% of risks mentioned first by children).**

Violent and aggressive content is the second most common concern identified by children (18% of first mentioned risks).

**Also, Ditch the Label, released its** [**annual cyberbullying report**](http://www.ditchthelabel.org/downloads/the-annual-cyberbullying-survey-2013.pdf) **and here are some of the key bullying statistics 2014 covered.**

**Note: more than 10,000 youths were surveyed.**

* **7** in **10** young people are victims of cyberbullying.
* **37%** of them are experiencing cyberbullying on a highly frequent basis.
* **20%** of young people are experiencing extreme cyberbullying on a daily basis.
* New research suggests that young males and females are equally at risk of cyberbullying.
* Young people found to be twice as likely to be cyber bullied on Facebook as on any other social network.
* **54%** of young people using Facebook reported that they have experienced cyberbullying on the social network.
* Facebook, Ask.FM and Twitter found to be the most likely sources of cyberbullying, being the highest in traffic of all social networks.
* Cyberbullying found to have catastrophic effects upon the self-esteem and social lives of up to **70%** of young people.
* An estimated **5.43** million young people in the UK have experienced cyberbullying, with 1.26 million subjected to extreme cyberbullying on a daily basis.

[**CyberBullying and Social Networks**](http://nobullying.com/cyber-bullying-reasons-and-motives/)

**Facebook:** of all youths polled, **75%** of them use facebook and **54%** of those experienced cyberbullying.

**Youtube:** of all youths polled, **66%** use Youtube and of that number, **21%** of that percentage experienced cyberbullying.

**Twitter:** of all youths polled, **43%** use Twitter and **28%** of them experience cyberbullying.

**Ask.fm:** of all youths polled, **36%** use Ask.fm and **26%** of them experienced cyberbullying.

**Instagram:** of all youths polled, **24%** use instagram and **24** of those experienced cyberbullying.

**Tumblr:** of all youths polled, **24%** use it and **22%** of those experienced cyberbullying.

**Myspace:** of all youths polled **4%** use it and of that,**89%** experienced cyberbullying.

**Another Survey done by legal experts Slater and Gordon and the Anti-Bullying Alliance, reveals that over half of children and young people in England (55.2%) accept cyber-bullying as part of everyday life.**

**67%** of children would turn to their parents if they were bullied online. However, **40%** of parents do not know how to respond if their child is cyber-bullied or how to set up filters on computers, tablets and mobile phones that could protect their children.

**49%** of parents say that the amount of opportunities their child has to access the internet leaves them struggling to monitor online behaviour, with **51%** saying this also makes them afraid for their child.

**69%** of teachers and **40%** of young people said that more should be taught about cyber-bullying and online safety through the national curriculum. However, **43%** of teachers said their school did not currently teach anything about cyberbullying and online safety. More than **30%** of teachers said they didn’t have adequate knowledge to match the online behaviors of their pupils, with **44%** saying they didn’t know how to respond to cyber-bullying.

**The poll was carried out across 2200 parents, children and teachers by OnePoll in October 2013.**

[**Cyberbullying Statistics**](http://nobullying.com/17-bullying-and-cyber-bullying-statistics-articles/) **2014 and Internet Safety Statistics 2014 in United Kingdom**

According to Anti-Bullying Alliance, nearly one in five **(17%)** of London children experience mean or cruel behavior online and a quarter of kids in the capital are witnessing the cyber-bullying of a classmate or friend.

Only **15%** of parents think that their child is safe online.

**47%** of parents are concerned about their child being bullied online

Half of parents think their child may have been bullied online, **15%** know this for certain.

**44%** of parents think their child may be a cyber-bully themselves and **13%** have been told that their child is a cyber-bully.

**65%** of children often go online without any parental supervision.

**26%** spending four hours or more online every day.

**53%** of children go online in their own room.

**23%** of children who have directed a comment with cruel or abusive language to someone online consider it ‘mean’ to the person it was directed at, and just **9%** consider that behavior to be cyber-bullying.

In addition, **15%** think if someone was upset by a mean comment directed at them online, they would be ‘over-reacting’, **24%** saying they would be shocked to have their comments perceived as cruel.

<http://nobullying.com/cyberbullying-bullying-statistics-2014-finally/>. Accessed 4-7-2016.

# Is Cyberbullying a Crime ? Hopefully Soon!

* Modified : December 22,2015

Is CyberBullying a crime?

**While bullying among people, usually the younger generations, is nothing new, cyber bullying is new and gaining momentum. Bullying occurs in person, and the victim knows who the bully is. Cyber bullying is done through anonymous attacks towards the victim.** [Cyber bullying can take place on any electronic device](http://nobullying.com/what-is-cyberbullying/) **such as, a computer or cell phone. It can also take place on bulletin boards where the bully posts believable false messages about the victim.**

Kids are vulnerable to believe anything they read. Cyber bullying is mean and threatening with cruelly harassing taunts towards a person or persons. Cyber bullying can occur in posts, social networking sites, fake profiles, emails and chat rooms. Cyber bullies can get misleading information into the hands of thousands of people in a matter of minutes.

There is little chance that the bully will be caught when they cyberbully their victim. The bully can enlist a group of people to join them in their harassing efforts towards the victim because they feel relatively safe. The big thing that the victim must remember is to give no response in any way to anything the bully is doing or saying. If the bully gets no reactions from the victim, the bully will tire of their vicious game and eventually quit. It will not be easy for the victim to ignore these insults and face friends, but in the end, the victim will win out. No one is so smart that he/she do not leave some evidence of his or her crime. The cyber bully will eventually be found. The victim needs to document times places and occurrences of the cyber bullying for authorities.

### *****So, Is Cyberbullying a Crime ?*****

The victim should contact the police when threats of violence are received. Keep all evidence and eventually the evidence will lead to the bully. Fifteen states across the United States including Massachusetts have set laws in place making cyber bullying a crime. At this current time 2013, there is a bill being considered in law making cyber bullying a federal crime. This crime includes attacks made electronically. Communications made electronically that is done for the sole purpose of coercing, harassing and intimidating should be and is expected to be a federal offense. Cyber bullies can harass on the internet because they feel in complete control and anonymous.

The following are excerpts of [cases of cyber bullying stories](http://nobullying.com/singapore-2nd-worldwide-in-cyberbullying-searches-on-google/) of victim’s harassed and what happened. Some of these cyber bullying stories may help others who are being cyber bullied. The most difficult age to cope with cyber bullying is the early teenage years. Kids want to present themselves as acceptable among their peers. When some cyber bully comes along and spreads untruths about a teenager, their friends are the first ones to jump upon the untruths and believe everything they read. This is when their friends can shun the teenager.

### is CyberBullying a crime ? ****Cyber Bullying Stories:****

In 2006, a 13-year-old girl fell victim to cyber bullying. The result, according to her parents, was suicide by the 13 year old. These parents are now forming a group and legislation to push for safety measures against any cyber bullies. In this case, a friend’s mother lied on the internet about the girl’s profile. The mother of this girl’s friend wanted to gain trust in the girl for the sole purpose of finding out what the girl was saying about her daughter. This mother became violent in her communications and the 13-year-old eventually committed suicide. No one believes that this was the intention of this mother to see this girl die, however, the mother was responsible for pushing this girl to at the state of mind where the girl felt that suicide was her only way out.

[This 13 year old apparently had low self esteem](http://nobullying.com/cyber-bullying-affects-everyone/) and was taking prescribed medication at the time she died. The mother posed as a cute boy and quickly befriended the girl. They formed a bond in one month. The girl received an email from the boy, and he told her his name. He told her he lived close by, was home schooled and was 16 years old. The boy promised her an online friendship. Connecting via the telephone for the girl and her new friend was out of the question as he said his parents did not have a phone, so the two continued to email each other.

The girl’s mother saw some red flags and contacted the police to see if they could trace who this supposedly 16-year-old boy was, and they said they could not do that. It was not too long before the boy started to write insults and questioned the girl’s integrity. He told her that their friendship was in question because he had heard she did not treat her friends well. Soon messages began to be electronically posted about the girl’s appearance and character on the social networking site.

While the girl could not understand, why this was happening and her friend was posting such hurtful things for all to see. Comments continued to be cruel and upsetting to a 13 year old who already had a low self-esteem and history for depression. This devastated the girl so much that she hung herself. Her mother, found her daughter still alive, but the girl died the next day.

A month after the girl’s death the parents learned that the 16-year-old boy never existed. These parents learned from another mother that a mom in their neighborhood created the 16 year old and was the one ultimately responsible for the girl’s death.

There is a case after case of kids who committed suicide after being attacked via cyber bullying. They just could not live with the comments and prejudice they were receiving. Many cyber bully victims have depression making the situation worse or the situation itself brings on depression so serious that it leads to suicide.

Case after case of [cyber bullying victims](http://nobullying.com/bully-stories-depression-anxiety-and-suicide/) will die through committing suicide. Cyber bullying has consequences of which there is no return. Death is one consequence.

### *****Some Known***** [*Cyber bullying Cases*](https://nobullying.com/six-unforgettable-cyberbullying-cases/)

Tyler Clementi who was a victim of cyber bullying. Tyler was a college freshman and jumped from George Washington Bridge.

Jessica Logan sent a nude photo of herself to her boyfriend. This nude photo ended being sent around her school. Jessica ended up committing suicide due to the humiliation and embarrassment that she could not cope.

Sarah Lynn Butler was teased at school so much, and posts were made of her on MySpace that she committed suicide. Sarah was a popular seventh grader and voted Queen at her school’s fall festival.

\*A 15-year-old immigrant, Phoebe Prince living in Massachusetts committed suicide by hanging herself because she was cyber bullied. She could not handle the harassment.

Iowa student, Kenneth Weishuhn Jr., committed suicide after admitting online and in person that he was gay.

Hope Witsell, a 13 year old in Florida sent to a boy she liked a nude photo of herself. The photo ended up in other students hands. This started a series of name-calling and serious cyber bullying. Hope ended up committing suicide, as she could not handle the pressure.

Rachael Neblett committed suicide after falling victim to threats through cyber bullying. She was a 17-year-old student in Kentucky.

### *****More cases to highlights answers to “Is Cyberbullying a Crime ?”*****

A 15-year-old student, Grace McComas from Baltimore, committed suicide after she had been a victim of cyber bullying for months.

16-year-old Canadian Amanda Todd committed suicide after months of cyber bullying and bullying. She made some changes in her life and changed schools, but the harassment did not stop.

Bullies and cyber bullies have generally been victims themselves and turn into bullies for payback. Whatever the reason cyber bullies feel they need to harass others is as wide and varied as the bullies in the public. There is nothing good that comes from bullying. It would be good if lawmakers could make cyberbullying into a federal crime. This should at least make bullies think twice about their actions, making them accountable for their victims committing suicide.

***So what about the answer to this question: is Cyberbullying a crime?*** In the case of Phoebe Prince, nine students were involved, and the District Attorney, for a connection to Prince’s suicide, indicted six of the nine. Prince 15 years of age apparently had been dating an older football player. Some of the older girls resented her relationship to the football. One pelted her with a pop can, and all of the students involved created three months of torment for Prince. Cyber bullying messages on face book, mobile messages, verbal assaults and threats of physical harm made it impossible for Prince to continue. Most of the students involved were charged with criminal harassment and violation of civil rights leading to Prince’s suicide. Some of the students were expelled from the school.

[Teenagers and adults are going through life being cyber bullied](http://nobullying.com/signs-a-student-is-being-bullied/) and may or may not be aware of this. Most who are aware of what is happening to them feel depressed and miserable. There is some feeling of low self-esteem and worthlessness. The cyber bullies who commit these crimes is cowardly and immature. They are able to hide behind the internet as a faceless, nameless evil entity. As this bill passes into law as a federal offense, the federal government will easily track these bullies and charge them, possibly saving hundreds of youngsters who fall victim to their harmful harassments of innocent people. This is a great first step to prevention of this crime.

[Cyber bullies do not have to be some great criminal loose on the streets](http://nobullying.com/what-do-cyber-bullies-do/). Many times a cyber bully is a classmate, friend or neighbor. Nonetheless, it will be too bad if they were to ruin their life over some insane harassment of an innocent person. The unexplained horror that cyber bullies bring to the lives of innocent people should be and will become a law of which there will be no escape. Prevention of this crime is the first step towards protecting our rights.

Teenagers who are able to get through the tough times of being bullied or cyber bullied and do not commit suicide, grow up to be responsible adults. They start working towards a solution and pushing into law making cyber bullying a criminal offense in any state, in the United States.

There is a story after story of kids who have been or who are being cyber bullied. In many of these cases, it seems to be the school administrators who neglect to do anything about what is happening in their halls and on school property. Many times the school administration seems to close their eyes to bullies. If school administrators decide to do anything about a school bully it takes a long time for them to step up and accept responsibility for discipline. Does that help answer “is cyberbullying a crime ?” ?

When youngsters tell their parents what is happening, parents do not seem to take their children to heart. Most times, it seems as though they play down what is happening and do not put safety first for their children. The child must continue to try to get through their day somehow and some way. Not only are cyberbullies to blame for the high suicide rate for cyber bully victims, the parents and school administrators must shoulder some responsibility, by not practicing safety and prevention of these crimes.

Victims of cyber bullies and bullies should know that these people are highly intimidating. They thrive on having an audience. Bullies want to relate to everyone who will listen how tough they think they are. Cyber bullies are a progression of escalating problems in progress for their victims.

### ****Laws about Cyberbullying****

In the US, a summary prepared by Sameer Hinduja, Ph.D. and Justin W. Patchin, Ph.D. on [State Cyberbullying Laws](http://www.cyberbullying.us/Bullying_and_Cyberbullying_Laws.pdf) reports that while 50 states have laws against bullying and at least one or more existing laws about cyberbullying, only 18 states have definitive laws about cyberbullying included. As of December 2013, five more states are proposing to add laws about cyberbullying to their existing legislation.

In the state of California for example, AB 746 says that bullying can be dealt with in schools by punishing the person who is committing the bullying by suspending or expelling the student from school. This would also include bullying that is done electronically to include posts on a social network or Internet website, in other words, this is what defines laws about cyberbullying.

Alternately, while cyberbullying as a term is not stated, Alabama’s policies include “electronic forms of bullying” in its laws about cyberbullying. Such is the case with 29 other states without laws about cyberbullying.

Federal laws do not have a definitive section for bullying and cyberbullying as they often overlap with existing discriminatory harassment policies. However, laws about cyberbullying, bullying in electronic form, and corresponding criminal sanctions are currently being proposed in the federal arena. In the UK, there are several laws about cyberbullying that can help protect an individual being victimized by cyberbullying.

* According to the Schools Standards and Framework Act 1998, all state schools are mandated to have anti-bullying policies. Under the Education Regulations of 2003, independent schools are to have similar regulations as well.
* The Protection from Harassment Act 1997 and the Crime and Disorder Act 1998 have provisions for threatening behavior or harassment that can encompass cyberbullying. However, specific laws against it have yet to be drafted.
* The Communications Act 2003 makes sending of offensive, indecent or menacing messages by public electronic communications networks a criminal offense.

### ****While social networking is a wonderful way for family and friends to connect to each other, these sites do a wonderful service for the majority of people. There is that minority of people or cyber bullies who can overwhelmingly ruin the lives of some of those who only want to stay connected and enjoy family and friends. If you are being bullied or cyberbullied stand your ground, document all actions and report this crime to the police, for safety sake and prevention of further action by the bully. Do not let a bully or cyber bully ruin your life and push for realizing whether is Cyberbullying a crime!  If you know cyber bullying criminal offense list or you came across cyber bullying criminal offense list, please pass it on to us and lets educate others on what is a cyber bullying criminal offense.****

You should totally work with your community and press for harsher laws against cyberbullying. Creating tougher laws against cyberbullying will make each kid think twice about before cyberbullying someone in any way.

<https://nobullying.com/is-cyberbullying-a-crime/>. Accessed 4-7-2016.

Cyberbullying Statistics

* 95% of social media-using teens who have witnessed cruel behavior on social networking sites say they have seen others ignoring the mean behavior; 55% witness this frequently (PEW Internet Research Center, FOSI, Cable in the Classroom, 2011)
	+ 84% have seen the people defend the person being harassed; 27% report seeing this frequently.
	+ 84% have seen the people tell cyberbullies to stop bullying; 20% report seeing this frequently.
* 66% of teens who have witnessed online cruelty have also witnessed others joining; 21% say they have also joined in the harassment (PEW Internet Research Center, FOSI, Cable in the Classroom, 2011)
* 90% of social media-using teens who have witnessed online cruelty say they have ignored mean behavior on social media; 35% have done this frequently (PEW Internet Research Center, FOSI, Cable in the Classroom, 2011)
	+ 80% say they have defended the victim; 25% have done so frequently
	+ 79% have told the cyberbully to stop being mean and cruel; 20% have done so frequently
* Only 7% of U.S. parents are worried about cyberbullying, even though 33% of teenagers have been victims of cyberbullying (PEW Internet and American Life Survey, 2011)
* 85% of parent of youth ages 13-17 report their child has a social networking account. (American Osteopathic Association, 2011)
* 52% of parents are worried their child will be bullied via social networking sites. (American Osteopathic Association, 2011)
* 1 in 6 parents know their child has been bullied via a social networking site. (American Osteopathic Association, 2011)
* One million children were harassed, threatend or subjected to other forms of cyberbullying on Facebook during the past year. (Consumer Reports, 2011)
* Bullying over texting is becoming much more common (University of New Hampshire, 2011)
* 43% of teens aged 13 to 17 report that they have experienced some sort of cyberbulying in the past year.[[1]](http://www.internetsafety101.org/cyberbullyingstatistics.htm%22%20%5Cl%20%22_ftn1%22%20%5Co%20%22)
* More girls are cyberbullys than boys (59% girls and 41% boys).[[2](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn2)
* Cyberbullies spend more time online than other teens overall (38.4 hours compared to 26.8 hours).[[3]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn3)
* Cyberbullies are more likely to have engaged in sexting (31% vs. 19% for teens overall).[[4]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn4)
* 34% of those who have had any engagement in cyberbullying have been both a cyberbully and been cyberbullied.[[5]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn5)
* 68% of teens agree that cyberbullying is a serious problem with today’s youth.[[6]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn6)Reasons cyberbullies said they engaged in cyberbullying:[[7]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn7)

o   To show off to friends (11%)

o   To be mean (14%)

o   Something else (16%)

o   To embarrass them (21%)

o   For fun or entertainment (28%)

o   They deserved it (58%)

o   To get back at someone (58%)

* 81% of youth agree that bullying online is easier to get away with than bullying in person.[[8]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn8)
* 80% think it is easier to hide online bullying from parents than in-person bullying.[[9]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftn9)

 View Enough Is Enough℠'s full library of statistics [HERE](http://www.enough.org/inside.php?id=2UXKJWRY8).

[[1]](http://www.internetsafety101.org/cyberbullyingstatistics.htm%22%20%5Cl%20%22_ftnref%22%20%5Co%20%22) Harris Interactive Trends & Tudes, 2007.

[[2]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftnref) Teen Online & Wireless Safety Survey: Cyberbullying, Sexting and Parental Controls.  Cox Communications Teen Online and Wireless Safety Survey in Partnership with the National Center for Missing and Exploited Children, 2009.

[[3]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftnref) Teen Online & Wireless Safety Survey: Cyberbullying, Sexting and Parental Controls.  Cox Communications Teen Online and Wireless Safety Survey in Partnership with the National Center for Missing and Exploited Children, 2009.

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 [[5]](http://www.internetsafety101.org/cyberbullyingstatistics.htm%22%20%5Cl%20%22_ftnref%22%20%5Co%20%22) Teen Online & Wireless Safety Survey: Cyberbullying, Sexting and Parental Controls.  Cox Communications Teen Online and Wireless Safety Survey in Partnership with the National Center for Missing and Exploited Children, 2009.

[[6]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftnref) Teen Online & Wireless Safety Survey: Cyberbullying, Sexting and Parental Controls.  Cox Communications Teen Online and Wireless Safety Survey in Partnership with the National Center for Missing and Exploited Children, 2009.

[[7]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftnref) Teen Online & Wireless Safety Survey: Cyberbullying, Sexting and Parental Controls.  Cox Communications Teen Online and Wireless Safety Survey in Partnership with the National Center for Missing and Exploited Children, 2009.

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[[9]](http://www.internetsafety101.org/cyberbullyingstatistics.htm#_ftnref) Teen Online & Wireless Safety Survey: Cyberbullying, Sexting and Parental Controls.  Cox Communications Teen Online and Wireless Safety Survey in Partnership with the National Center for Missing and Exploited Children, 2009.

<http://www.internetsafety101.org/cyberbullyingstatistics.htm>. Accessed 4-7-2016.

Cyberbullying: The New Online Crime

By Scott Grabell

Elementary school bullying and high school harassment have been around for ages. Today, a new online crime is making itself more and more prevalent. More than 80% of teenagers use mobile phones, roughly 93% of college students engage on Facebook -- and more than 50% of teenagers and adolescents have been bullied by others through cellular technologies and the Internet. Recent studies show that the distance created by the Internet might pose a threat to the development of in-person social skills and many adolescents use the Internet to make the lives of others miserable. Cyberbullying occurs when someone uses mobile technologies or the Web to deliberately embarrass, harass or hurt someone else.

Social media sites and the Internet in general have created an interesting behavioral trend in teens and adolescents. The distance and illusion of “anonymity” offered by the Internet might encourage some to engage in online bullying. Online bullying works by using digital or electronic technologies. Experts consider multiple behaviors cyberbullying, including direct and indirect attacks and online bullying by proxy, or through an acquaintance. Cyberbullying works through the creation of a hostile online environment. It works when the bully creates intense feelings of fear, depression or anxiety in the victim.

People bully others for a number of reasons. Many teens and adolescents harbor feelings of hate and intolerance for others. In some situations, young people repeat the behaviors they witness at home. Sometimes, teens feel the pressure to “fit in” and perform acts of bullying to gain the appreciation or respect of their peers. Ultimately, young people bully others for a number of reasons. Parents should seek to identify bullying behavior, modify it and teach better social skills.

Bullying causes a number of moderate to severe side effects in the victim. Anxiety, depression and ultimately, suicide, are some of the most damaging effects of online harassment. The victim of electronic bullying may begin to show signs of their predicament. Failing grades, avoiding computer use, visible distress after using the Internet and withdrawal from family, friends and social groups are signs that something is amiss.

One of the biggest differences between traditional bullying and online harassment is location. School yard bullies torment their victims during a set range of hours each day; online bullying can take place 24 hours per day 7 days per week. In addition, online harassment can reach a wider audience in a short time. Electronic communications, such as text or embarrassing images, can cause continued anxiety and oftentimes, they are difficult to remove. Finally, confronting the source can prove difficult because locating the offender is difficult; in-person bullying only takes a visit to the school office or a parent’s home.

For more information about cyberbullying, refer to these resources:

* [What Is Cyberbullying?](http://www.kean.edu/~schandle/Students/LNerilo/what%20is%20cyberbullying.htm) – This article examines who carries out cyberbullying, how it affects the victims and examples of direct and indirect attacks.
* [The Effect of Online Social Networking on Adolescents](http://www.eckerd.edu/academics/ford/files/11/Mary_Wilks.pdf) – This paper examines the effects of long-distance social networking and the disadvantages teens face.
* [Background Information About Cyberbullying](http://www.ncpc.org/resources/files/pdf/bullying/cyberbullying.pdf) – This PDF offers detailed information about online bullying, its effects and important statistics.
* [Cyberbullying Prevention and Reporting](http://www.stopbullying.gov/cyberbullying/index.html) – This page offers articles to help you understand electronic harassment, prevention techniques and reporting the behavior.
* [Cyberbullying Parents Guide](https://webhost.bridgew.edu/marc/marc%20cyberbullying.pdf) (PDF) – This brief but detailed brochure offers an informative overview of online bullying and the steps parents can take to protect their children.
* [Cyberbullying Case Study](http://www.bamaed.ua.edu/edtechcases/case5.html) – This case study examines how a child’s parent might intervene to prevent cyberbullying.
* [Who Does the Bullying?](http://www.bullyingstatistics.org/content/why-do-people-bully.html) – This article discusses the types of people who perform cyberbullying and the effects it has on the victim.
* [Traditional Bullying vs. Cyberbullying](https://www.psychologytoday.com/blog/teen-angst/201205/cyberbullying-versus-traditional-bullying) (PDF) - This document offers a theoretical view of the differences between traditional bullying and electronic harassment.
* [Cyber Bullying](http://www.criminaljustice.ny.gov/missing/i_safety/cyberbullying.htm) – This comprehensive guide provides information on how parents, children and teens can stop cyberbullying.
* [The Warning Signs of Cyberbullying](http://illinoisattorneygeneral.gov/cyberbullying/WarningSignChecklist_victim_0108.pdf) (PDF) – This checklist helps teens and children determine if they are being harassed online.
* [Bullying Online](http://www.bullyonline.org/) – This brief article offers tips to protect a child from online harassment.
* [Disabilities and Bullying](http://www.ncd.gov/publications/2011/March92011) – This paper examines the effects of bullying on students with disabilities.
* [The ABCs of Bullying](http://www.stopbullying.gov/cyberbullying/) – This online course offered by the U.S. Department of Health and Human Services provides free training in bullying and aggression in youth.
* [The Emotional and Psychological Consequences of Cyberbullying](http://www.ojp.usdoj.gov/cds/internet_safety/NCPC/Cyberbullying%20Research%20Statistics.pdf) – This paper closely examines how the victims of electronic harassment feel.
* [Guide to Cyberbullying](http://oag.ca.gov/cybersafety/online/cyberbullying) - This brief article discusses the prevalence of online bullying and discusses why children engage in online harassment.
* [Important Cyberbullying Topics](https://www.tigermobiles.com/2015/05/how-to-protect-your-children-on-their-smartphone/) – This article offers examples of cyberbullying and a brief explanation of the different types of online bullying.
* [The Warning Signs of Cyberbullying](http://kidshealth.org/parent/positive/issues_2011/2011_cyberbullying.html?tracking=P_RelatedArticle) – This article offers an overview of the signs parents can look for if they suspect any form of bullying.
* [Harassment, Cyberbullying and Depression](http://www.cyberbully411.org/) – This site, aimed at youth, exposes depression myths and provides a discussion forum and other information about cyberbullying.
* [Prevention Techniques](http://www.deletecyberbullying.org/preventing-cyberbullying/) (PDF) – This document provides an overview of cyberbullying and offers a story that illustrates the severity of bullying and prevention techniques.
* [Cyber Safety: An Interactive Guide to Staying Safe on the Internet](http://www.opencolleges.edu.au/informed/cyber-safety/) – This site explains the different types of bullying and how to prevent them.

[http://www.grabellaw.com/cyberbullying-the-new-online-crime.html. Accessed 4-7-2016](http://www.grabellaw.com/cyberbullying-the-new-online-crime.html.%20Accessed%204-7-2016).

**Cyberbullying and the States**

July 9, 2010

**Alabama -** ALA. CODE Sec.13A-11-8(b) - Creates the misdemeanor offense of harassment which includes harassing communications through electronic means.

 ALA. CODE Sec. 16-28B-1- The Student Harassment Prevention Act was passed in 2009 and requires public school systems to adopt policies to prevent harassment of one student to another. Requires the State Department of Education to develop a model policy for local boards of education pertaining to student harassment prevention and appropriates $10,000 for fiscal year 2010-2011 for implementation. The model policy must contain a series of mandatory provisions relating to the procedures the school must take to address and report harassing incidents and provides for cooperation between school personnel and mental health specialists if funding can be secured.

**Alaska -** Does not have a cyberbullying statute, but ALASKA STAT. § 11.61.120 which is an anti-harassment statute defines harassment as including by electronic means which threatens the physical well-being of another person.

**American Samoa -** Am. Samoa Code Ann. § 46.3524- Harassment statute that can be used to prosecute cyberbullying. Each school has its own policies for dealing with student conduct.

**Arizona -** Does not have a cyberbullying statute, but does require the state governing board to prescribe and enforce policies and procedures to prohibit students from harassing, intimidating and bullying other students on school grounds, on school property, on school buses, at school bus stops and at school sponsored events and activities- Ariz. Rev. Stat. Ann. Sec. 15-341 (A) (37) (f).

There is also a statute prohibiting harassment by electronic means- Ariz. Rev. Stat. Sec. 13-2921.

**Arkansas -** ARK. CODE ANN. Sec. 6-18-514- Includes cyberbullying in the definition of bullying and requires every public school district to adopt policies to prevent and remediate harassment including a prohibition of bullying and resulting consequences, required reporting by witnesses who are school employees of incidents of bullying, encourages schools to provide education opportunities for employees and parents on this subject.

**California -** Calif. Educ. Code Sec. 32260-32262- Requires California public schools to adopt an interagency (school/law enforcement/agencies serving youth) and comprehensive safety plan that includes cyberbullying policies. It prohibits bullying through electronic means that is directed specifically toward a student or school personnel. Students may only be punished for acts that are "related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district." The statute does not explicitly provide authority to punish off-campus cyberbullying. Students are required to train and educate each other about the dangers of cyberbullying.

**Colorado -** Does not have a cyberbullying statute, but does have a comprehensive bullying statute- Colo. Rev. Stat. Ann. Sec. 22-32-109.1 which was passed in its initial form as a direct response to the Columbine shootings.

The Colorado harassment statute does contemplate harassment by electronic means- Colo. Rev. Stat. Sec. 18-9-111.

**Connecticut -** General statutes §10-222d- Requires local and regional boards of education to adopt and implement anti-bullying policies. The state’s broad definition of "bullying" can be construed to cover cyberbullying.

**Delaware -** 14 Del. Code Ann. Sec. 4123A- Gives school administrators the authority to take action against technology related bullying occurring on or off school grounds, provided there is a significant connection with school. Each school district must develop an anti-bullying with “no reprisal” policy that includes appropriate reporting requirements and consequences for violation. The law also requires the State Department of Education to coordinate with the State Department of Justice to formulate and revise a model bullying policy.

**District of Columbia -** Does not have a cyberbullying statute but D.C. Code Ann. § 22-404, a stalking law, can be used to prosecute cyberbullying.

**Florida -** FS 1006.147- The “Jeffery Johnston Stand Up for All Students Act” was enacted in April 2008.  This law provides a legal definition for bullying which includes bullying that occurs over the computer using school networks on or off school property. The law mandates each school district to promptly develop a code of conduct against all bullying and harassment. The code of conduct must include procedures for identifying incidents of bullying, determining if the incident occurred within the school district, parental notification and when appropriate notification of law enforcement authorities, and counseling services to victims of bullying.  The law also contains a monitoring system to report bullying.

**Georgia -** OCGA Sec. 20-2-751.4- Includes cyberbullying in its anti-bullying statute. The law requires local school boards to adopt policies prohibiting bullying, parental notification, age-appropriate range of consequences for bullying (can be counseling or disciplinary in nature), "no reprisal" reporting by school employees of bullying incidents, and procedures to remove students from a school to separate them from their victim after three bullying offenses.

**Guam -** Has a bullying statute that requires the department of education to adopt and implement a comprehensive bullying policy; statute does not specifically include cyberbullying in its definition.

Guam Code Ann. tit. 9 § 19.69- Includes electronic harassment in general harassment laws.

**Hawaii -** There is pending legislation requiring the State Department of Education to adopt rules prohibiting bullying; including cyberbullying. The proposed bill requires the Department to adopt rules for confidential reporting procedures by students and parents, a process by which bullying and cyberbullying can be reported to the county police department, and procedures establishing appropriate consequences.

Hawaii also has a harassment statute (Haw. Rev. Stat. Ann. Sec. 711-1106) which includes electronic harassment.

**Idaho -** Idaho Code Ann. Sec 18-917A- Includes cyberbullying in its Student Harassment, Intimidation and Bullying statute.

Idaho Code Ann. Sec. 33-205- Gives school officials the power to suspend or expel students for harassing other students over the internet and phone.

**Illinois -** 720 ILCS 5/12-7.5- Defines cyber stalking and makes it a class 4 felony, a second or subsequent felony conviction for cyberstalking is a class 3 felony.

720 ILCS 135/1-3- Includes a definition for harassment through electronic communications.

In 2008, the harassing and obscene communications act was amended to include cyberbullying.  This law provides a legal definition for cyber bullying and outlines punishment.

Pending legislation, SB 3266, Amends the school code 105 ILCS 5/27-23.7 and adds 105 ILCS 5/27-23.9 and 30 ILCS 805/8.34. This bill has passed both the Senate and the House and is waiting signature by the Governor. This bill requires that cyberbullying is included in general school policies on bullying and requires each school to maintain policies for prevention and discipline of bullying. This bill also requires that schools maintain detailed records of bullying incidents.

**Indiana -** Does not have a cyberbullying statute but does have intimidation, harassment, and computer trespass laws that can be used to prosecute cyberbullying: IND. Code Ann. § 35-45-2-1, 35-45-2-2, 35-43-2-3. State Senator Tom Wyss is trying to expand current bullying laws to include cyberbullying.

**Iowa -** Iowa Code § 280.28- Includes cyberbullying under its harassment and bullying definitions. Requires that the board of directors of a school district and the authorities in charge of each public school to adopt anti-bullying policies. These policies are to be distributed to school employees, students, and parents. Also, the board of directors of a school district is encouraged to develop programs designed to eliminate harassment.

IC § 708.7- Harassment law that can be used to prosecute cyberbullying cases.

**Kansas -** Amended K.S.A. 2007 Supp. 72-8256- Includes cyberbullying as a type of bullying and requires the board of education for each school district to adopt a policy and to implement a program to educate students and school employees about bullying.

K.S.A. §21-3438- Stalking law that can be used to prosecute instances of cyberbullying.

**Kentucky -** KY. Rev. Stat. Ann. §525.080- Makes harassing communications a class B felony. Includes cyberbullying between students in the definition of harassment.

**Louisiana -** La. Rev. Stat. Ann. §14:40.3**-** While not specifically related to schools, this cyber-stalking law may be used to prosecute instances of cyberbullying.

HB 1259- Was introduced in 2010 and is currently pending. This legislation criminalizes cyberbullying. Offenses can lead to fines for bullies under 18 and jail time for those over 18. This bill also gives parents the ability to submit a report to the office of juvenile justice if their child is being cyberbullied.

**Maine -** ME. Rev. Stat. Ann. tit. 17 § 506- A harassment law that can be used to prosecute instances of cyberbullying.

ME. Rev. Stat. Ann. tit. 17§ 210- A stalking law that can be used to criminally penalize cyberbullying.

LD 933- A bill that died in 2009 that would have required school boards to adopt cyberbullying policies and penalties.

**Maryland -** MD. Code Ann., Crim. Law § 7-424- Requires a county board to report incidents of bullying, harassment, or intimidation against students attending a public school under
the jurisdiction of the county board. Cyberbullying is defined and included with bullying, harassment, or intimidation. This law outlines reporting procedures and requires that a report be given to the legislature each year.

MD. Code Ann., Crim. Law § 7-424.1- Includes cyberbullying as a definition of bullying and requires the state board to create model policy prohibiting bullying. Each county board must implement anti-bullying policies and must publicize its policies to educate employees, students and parents.

MD. Code Ann., Crim. Law § 3-805- This law criminally penalizes persons who misuse electronic mail. This could be used to prosecute cyber bullies.

MD. Code Ann., Crim. Law § 3-803- Harassment law that can be used to prosecute cyber bullies.

**Massachusetts -** The Governor of Massachusetts signed S2323, ch. 92 of the acts of 2010, into law. This is an extensive anti-bullying law that defines cyberbullying and gives the schools authority to punish cyberbullying occurring on school property and away from school related events. Also, each school district is required to provide age appropriate instructions on bullying prevention as well as create an anti-bullying plan. Parents, students, and school employees must receive an updated version of the school’s anti-bullying plan each year. School employees must also undergo training each year to help them adhere to bully policies contained in the plan. This bill also has specific reporting procedures for instances of bullying. Individuals engaging in cyberbullying may be found guilty of criminal harassment and could face up to 2 1/2 years in a correctional facility or a $1,000 fine.

Mass. Ann. Laws ch. 265 § 43A- Criminal Harassment law that could be used to punish cyberbullying. Massachusetts' new anti-bullying law will directly apply criminal harassment laws to students.

**Michigan -** An Executive Order (No. 2007-46) signed by Governor Granholm in June, 2010 states that block grants will be distributed to schools to develop programs, including a suggestion that schools use the money to create cyberbullying policies and programs.

Pending legislation House Bill 4850, Matt's safe school law, requires school district boards to adopt anti-bullying policies. Cyberbullying is included in the definition of bullying.

Mich. Comp. Laws Serv. § 750.411h- Stalking law that can be used to prosecute cyberbullying.

Mich. Comp. Laws Serv. § 750.411s- Law governing posting of messages by electronic means; directly relates to common cyberbullying practices.

**Minnesota -** Minn. Stat. § 121A.0695- Requires that each school board adopt a written policy prohibiting intimidation and bullying of any student. This includes bullying in electronic forms. This law gives school administrators the authority to discipline bullying that occurs outside of school as long as the bullying has a significant connection to school.

Minn. Stat. § 6093749- Harassment and stalking law that can be used to prosecute cyberbullying.

**Mississippi -** Senate Bill 2015, approved by the Governor on the 13 April 2010, requires each school district to adopt anti-bullying policies including cyberbullying and to educate students, parents, and school employees about the dangers of bullying. This bill will also require school districts to disseminate their bullying policies to students, parents and employees. The provisions of this bill will go into force on July 1, 2010.

Miss. Code Ann. § 97-45-15- Cyber stalking law that covers many types of cyberbullying and can be used to prosecute cyberbullying. Miss Code Ann. § 97-29-45- Obscene electronic communications law that can be used to criminally penalize bullies.

**Missouri -** Pending legislation, SB 614, will add cyberbullying to the definition of bullying.

Mo. Rev. Stat. § 565.090- Harassment law that can be used to prosecute cyber bullies.

Mo. Rev. Stat. § 565.225- Stalking law that can be used to prosecute cyberbullying.

Mo. Rev. Stat. § 160.261- Any crime of harassment and stalking occurring on school property must be reported to the police. This includes communications occurring online.

**Montana -** Does not have cyberbullying legislation specifically directed for the school environment, but does have general anti-bullying statutes.

Mont. Code Ann. § 45-5-550- Stalking law that can be used to prosecute cyberbullying.

**Nebraska -** Neb. Rev. Stat. Ann. § 79-2, 137- Requires each school district to adopt anti-bullying policies, cyberbullying is included in the definition of bullying.

Neb. Rev. Stat. Ann. § 28-311.02-Stalking and harassment law that can be used to prosecute cyberbullying.

**Nevada -** Nev. Rev. Stat. Ann.§ 338. 121-139- Defines cyberbullying and requires that the state department of education develops anti-cyberbullying policies. These policies must be disseminated to students, parents, and school employees. Policies must contain standards for the ethical use of the internet.

Nev. Rev. Stat. Ann. § 392.915- In certain circumstances cyberbullying is a misdemeanor offense.

Nev. Rev. Stat. Ann. § 200.575- Stalking law that can be used to criminally penalize cyberbullying.

Nev. Rev. Stat. Ann. § 200.571- Harassment law that can be used to criminally penalize cyber bullies.

**New Hampshire -** N.H. Rev. Stat. Ann. § 192-F:2, F:3-5- Cyberbullying is included in the definition of bullying.

Requires that the school board of each school district adopt specific policies relating to bullying and cyberbullying. These policies must address a number of issues including policy dissemination and education and training for students and school employees.

N.H. Rev Stat. Ann. § 644:4- Harassment law that can be used to criminally penalize cyber bullies.

**New Jersey -** N.J. Stat. Ann. § 2c:33-4- An amendment to existing law addresses bullying occurring through electronic communication. This amendment gives school officials the ability to punish students for events that occurred off school property.  There has to be a connection to school for the communication to be evaluated under the authority of school officials.

N.J. Stat. Ann. § c.18A:37-15.1-“Electronic communication” is included in school districts’ harassment and bullying prevention policy. Notice of the amended policy shall appear in any publication of the school district that sets forth the comprehensive rules, procedures and standards of conduct for schools within the school district, and in any student handbook. This amendment gives school officials the ability to punish students for events that occurred off school property.  There has to be a connection to school for the communication to be evaluated under the authority of school officials.

**New Mexico -** N.M. Stat. Ann. § c.6.12.7- Defines bullying to include “any repeated and pervasive written, verbal or electronicexpression, physical act or gesture, or a pattern thereof that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events.  Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be based on the student’s race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation.”

**New York -** N.Y. Penal Law § 240.30 A person is guilty of harassment in the first degree when he or she damages premises used primarily for religious purposes or if he or she places a swastika or noose on any building or real property or sets on fire a cross in public view. A person is guilty of harassment in the second degree when he or she communicates or causes communication by telephone, by telegraph, by mail, or to be initiated by mechanical or electronic means, makes a telephone call with no purpose of legitimate conversation, subjects another person to physical contact or attempts or threatens to, and/or commits the crime of harassment in the first degree and has previously been convicted of it.

**North Carolina -** Ch. SL 2009-551- Adds a Cyberbullying penalty making it unlawful for any person with a computer to build a fake profile or website, pose as a minor in or follow a minor into a chat room, internet chat, etc, post sexual information pertaining to a minor**,** intimidate a minor or their guardian, or post any statement, whether true or false, with the intent to provoke a third party to harass a minor.

N.C. Gen Stat. § 14-196.3- Addresses cyberstalking by making it unlawful to use electronic mail or communication to inflict harm onto a person, electronically mail or communicate repeatedly for purposes of harassing or to make a false statement about another with intent to harass, knowingly allow this sort of electronic harassment happen.

**North Dakota -** Currently does not have cyberbullying specific legislation but does have harassment and stalking laws that can be used to prosecute cyberbullying: N.D. Cent. Code § 12.1-17-07 and N.D. Cent. Code § 12.1-17-07.1.

**Ohio -** Pending legislation, SB 126, amends Ohio Rev. Code Ann. § 2921.22, 3313.666, and 3313.667- Requires that the board of education for each school district adopt anti-cyberbullying policies, provide annual training for district employees and volunteers. Also the school districts harassment policies must address actions occurring away from school that significantly disrupt the school environment.

Ohio Rev. Code Ann. § 2903.211- Stalking law that can be used to criminally penalize cyber bullies.

**Oklahoma -** Okla. Stat. Ann. **§** Sec.70-24-100.4- Includes electronic communication in the definition of bullying on school grounds.  The state of Oklahoma prohibits this threatening behavior and each district board of education is required to adopt a policy for the control and discipline of all children attending public school in that district and for the investigation of reported incidents or harassment, intimidation, bullying, or threatening behavior.  This statute also mandates the creation of a unit on bullying to be taught as part of health education. Cyber bullying would be included in this new unit.

Okla. Stat. Ann. tit. 21 1172- Telecommunication harassment law that can be used to criminally penalize cyber bullies.

**Oregon -** OR. Rev. Stat. Ann. Sec. 339.351- Includes cyberbullying in its Harassment, Intimidation and Bullying Statute, but pulls it out from its general bullying definition as a separate category of offense.

OR Rev. Stat. Ann. Sec. 339.356 requires each school district to adopt a policy prohibiting cyberbullying and encourages them to develop the policy in coordination with parents, school employees, volunteers and community representatives. The policy applies to cyberbullying that occurs on school property or at school sponsored events, and bus stops and calls for a statement of consequences and remedial actions for violators. The policy should also contain a "no reprisal" provision as well as uniform reporting and investigation procedures. The school district should report annually on this subject to parents.

OR Rev. Stat. Ann. Sec. 339.359- Encourages school districts to incorporate training programs related to prevention into existing training programs for students and school employees. Districts are also encouraged to form task forces with parents, community representatives, school employees, law enforcement etc... to address prevention.

OR. Rev. Stat §166.065- Harassment law that can be used to criminally penalize cyber bullies.

**Pennsylvania -** 24 PS 13-1303.1A- Includes bullying by electronic means in its general bullying definition. Each school "entity" was required to adopt an anti-bullying policy by January 1, 2009 which it must review every 3 years. The policy must contain disciplinary consequences and may require prevention, education, and intervention programs. The anti-bullying policy may include acts that occur outside a school setting if other statutory requirements are met. The introduced version of this law attempted to make safe school grants contingent on the sufficiency of a school's bullying policies and reporting procedures, but this provision did not make it into the final version. The Public School Code, however, allows certain education grants to be targeted at schools with robust bullying policies. Schools have to report to the department of education to determine if their policies are adequate.

18 PA. Cons. Stat. Ann. § 2709- Harassment law that can be used to criminally penalize cyber bullies.

**Puerto Rico -** “Puerto Rico General Education Council Act of 1999,” amends Section 16- Evaluation of schools- The licensing and accreditation process must include a verification of the schools bullying laws, cyberbullying is not specifically included in the definition of bullying.

In 2008 “The Organic Act of the Department of Education of Puerto Rico” amended Section 3.08, 3.08a, 3.08b, 3.08c, 3.08d, and 3.08e of Chapter III of Act No. 149 of 1999- requires school boards to adopt comprehensive bullying policies. It is unclear if cyberbullying is included in the bullying definitions.

P.R. Laws Ann. Tit. 33, § 4013- Defines stalking and intimidation, cyberbullying is included.

P.R. Laws Ann. Tit. 33, § 4014- Delinquent conduct statute that criminally penalizes stalking and intimidation, cyberbullying is included.

**Rhode Island -** RI Gen. Laws Sec. 16-21-26- Includes cyberbullying in its general bullying statute. Each school district must develop a model policy on bullying. The State Department of Education shall develop a model policy to assist the locals. Public schools and school districts are encouraged to form task forces with parents, volunteers, community representatives, and law enforcement agencies. Repeat cyberbullying offenders are now treated the same as other repeat bullies and can be treated as delinquents as determined by a family court.

**South Carolina -** SC Code Ann. Sec. 59-63-110 *et seq*. The Safe School Climate Act of 2006 requires school districts to form policies prohibiting bullying; including cyber bullying. Each local school district must adopt policies to prevent and remediate harassment including a prohibition of bullying and resulting consequences, required reporting by witnesses who are school employees of incidents of bullying, encourages schools to provide education opportunities for employees and parents on this subject. Applies to grades K-12. State Board of Education shall develop a model policy to assist with local policy development.

SC Code Ann. Sec. 16-17-430- Unlawful communication law that can be used to criminally penalize cyber bullies.

SC. Code Ann. Sec. 16-3-1700- Harassment laws that can be used to criminally penalize cyber bullies.

**South Dakota -** HB 1279 failed during the 2009 legislative session. This piece of legislation required each school district to develop a bullying policy based on the requirements outlined in the bill. These policies must have reporting procedures, education programs for students, and punishment procedures. The bill described Harassment as the “threatening use of data or computer software, written or verbal communication, or conduct directed against a student or school employee”.

SD Codified Laws § 22-19A-1and § 49-31-31- Harrasment laws that can be used to criminally penalize cyber bullies.

**Tennessee -** TN Code Ann. §39-17-308-Describes harassment as including electronic communication, electronic mail, and internet services. In mid 2009, the Governor signed SB 0133which makes communications (including electronic communication) which have "malicious intent to frighten, intimidate or cause emotional distress" a Class A misdemeanor punishable by up to a year in jail and a fine of up to $2,500.

**Texas -** Pending legislation, SB 1725, includes cyberbullying in the definition of bullying. Requires each school district to adopt policies for the prevention and education of bullying.

Tex. Penal Code Ann. § 42.07- Harassment law that can be used to criminally penalize cyber bullies.

**Utah -** Does not have cyberbullying legislation that is directed specifically for students or schools but does have an electronic communication law, Utah Code Ann. § 76-9-201, that can be used to discipline many instances of cyberbullying. Electronic harassment can be either a Class A or Class B misdemeanor depending on whether the communication is directed at an adult or a minor.

**Vermont -** Pending legislation, H. 691, includes cyberbullying in the definition of bullying. This bill would give school administrators the authority to discipline students for actions conducted on or off school property if there is a significant impact to the school environment. Also, bullying prevention and investigation policies would be as stringent as current harassment laws. This bill would also make certain types of cyberbullying a civil offense.

VT. Stat. Ann. tit. 13 § 1027-Telephone and electronic communication law that can be used to criminally penalize cyber bullies.

**Virginia -**  VA. Code Stat. § 22.1-279.6- Requires that the Board of education develop policies including anti-bullying policies. Bullying through electronic means must be included in the policies.

VA Code Stat. § 18.2-152.7:1- Computer harassment law that directly relates to cyberbullying. Makes many acts of cyberbullying a Class 1 misdemeanor.

**U.S. Virgin Islands -** V.I. Code Ann. Tit. 14, § 706- Harassment law that can be used to prosecute certain types of cyberbullying.

**Washington -** A 2007 law added electronic harassment to already existing school bullying policies. In 2010, Substitute House Bill 2801 was passed with the purpose of expanding the tools, information, and strategies that can be used to combat harassment and bullying. Requires each school district to adopt (by August, 2011) a revised anti-bullying policy and designate one person in the district as the primary contact for this policy. This person's responsibilities include receiving and processing bullying complaints and to serve as an ombudsman between different state agencies. Each school district must report back to the Superintendent of Public Instruction a brief comprehensive summary of everything it has done on this issue by August 15, 2011.  Each school district must create and maintain a public website dedicated to bullying and harassment and shall post all revised policies, rules, and regulations on it.

WA. Rev. Code. Ann. § 9.61.260- Cyberbstalking law that can be used to criminally penalize cyber bullies.

**West Virginia -** West Virginia's bullying statute does not include cyberbullying. In 2009, a bill was introduced addressing harassment over the computer. While not directly relating to schools, this law makes it a crime to harass someone online. This would impact kids charged with cyber bullying.

W. Va. Code Ann. § 61-2-9a-Stalking and harassment law that can be used to prosecute cyber bullies.

**Wisconsin -** Wisconsin does not have specific cyberbullying law, but passed a comprehensive school safety law in 2010 which requires a school district without a bullying policy to either craft one, or adopt a model bullying policy offered by the Wisconsin Department of Public Instruction. The term "bullying" was left undefined in the statute which means the DPI or local school district will have to define it.

Wisconsin also has an Unlawful Use of Computerized Communication Systems law (Wis. Stat. Ann. Sec. 947.0125) which criminalizes intentional intimidation, threats, or abuse via electronic communication.

Wis. Stat. Ann. § 947.0125- Unlawful use of computerized communications law that can be used to prosecute cyber bullies.

**Wyoming -** Wyoming passed legislation in 2009 including cyberbullying in its definition of harassment, intimidation, and bullying. (W.S.A. § 21-4-311 through 21-4-315). The law requires each school district to adopt a policy prohibiting harassment, intimidation or bullying at school. The school district is required to involve parents, school employees, students, community representatives and administrators in the creation of the policy.  The policy must include a reporting scheme, consequences, "no reprisal", prompt investigation procedures, and a strategy for protecting the victim from further acts of bullying or harassment.

W.S.A. § 6-2-506- Stalking law that can be used to prosecute cyber bullies.

**Prepared by NCSL Staff**

**If you have any questions, please contact** **Susan Frederick** **or** **Jennifer Arguinzoni** **at (202)-624-5400.**

\*Information taken from individual state legislature websites and [www.ndaa.org](http://www.ndaa.org/)

[http://www.ncsl.org/research/civil-and-criminal-justice/cyberbullying-and-the-states.aspx. Accessed 4-7-2016](http://www.ncsl.org/research/civil-and-criminal-justice/cyberbullying-and-the-states.aspx.%20Accessed%204-7-2016).

# Cyber Bullying - 02/08/2013 Podcast Interviewing FBI IC3

**Mollie Halpern:** The FBI is seeing more cyber bullying complaints coming through its Internet Crime Complaint Center, or IC3, than it has in the past.

**Herbert Stapleton:** Things that a bully might have done face to face on a playground 20 years ago now are sometimes being done over the Internet.

**Halpern:** I’m Mollie Halpern, and this is FBI, This Week. Cyber bullying is when somebody uses the Internet to try to harass or humiliate another person. Supervisory Special Agent Herbert Stapleton…

**Stapleton:** In certain circumstances, cyber bullying can violate federal law, which the FBI would investigate.

**Halpern:** Cyber bullying can have dangerous and damaging consequences. The FBI teaches parents and children how to reduce the chances of becoming victims through our community outreach programs.

**Stapleton:** We suggest practicing good online etiquette. And remember that things that are said online can be harmful or hurtful to victims.

**Halpern:** For tips on how to avoid becoming a victim of cyber bullying, visit [www.lookstoogoodtobetrue.com](http://www.lookstoogoodtobetrue.com/). And if you think you’re a victim of cyber bullying—or any type of computer-based crime—report it at [www.ic3.gov](http://www.ic3.gov/).

[https://www.fbi.gov/news/podcasts/thisweek/cyber-bullying.mp3/view. Accessed 4-7-2016](https://www.fbi.gov/news/podcasts/thisweek/cyber-bullying.mp3/view.%20Accessed%204-7-2016).

**National Center for Educational Statistics**

**Indicator 11: Bullying at School and Cyber-Bullying Anywhere**



<https://nces.ed.gov/programs/crimeindicators/crimeindicators2014/figures/figure_11_3.asp>. Accessed 4-7-2016.