

FIGHTING CYBERBULLYING IN SCHOOLS: WHAT LAW ENFORCEMENT, SCHOOLS AND PARENTS CAN DO

WHITE PAPER

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SUMMARY

Schools throughout the United States are facing an epidemic. While some parents might look at bullying as a part of growing up, in fact it has reached epidemic proportions across the country. More than 3.2 million students are victims of bullying each year, according to DoSomething.org, a social issues advocacy group. Every day, nearly 160,000 children miss school because they are scared of being bullied, notes the National Education Association (NEA). Bullying through the use of electronic devices (smartphones, laptops, etc.) corresponds with the dramatic rise in the use of mobile technology among young people.

The cyberbullying epidemic among students in the United States, Canada, the United Kingdom and other countries where students have easy access to the Internet has resulted in a number of high profile and alarming national headlines. Many of these cyberbullying incidents have seen tragic ends, including student suicides and deadly school shootings.

In this white paper, Thomson Reuters draws upon the expertise of several experts to help law enforcement, school resource officers and security officials better understand cyberbullying, related student-on-student school violence, and the measures that these professionals may employ to reduce the risk and investigate cyberbullying and school violence incidents.

CONTRIBUTIONS

Thomson Reuters would like to thank the following individuals and organizations for their contributions:

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Grady Judd, sheriff, Polk County Sheriff's Office, Fla.

GROWING COMPLEXITIES

From small towns to inner city neighborhoods, law enforcement agencies are facing a crisis. No longer is it a matter of "if" a law enforcement agency will be investigating a serious cyberbullying incident, and no longer is it a matter of "when," either. Today, the question is "how many" incidents will law enforcement need to investigate in the coming year, and how will law enforcement manage limited resources as more parents turn to law enforcement instead of their schools to resolve cyberbullying threats.

Bullying is not new. It's been around for as long as children and young adults have attended school. Many parents and grandparents, based on their own experiences, have come to expect that their child may be bullied at some point. But the way in which today's kids use technology has changed the very nature, severity and speed of bullying.

The Cyberbullying Research Center defines cyberbullying as the "willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices." As more young people are introduced to computers and mobile technology (smartphones and tablets) at an earlier age, schools and law enforcement agencies are observing increases in cyberbullying and school violence among elementary, middle school and high school students. According to a 2010 Cyberbullying Research Center survey, today's school resource officer (SRO) handles an average of 16 cyberbullying incidents per year.

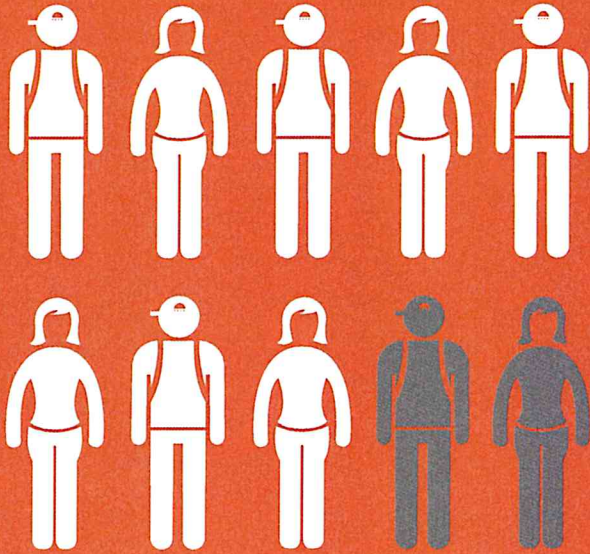
Judge Tom Jacobs, author of two books on cyberbullying and the editor of AskTheJudge.info, a legal blog for teens, says Americans, including school officials and the law enforcement community, need to realize "that cyberbullying is becoming a national health epidemic."

A 2012 article by Sam Laird on Mashable.com, noted that 1 in 5 kids who've been cyberbullied have considered committing suicide and 1 in 10 actually attempted it. Tragically, in this same article, Laird notes that 90 percent of students who witness cyberbullying ignore it, and that only 2 in 5 kids who've been victimized will mention it to their parents.

The story behind cyberbullying is complex. Issues facing school and law enforcement officials include:

- **Millions have been victims.** According to researchers Dr. Justin W. Patchin, Ph.D., and Dr. Sameer Hinduja, Ph.D., depending upon how cyberbullying is defined, up to 72 percent of American youth have experienced some form of cyberbullying. What many Americans may not realize is that many American students have experienced cyberbullying and a good majority of those incidents go unreported.
- **Scourge of the Internet to today's teens.** Cyberbullying should be high on a parent's list of concerns because their child is more likely to encounter cyberbullying than be abducted or assaulted by a stranger, which is a common fear among parents. This, according to a 2009 research report issued by Harvard University's Berkman Center for Internet and Society.





80%

"Eight out of ten teenagers use a cell or smartphone regularly. Making it the most common tool among cyberbullies."

Source: dosomething.org

- **Bullying costs bullies, too.** As reported by Utterly Global, an organization dedicated to anti-bullying, "children who were bullies in grades six to nine are 60 percent more likely to have a criminal conviction by the age of 24. A bully is also five times more likely than a victim to have a serious criminal record in adulthood. Even bullies who grow up to work in an office instead of entering the judicial system cause problems for others."
- **Cyberbullies are likely to grow up to be adult bullies.** "The National Institute for Occupational Safety and Health says workplace bullying causes \$3 billion in lost productivity and a staggering \$19 billion loss in employment every year."
- **Smartphones weapon of choice.** Today, more than 80 percent of teens use a cell or smartphone regularly, making it the most common tool among cyberbullies, according

to dosomething.org. The presence of teens on social media sites has only compounded the issue, blurring the lines between a schoolyard problem and a law enforcement concern.

- **Hiding in the shadows.** Internet technologies and apps allow cyberbullies to act anonymously. Victims of cyberbullying may never know the source of online abuse and threats without the direct intervention of local law enforcement to identify those behind the online bullying.
- **Sexting is a serious concern.** In a 2010 survey by the Cyberbullying Research Center of 4,400 middle and high school students, 8 percent of students reported sending naked or seminude photos of themselves to another student, and 13 percent reported receiving pictures from classmates. In many cases, these images are shared among students, and become public on the Internet. In some cases, police have been





A young woman holds onto a funeral program leaflet for 17-year-old Rehtaeh Parsons as she embraces a fellow mourner outside St. Mark's Anglican Church in Halifax, Nova Scotia, April 13, 2013. Parsons, a local high school student, was taken off life support on April 7, three days after she tried to hang herself. The teen was bullied for more than a year after an alleged sexual assault which happened when she was 15, her family said.

Credit: Reuters/Paul Darrow

forced to use child pornography laws to charge young people who have shared photo images of fellow underage students.

- **Cyberbullying laws are inconsistent.** At the state level, 49 states have anti-bullying laws on the books. However, there is no federal law that specifically addresses cyberbullying. According to FindLaw.com, the nation's leading website for free legal information, students accused of bullying are at risk now, more than ever, of being suspended or expelled, and may even face civil fines and criminal penalties. Laws vary from state to state, and in most instances, put the burden on schools to address bullying, including cyberbullying incidents. But, because cyberbullying activity commonly occurs outside school hours, schools are often reluctant to get involved. Law enforcement agencies may need to resort to other laws such as stalking or harassment to address cyberbullying incidents.

- **Hacktivists are watching.** Groups such as Anonymous have demonstrated their willingness to intervene on behalf of victims, threatening to expose teens that have committed acts of assault. In a 2012 case involving members of the Steubenville High School football team, a member of Anonymous released a video of the two teen males, who were later convicted of raping a female, joking about the assault.

"Bullying has always been with us," said Polk County, Fla. Sheriff Grady Judd, whose department arrested two girls, 14 and 12, in the 2013 cyberbullying incident that led to the suicide of Lakeland, Fla. teen Rebecca Sedwick. "Years ago, when kids left school, they had a reprieve from the bullying that went on at school. Now, they can't get away from it. It's there, 24/7. We allow kids to use adult tools without supervision and we wonder why bad things happen."



INVESTIGATING CYBERBULLYING AND SCHOOL VIOLENCE

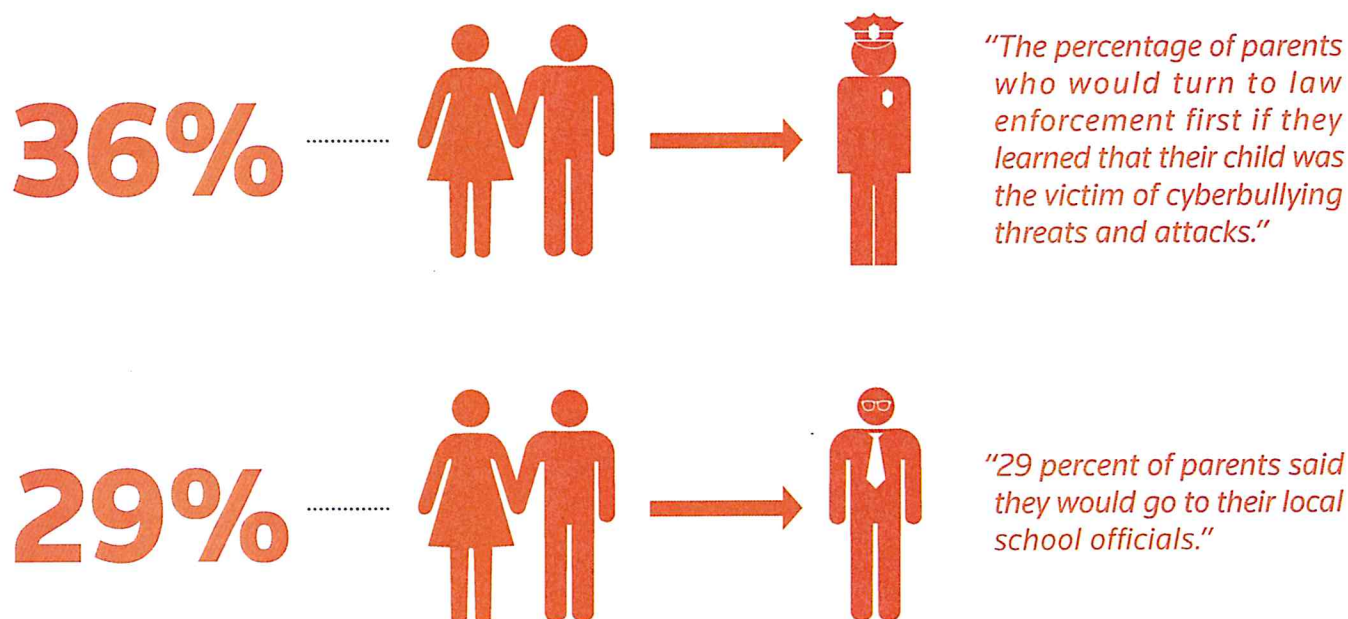
As more people become aware of the harmful consequences of cyberbullying, the dynamics of how school officials, parents and law enforcement address cyberbullying incidents is changing.

In recent years, according to Judd, bullying and to some extent, cyberbullying, incidents were left to school officials to resolve. But not anymore.

Today, parents are more likely to report cyberbullying incidents directly to their local police than local school officials. According to a recent national survey of 642 American parents conducted by the Fraud Prevention

& Investigations business unit of Thomson Reuters, 36 percent of parents would turn to law enforcement first if they learned that their child was the victim of cyberbullying threats and attacks versus 29 percent of parents who said they would first go to their local school officials.

According to David Gomez, an officer with the Meridian Police Department who serves as the school resource officer (SRO) at one of three middle schools (grades 6-8) in Meridian, Idaho, he has fielded an average of 7 to 10 cyberbullying complaints per week, when he began his SRO duties about two years ago.



Fighting Growing Cyberbullying Trends

Having worked in the laser and electronics industry prior to becoming a police officer in 2009, Gomez said he was astonished by the number of complaints he received from parents and kids.

One reason that parents are going to their local police departments is that 30 percent of parents surveyed didn't know if their child's school even has a policy to address cyberbullying. In a related survey of U.S. law enforcement professionals conducted by Thomson Reuters in conjunction with PoliceOne.com, 48 percent of law enforcement agencies report that time spent investigating cyberbullying, bullying and school violence has dramatically increased over the past two years.

With more parents going directly to law enforcement officials with complaints about cyberbullying, SROs and local police are facing greater demands to investigate and resolve cyberbullying incidents.

"Cyberbullying may start as only mean-spirited messages from the bully to the victim, but it is often posted on social networking sites accessible to others," said Dakota County, Minn., County Attorney James Backstrom. "This can lead to more kids commenting with more negative remarks, hurting the victim even more. It can escalate to a serious problem very quickly. The sad reality is that kids will hit the send button to convey a mean-spirited message that they would never say to someone directly. The seeming anonymity of the Internet leads kids to conclude that the message cannot be traced back to them. What many kids and their parents don't realize is that law enforcement officials can trace back those messages, and that's why it's so

important for victims to contact police about such messages before the harassment increases.

"It's important to catch cyberbullying in the early stages," added Backstrom. "Bullying can easily escalate from anonymous taunts or put downs over the Internet to direct verbal bullying in a school or a community setting, and possibly into physical violence."

"We have to stop cyberbullying in its tracks," added Gomez. "In my experience, I have seen older boys – 18, 19, and 20-year olds – become hunters. They prey on middle school girls who, often times, are so excited by the attention they're receiving from an older guy, they'll shoot off a photo of themselves without even thinking. Recently, we found one young man with more than 18 photos of naked female students on his phone."

According to StopBullying.gov, some victims of cyberbullying may retaliate against their bullies. In an analysis of 15 school shooting cases that occurred during the 1990s, the shooters experienced a history of being bullied.

48%

"The percent of law enforcement agencies that reported time spent investigating cyberbullying, bullying and school violence has dramatically increased over the past two years."



INVESTIGATING CYBERBULLYING

To investigate cyberbullying, law enforcement officials are using a number of different approaches to identify students who hide behind the anonymity of the Internet to commit their acts of cyberbullying.

After a school resource officer or local police determine that a cyberbullying complaint has gone beyond school rules and policies, most police departments will look toward other laws upon which to build the framework of an investigation. Disorderly conduct, stalking, online harassment and even the distribution of child pornography are laws that police departments and prosecutors have used in lieu of specific statutes regarding cyberbullying to launch an investigation.

Because most cyberbullying occurs through social media sites and smartphones, law enforcement officials will often launch their investigation by contacting the social media company, such as Facebook, Twitter, Instagram or Snapchat, to begin the process of discovering the sources behind false websites or malicious posts. Contacts to Internet service provider (ISP) hosting companies and mobile technology providers allow police investigators to identify cell phone numbers and the location of a specific computer or smartphone from which the cyberbullying originated.

Today, in many local police departments across the country, it is becoming a best practice for law enforcement officials to monitor social media sites on a regular basis to identify students involved in

cyberbullying, as well as other criminal activities. At the Meridian Police Department, Gomez has created fake social media accounts to monitor cyberbullying in real time.

"Here's the reality of cyberbullying in a middle school," said Gomez, "If a child has more than 200 friends on a social media platform such as Instagram or Vine, she is likely to experience cyberbullying. I have seen girls – and cyberbullying primarily occurs between girls – with more than 4,000 'friends' and surprise, surprise, those girls experienced bullying on an almost daily basis. I strongly urge the kids in our school never to become online friends with anyone they don't personally know and to keep their social media contacts to 200 or less."

"Sometimes, it's not that difficult to identify cyberbullies," Jacobs noted. "Many cyberbullies are in denial about the actual harm they're doing and will actually brag about their exploits online. Most cyberbullying cases involve one to three students, making it all the more likely that a cyberbully will reveal him- or herself in time."

The Juvenile Justice Division (JJD) of the New York City Police Department (NYPD) regularly utilizes social media in combination with analytical software to build investigations. The JJD's innovative use of social media ranges from setting up alias identifications on social media websites to identify images and photos posted on social media sites. The JJD's approach has been used to fight cyberbullying as well as more serious youth crime, such as teen involvement in gangs.



"In Polk County, we created the first computer crime lab to employ the latest in cutting edge technology that we can afford to provide our officers the technology they need to investigate cyberbullying," said Judd.

Among the latest technology that law enforcement officials are using to identify cyberbullies is CLEAR, which allows law enforcement to search social media such as Facebook, Twitter and Instagram. CLEAR is a key tool for investigating an under-18 population without a credit history footprint that is typically used in public record searches during investigations.

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REDUCING CYBERBULLYING

While cyberbullying may not go away any time soon, experts agree that much could be done to make more people aware of the issue and attempt to reduce the impact on young people and our schools.

More Training: According to a Thomson Reuters survey, most law enforcement agencies feel ill-equipped to effectively investigate cyberbullying cases, with 76 percent reporting that their training to handle cyberbullying complaints has been insufficient. However, as Judd explains, "People want more police services for less taxes. They want violent criminals off our streets, first and foremost. And yet, police often are the first source that parents turn to in a cyberbullying matter, and we spend a lot of our time mediating a situation that we would prefer to see handled in the schools."

Better Understanding of Bullying Laws: In the Cyberbullying Research Center's 2010 survey of school resource officers, many SROs expressed frustration with schools in not taking disciplinary action on cyberbullying cases because those incidents occurred outside of school hours. Law enforcement officials and school officials need to more clearly understand the laws in their state regarding bullying and cyberbullying. Most laws state that school officials can discipline a student for their off-campus behavior when it disrupts the school's learning environment or infringes on the rights of a student, according to Jacobs.

"The technology is changing faster than the legislation," added Judd. "The laws are unclear. But one thing I do know, as it relates to sexting, I

don't want to see a new law where I arrest a teen for child porn trafficking – we don't want to label kids child porn predators for the rest of their lives for doing something as dumb as sharing photos of their private parts with other kids."

If parents and school officials are unable to resolve a cyberbullying incident at the school level, Jacobs recommends that parents seek the use of a restraining order to get the attention of a cyberbully, and more importantly, the bully's parents and school officials to start the discussion between the parents of the victim and the bully.

Student Education: Gomez believes that the first line of defense in the war on cyberbullying is educating students about the proper use of technology and the consequences of cyberbullying. By focusing on educating students about cyberbullying, Gomez has cut the number of cyberbullying complaints from an average of 7 to 10 per week, about two years ago, to about one to two complaints per month.

76%

"The percentage of law enforcement employees who report that their training to handle cyberbullying complaints has been insufficient."





Credit: Reuters/Charles Platiau

"It's not technology's fault. Ten years ago, it was MySpace, today, it's KIK, tomorrow, it will be something else," added Jacobs. "Many kids simply lack maturity to fully understand their actions. They don't think about the consequences before hitting the send button – to their victims, to themselves, to their families."

Parent Involvement: Local school and law enforcement officials need to place greater emphasis on engaging with parents about cyberbullying. "If parents are going to give technology designed for adults to their children, they need to manage that technology better," said Judd. "Parents are our first line of defense. They need to be in the faces of their kids about the most appropriate use of digital technology. They need to consistently and carefully monitor their children's use of social media and digital communication, including email and texts."

"We tell parents to have their kids stand up for themselves by taking a karate chop to bullying,"

Gomez added. "That means kids, with their parents help, need to take the first steps by deleting and blocking people you don't know or you don't get along with. Or, for that matter, get off social media altogether. There is absolutely no reason a young person needs to be on Ask.fm or KIK."

Teen Currency: To many teens, their smartphones are their lifelines. Without it, a student is quite literally cut-off from his or her friends and from the day-to-day conversations between students. Jacobs recommends that parents initiate agreements similar to teen drinking-driving agreements advocated by Mothers Against Drunk Driving. Parents need to leverage smartphones as currency to increase trust between parents and the child. Students who use smartphones to bully lose access to those phones. For example, students who sext photos of themselves to another student should lose their cell phones for a designated period of time. Jacobs recommends parents should start to discuss ramifications as early as kindergarten.



YOU CAN PREVENT CYBERBULLYING



PREVENTION TIPS FOR PARENTS

- Parents need to set boundaries with their children about computer and smartphone use. Spell out the rules, and more importantly, enforce the rules. In other words, if you catch your child cyberbullying or sexting, take their screen privileges away.
- Parents need to carefully monitor their child's use of the Internet. Parents should review texts, emails, and social media activity every day.
- Cap the number of friends that a child interacts with on social media to no more than 200. The less the better. Kids should never friend someone they don't know – there could be an older adult lurking behind a fake account.
- Encourage your kids to tell them if anyone – including another student – asks them for a naked photo. Sexting is very common, according to David Gomez an officer and SRO with the Meridian (Idaho) Police Department. In the past year, he has discovered at least 50 incidents involving, 11, 12, and 13-year old students sexting photos of themselves – most often to other students.
- According to Gomez, the kids who seem to be at most risk of cyberbullying and sexting are young girls who are at the top of their class and come from stable families. Girls perceived to be "smart" by other students tend to be more susceptible to requests for naked photos because they perceive it as a path toward gaining popularity. Some girls, who have not had much experience with boys, can seem out of touch with what they really want (naked pictures to share with friends).
- Parents should carefully examine the exchange of messages between children involved in a cyberbullying incident. Based on his experience, it is likely that the "victim" may also have sent or posted hurtful comments or threats toward the other student, according to Gomez.
- Parents need to talk with their kids about watching for the warning signs of predatory behavior online. Boys and girls should never respond to a message from someone they don't know that says "Hey" or "Hi there." Those words are often the telltale signs of a predator. Kids should not set themselves up to be bullied by asking others to "rate me."
- Kids (and parents) need to watch for SpamBots on KIK and other texting and email Internet accounts. Gomez noted: "A KIK user, posing as a 23-year-old female, kept asking boys in the school for naked photos. It was actually a SpamBot phishing for photos of teenage boys to post on an Internet porn site."
- Most social media applications have built-in safeguards to ward off cyberbullies and predators – only if kids and their parents would use them.

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