

Examples of Cyberbullying

- Sending mean or threatening text messages.
- Sending rumors by email or posting them on Facebook.
- Placing embarrassing pictures or videos of someone else on the internet.
- Creating a fake profile of someone else on a social networking site.
- Sending a message about someone else that is supposed to be a secret.

Some Things to Remember...

- If you wouldn't say it to someone in person, don't say it online.
- Whatever you put online can stay there forever. Do you really want everyone else in the world to see it?
- Don't forward a cyberbully's message. That makes you a cyberbully, too.
- It is hardly ever "just a joke" to the person who is the victim. Cyberbullying can affect the victim's emotional well-being and in some cases has resulted in suicide.
- Cyberbullying that reaches the level of cyberstalking is a crime.

This brochure was prepared by the Juvenile Assessment Center of Lee County. It is provided as a general overview of the rules and laws on cyberbullying and cyberstalking in Lee County, Florida. It does not apply to other states. It is not intended as a substitute for legal advice. It is always best to consult with an attorney about your legal rights and responsibilities in your particular case. Also, be aware that the laws of Florida are subject to change. This brochure was prepared based on 2012 Florida Statutes and the School District of Lee County's 2012 Code of Conduct for Students. It can be downloaded from the internet at www.swfljac.org/cyber.pdf.

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Know the Law

Cyberbullying & Cyberstalking



Information for youth and parents
on cyberbullying and cyberstalking
laws in Florida

What is “cyberbullying?”

Cyberbullying is when someone uses the internet or other electronic technology to threaten to physically hurt someone else or uses it to cause psychological distress to someone else.

Examples of electronic technology used in cyberbullying include using email, instant messaging, social networking sites, text messages, web sites, gaming sites, blogs, or chat rooms.

Forms of cyberbullying include:

- teasing,
- excluding someone from belonging to a group,
- using words or images to try to intimidate or threaten someone,
- making offensive, rude, vulgar, or cruel insults,
- harassing someone about their sexuality, religion or race,
- disclosing secrets or personal information about someone that embarrasses or humiliates them, or
- stalking someone.

Pretending to be the person who is the target of the bullying or using his or her user access information to send inappropriate messages to others is also a form of cyberbullying.

Cyberbullying at School

Cyberbullying is a violation of the School Board of Lee County’s Code of Conduct for Students when it occurs at school, on a school bus, at a school function, at a school-sponsored program, from a school district computer, or through the school district’s computer network.

Under the public school district’s code of conduct, cyberbullying rises to the level of “harassment” when the bullying behavior:

- places someone in reasonable fear of harm to his or her person,
- places someone in reasonable fear of damage to his or her property,
- substantially interferes with a student’s academic performance, opportunities, or benefits, or substantially disrupts the orderly operation of a school.

Note: Laws prohibiting bullying and harassment in public schools fall under the “Jeffrey Johnston Stand Up for All Students Act” in Florida Statute 1006.147.



What is “cyberstalking?”

A more serious form of cyberbullying is called “cyberstalking.” [Cyberstalking is a crime.](#) “Cyberstalking” is defined in Florida Statute 784.048 under the laws on stalking as follows:

“Cyberstalk means to engage in a course of conduct to communicate, or cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.”

A person who willfully, maliciously, and repeatedly cyberstalks another person commits the offense of stalking. It is a misdemeanor crime.

However, cyberstalking is a felony crime (a more serious crime) if it involves a “credible threat” or the person who is being targeted is under 16 years of age.

A *credible threat* occurs if the person who is the target of the threat is placed in reasonable fear of his or her safety or that of his or her family member or other person closely associated with that person and the threat is made with the apparent ability to carry out the threat to cause such harm. It does not matter whether the person who made the threat actually intended to carry it out or not.