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Cyberbullying of children becomes a punishable offense in Pa.

New measure would make such harassment of children a misdemeanor

By Angie Mason

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Pennsylvania has a new law that aims to stop cyberbullying of children by making it a punishable offense.

Here are 5 things to know about Act 26.

1 The new law creates the offense of "cyberharassment," which would include making seriously disparaging statements about a child's physical characteristics, sexuality, sexual activity or mental or physical health. It would also include threats to inflict harm. The harassment could be made electronically, either directly to the child or through social media.

For a juvenile charged with the crime, a diversionary program, which might include an educational program on cyberharassment, would be considered first. Successful completion could lead to the juvenile's record being expunged.

The law makes cyberharassment of a child a third-degree misdemeanor, punishable by a maximum \$2,500 fine and/or one year in prison.

Michelle Nutter, safe and supportive schools manager for the Camp Hill-based Center for Safe Schools, said that previously, cyberbullying could have fallen under existing harassment language in the crimes code, but the new law specifically addresses the behavior.

"Where in the past law enforcement could have said maybe it is, maybe it isn't, this very clearly defines what cyberharassment is," she said. "It takes that guessing game away."

2 The law could help schools, which are often expected to handle cyberbullying whether it happens on school grounds or not.

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The law "makes it a much more broad issue beyond the school walls," said Jim Buckheit, executive director of the Pennsylvania Association of School Administrators. It will help schools,

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because it "takes it out of the pure context that it's an education issue" and that school administrators have to deal with it, and puts it into the hands of law enforcement.

There used to be grey area, and law enforcement sometimes told schools it was their issue, he said. Now the boundaries are clearer.

3 Still, prevention is the preferred route, advocates say.

Jason Landau Goodman, executive director of the Pennsylvania Youth Congress, raised concern that such criminalizing policies tend to disproportionately affect marginalized youth, particularly minority groups. He'd prefer to see more proactive measures to support those involved and try to prevent cyberbullying in the first place.

He pointed to the proposed PASS (Pennsylvania Safe Schools) Act as an example, saying it would fill in the gaps in existing anti-bullying law, providing for more reporting mechanisms and an emphasis on positive supports, for example.

Nutter said the emphasis should remain on prevention work among schools, parents and community organizations. But unfortunately, even with programs in place, "that doesn't mean you're not going to have kids who engage in the behavior despite that."

The new law, she said, is good in that it gives those targeted by cyberbullying an avenue to address it and "stop the abuse."

"It's also great in that it sends a clear message that cyberbullying isn't just kids being kids," Nutter said. "It's serious activity that carries serious consequences."

4 According to a news release from state Rep. Ronald Marsico, the bill's prime sponsor, the measure carried the support of law enforcement groups including the Pennsylvania District Attorneys Association, the Pennsylvania State Police and the Pennsylvania Chiefs of Police Association.

State Reps. Stan Saylor, R-Windsor Township, and Mike Regan, R-Carroll Township, were among the legislative sponsors.

5 The cyberbullying law was signed by Gov. Tom Wolf July 10 and takes effect in 60 days.

Contact Angie Mason at 771-2048.

Resources

Looking for information about cyber bullying? Here are some online resources:

U.S. Department of Health and Human Services anti-bullying website: www.stopbullying.gov

Center for Safe Schools: www.safeschools.info

Bullying Prevention Institute: www.bullyingpreventioninstitute.org

Olweus Bullying Prevention Program: www.clemson.edu/olweus

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