

# The Current State of Cyberbullying

by [Free Spirit Author](#)

By Judge Tom Jacobs, coauthor of [Every Vote Matters: The Power of Your Voice, from Student Elections to the Supreme Court](#)

Over the past decade, adults and teenagers have been prosecuted for cyberbullying. Whether charged specifically with an act of cyberbullying or an underlying crime of stalking, harassment, intimidation, or threatening someone, law enforcement continues to address this global phenomenon.

Statistics vary on the extent of the problem. It is generally agreed that 10 to 20 percent of teens in the United States are cyberbullied on a regular basis. Globally, it is estimated that 37 percent of eight- to seventeen-year-olds are cyberbullied, with only 20 to 30 percent of cyberbullying cases being reported. The Pew Internet Research Center reports that 95 percent of students have witnessed cyberbullying, with 90 percent of those ignoring it at some point.

All states have criminal laws that address cyberbullying behavior. Many rely on already existing statutes that prohibit behavior such as criminal harassment. Others have amended their laws by adding the term “electronic harassment.” State legislatures have tried to strike a balance between free speech and restricted speech when it comes to digital expression. South Carolina has had such laws since 2006, and Alaska and Iowa followed suit in 2007. At present, forty-four states have passed legislation imposing criminal sanctions for online harassment.

In addition to the criminal justice system, the nation’s schools continue to define and control cyberbullying on and off campus. Issues surrounding the suspension and expulsion of students who violate school policies regarding cell phones and other digital devices are debated in classrooms and courtrooms regularly. Federal and state courts wrestle with balancing a student’s freedom of expression/speech with the school’s responsibility to maintain a safe environment for everyone. State legislatures have been considering allowing students internet access only in highly visible areas of the school; establishing preselected websites according to age groups, reviewing effective firewalls (filtering and monitoring software mechanisms), and strictly and promptly acting against students who violate school policy. Regarding the latter point, forty-five states authorize school sanctions for students who cyberbully. Sixteen of those states include sanctions for off-campus cyberbullying.

A recent example of school legislation happened in California (effective this year), which expanded the definition of cyberbullying to include sexual cyberbullying. It is defined as the sharing of nude photos or videos of others “with the purpose of humiliating or harassing a student.” California public schools are authorized to expel students who engage in these sexting activities. In 2017, Texas passed David’s Law, which authorizes prosecution of students who use social media to encourage others to harm themselves or commit suicide. This includes off-campus communications.

Although 2017 has witnessed a decline in reported bullycidies, some teenagers still choose to end their pain by taking their lives. Five tween and teen students committed suicide due, in part, to online bullying on Facebook, Instagram, Snapchat, and other social media platforms. In January 2017, we lost Ariana DeHerrera, thirteen, of Colorado. In February, Megan Evans, fourteen, hanged herself at home in England. Elle Trowbridge, sixteen, of Ireland passed away in April, and Mallory Grossman, twelve, of New Jersey, passed in June. Finally, Libby Bell, a thirteen-year-old Australian girl took her life in August.

Clearly, the consequences of bullying and cyberbullying know no boundaries. Many countries are in the process of enacting rules, regulations, and laws to combat all forms of bullying. For example, India is preparing a curriculum for children between eight and ten years old. In 2016, Italy proposed legislation to sentence people who cyberbully to prison for one to six years. Education and awareness campaigns are underway in Malaysia and Thailand.

Bottom line: Be kind to others. Think about intended and unintended consequences before you post.

[Thomas A. Jacobs, J.D.](#), was an Arizona Assistant Attorney General from 1972 to 1985 where he practiced criminal and child welfare law. He was appointed to the Maricopa County Superior Court in 1985 where he served as a judge pro tem and commissioner in the juvenile and family courts until his retirement in 2008. He also taught juvenile law for 10 years as an adjunct professor at the Arizona State University School of Social Work. He continues to write for teens, lawyers, and judges. Visit Judge Jacobs's website [Askthejudge.info](#) for free interactive educational tools that provide current information regarding laws, court decisions, and national news affecting teens.

Tom is a coauthor of [Every Vote Matters](#) and the author of [What Are My Rights?](#), [They Broke the Law—You Be the Judge](#), and [Teen Cyberbullying Investigated](#).

**Free Spirit Author** | October 12, 2017 at 7:00 am | Tags: [anti-bullying](#), [bullying](#), [bullying prevention](#), [cyberbullying](#), [Free Spirit author](#), [preteens](#), [social media](#), [social networking](#), [stop bullying](#), [twens](#) | Categories: [Bullying Prevention & Conflict Resolution](#) | URL: <http://wp.me/p1Y3SN-2XR>