

CYBERBULLING & CYBERTHREATS = CYBERSTALKING

As technology makes what appears to be inevitable strides in exponential growth, so do the accompanying problems associated with its unregulated use. In the world of teenagers this use, whether intended as an unkind joke or not, can result in many unforeseen and unintended consequences that can have lasting effects on not only the intended target, but the instigating individual (or group) and their entire family.

This year Bellevue High School has not been exempt from what appears to be a growing problem across the country of bullying, harassment and threats delivered via the medium of electronic communications. This includes person-to-person texting, instant messaging and more public social media such as Facebook.

While many of these occurrences can and have been handled via mediation, some have risen above the level of dispute and name-calling to outright acts of intended humiliation, conspiracy to commit crimes, extortion and threats of harm to include substantial bodily harm and even death.

When this happens it becomes a crime if a person has harm done to their reputation and/or it is reasonable to believe that any threat to themselves or a third party is potentially real. Depending on the nature of the threat or to whom it is directed the crime will either be a gross misdemeanor or a felony (for the WA State Cyberstalking statute/law see: <http://apps.leg.wa.gov/rcw/default.aspx?cite=9.61.260>).

When connected to school, consequences will usually involve administrative sanctions, whether criminal charges are pursued or not, and can include detention, short-term suspension, temporary emergency expulsion all the way up to long-term or permanent expulsion from the offender's home school (mandated transfer to another school within or outside the BSD).

For those investigations that extend past mediation, documentation, and minor discipline, offenders can expect more intrusive inquiries.

'Threat Assessments', as outlined by the OSPI, are conducted by the police with review by the school principal. The assessment process involves probing questions of offender's parents and family and visitations to inspect the home environment. When criminal charges are pursued and arrests are made it's not uncommon for the offender to be held at the King Co. Youth Centre (juvenile jail) until arrangement.

Warrants are sometimes issued for all communications potentially involved in the offence and computers and other devices may be seized and inspected. You may ask why this is done. Because most communications are cached by providers and as such are subject to being used as evidence in a criminal case. In most instances communications also involve devices with unique ID's that link the communication to a user (or subscriber) and as such provide potential proof or confirmation as to the identity of the offender, whether they know it or not. Many services, even free ones, store info on users that are available to investigators, sometimes without a warrant. While some companies are trying to skirt this by

not caching or storing unique and verifiable user info, the problem of 'anonymous texting applications' and other forms of anonymous e-communications is growing to such a degree that new laws are being considered to require all entities that provide such applications and/or services to comply with data storage requirements that ensure valid/legitimate user info and tracking, even after deletion of communications or closure of user accounts.

What are the police and school staff doing to address this problem?

This message and others are directed at parents and students in an effort to have them review their own practices and procedures to better manage their personal communications. Staff are also mandated by law to perform classroom education on bullying (what it is, what not to do, etc). When offences are minor and circumstances allow, school administrators and/or the police use the opportunity to provide corrective counseling and education.

What can you do as a parent? Encourage your student(s) to not engage in disputes that are carried out through electronic medium. The old adage, or maybe not so old since it involves electronic communications, about 'holding one's e-mail until cooler heads prevail' holds true. As work-place adults many of us have been taught to sit on those e-mails involving controversial and/or emotional hot-button topics and wait at least 24 hrs. before hitting the 'send' button. The vast majority of time this practice proves to be beneficial. It keeps us off the hot seat with bosses, Human Resources and Risk Management preventing workplace embarrassment and/or discipline and in worst case scenarios it keeps us and/or our associated business entity from public embarrassment or censure. This type of wise practice holds true for young people as well. Also, if the problem is such that it can't be dropped, seek assistance with direct, face-to-face mediation.

Monitoring and supervising, no matter how slight, your student's activities via their electronic communications can also be a good deterrent. Whether it's to merely be aware of what is happening in their lives or to intercept problems while still in their initial stages, parental monitoring and possible sanctions imposed for rule violations related volume, type of messaging, use during prohibited hours or other infractions can definitely help keep your student out of administrative and criminal difficulties.

Kyle Woodruff

School Resource Officer, Bellevue High School

School Services Unit, Bellevue Police Department