



NEW YORK STATE SENATOR

Jeffrey D. Klein

Senator Klein, IDC, Unveil Anti-Cyberbullying Legislation

JEFFREY D. KLEIN September 27, 2011



NEW YORK, NY - Senator Jeffrey D. Klein, (D-Bronx/ Westchester), joined fellow members of the Independent Democratic Conference and anti-bullying advocates Monday to unveil legislation to modernize New York State's harassment laws and crack down on the emerging cyberbullying epidemic.

This move comes in response to a series of cyberbullying related tragedies – including the recent death of a 14-year-old Buffalo area teen who took his own life after being targeted by cyberbullies.

The IDC also released a report detailing the difficulty with prosecuting cyberbullying under current New York State laws.

“Our laws are not keeping pace with technology and we are paying a human price for it,” **Senator Klein said.**

“No longer is bullying only confined to the schoolyard, it is now piped in an instant through victim's computers and onto the devices they carry in their pockets. This legislation will help provide protections to those who need it, as well as send a strong message about the seriousness of this destructive behavior.”

The legislation:

- Updates the crime of Third-Degree Stalking (a Class A Misdemeanor) to include cyberbullying. This behavior is identified as a course of conduct using electronic communications that is likely to cause a fear of harm, or emotional distress to a person under the age of 21.
- Expands the charge of Second-Degree Manslaughter (a Class C Felony) to include bullycide. This is defined as when a person engages in cyberbullying and intentionally causes the victim of such offense to commit suicide.

The intent of this measure is to reinforce current anti-bullying education programs and create real consequences for those who engage in cyberbullying.

“A generation ago, people had a different view of drinking and driving,” **Senator Diane Savino, (D-Staten Island/ Brooklyn), said.** “It took education and tougher laws to change attitudes and make people aware of the dangers of drunk driving. This legislation will help send a message about the reckless and destructive consequences of cyberbullying and will give law enforcement the tools they need to help its victims.”

The National Crime Prevention Council reports that 43 % of all teens in the U.S. have been subjected to cyberbullying. That number jumps to 53% of LBGT youth.

Recently, cyberbullying has reported to have been a factor in at least a dozen teen suicides including:

- Jamey Rodemeyer, a 14-year old boy from Williamsville, near Buffalo, NY, who last week took his life after what his parents claim was years of bullying over his sexual orientation. Media reports indicate that police are investigating charges against these bullies.
- Phoebe Prince, a 15-year-old Massachusetts girl, who killed herself in January 2010 after weeks of bullying online and at school. Even after her death, students continued to leave vindictive comments on her Facebook memorial page.
- Tyler Clementi, an 18-year-old Rutgers student, committed suicide in Sept. 2010 by jumping off the George Washington Bridge after two classmates secretly taped him during a sexual encounter with a man and broadcast it over the Web.

“Cyberbullying attacks are especially painful because they are not easily erased from the internet and can trouble the victim for months and years,” said **Senator David Carlucci, (D-Rockland/ Orange)**. “Passing this legislation will update our laws so that we can provide a safe space for those being bullied outside the school yard.”

Jamie Isaacs, 15, has experienced the effects of cyberbullying first-hand and up-close. In response, Isaacs, of Lake Grove, Suffolk County started her own non-profit organization to help others deal with the effects of bullying and has helped draft and pass two local anti-cyberbullying laws in Suffolk County.

Her organization, the Jamie Isaacs Foundation for Anti-Bullying, has a hotline for victims. To date, she has helped save eight teens who had considered harming themselves due to bullying online and in school.

“Life is a precious gift that no one should ever have taken away, especially by someone that is out to destroy you through harsh words, violence, jealousy, and lies,” **Isaacs said**. “I thank Senator Klein and the other Senators for taking up this cause. Their legislation reflects the reality: Cyberbullying is not funny, and can be deadly.”

“Sticks and stones does not apply in the digital age,” **said Parry Aftab**, founder of Stopcyberbullying.com, as well as a lawyer and recognized authority on anti-cyberbullying efforts. “The words used against victims of cyberbullying permanently live online and can literally follow them around for the rest of their lives. I applaud Senator Klein and his colleagues for recognizing the seriousness of this issue and for taking action to ensure that our laws keep pace with technology.”

"There has been a massive change in society relating to new technology," **said Senator David Valesky, (D-Oneida)**. “Unfortunately, as a result, cyberbullying has become a serious problem, and we need a new law to combat it.”