

# PREPARING AND RESPONDING TO CYBERBULLYING: TIPS FOR LAW ENFORCEMENT

Cyberbullying is bullying through technology, such as computers and cell phones. Law enforcement officers are increasingly confronted with cyberbullying complaints due to the prevalence of technology used by children and youth, and new legislation and laws addressing these types of incidents. Some cyberbullying incidents may warrant criminal action while others may not. Either way, law enforcement officers should be prepared to receive cyberbullying complaints and help communities address the issue.



## ADMINISTRATION, POLICY AND TRAINING

Administrators can use these tips to help prepare for a cyberbullying incident.

### WORKING WITHIN YOUR AGENCY

- » Know the laws pertaining to cyberbullying in your state, which may fall under harassment, stalking or other statutes as well as federal civil rights laws on discriminatory harassment.
- » Consult with your local prosecutor's office to determine how to respond to cyberbullying incidents.
- » Consider how officers will respond to the victim and alleged offender, manage the digital evidence, conduct the investigation and refer victims and alleged offenders to counseling.
- » Instruct officers on how to respond to cyberbullying incidents via agency directives, policies and training.
- » Establish a relationship with the Internet Crimes Against Children (ICAC) Task Force in your area for assistance related to electronic devices, Electronic Service Providers and websites/apps.
- » Ensure that your agency's cyberbullying policy, protocols and training are current by developing a process for the ongoing review of cyberbullying cases.

### WORKING WITHIN YOUR COMMUNITY

- » Advise local school districts to adopt cyberbullying policies and implement prevention programming (often mandated by state law).
- » Recommend that schools implement prevention and education programming for students and staff.
- » Recommend that local school districts adopt and publicize reporting mechanisms such as an anonymous reporting hotline.
- » Discuss law enforcement and school procedures with local school districts and determine in advance how cyberbullying complaints should be addressed when they occur at school (e.g., if and when police should be called and how evidence is collected).
- » Educate youth and the community about Internet safety issues and available resources. Consider using the NetSmartz Workshop presentations.
- » Consider partnering with local media to increase cyberbullying awareness.

# RESPONSE AND INVESTIGATION

Officers can use these tips to help guide their response to a cyberbullying incident.

- » Create a record of the incident in case there are future occurrences with the same child(ren). File a police report if a crime was committed or a complaint report if a crime was not committed.
- » Consider notifying the parents and school(s) of the alleged offender and victims.
- » Advise the victim involved in the investigation to report to the website/app (e.g., Facebook, Twitter) where cyberbullying is occurring, and document evidence of additional incidents.
- » Determine if you need a search warrant or consent from the victim's and alleged offender's parents to search electronic devices.
- » Consider contacting your local ICAC for assistance with evidence collection and review. Only trained personnel should attempt to retrieve data from electronic devices so evidence is secured without contamination.
- » Collect evidence related to the incident and save any relevant communications.
- » Send a preservation letter or subpoena to the Electronic Service Provider to obtain all relevant information and to preserve evidence.
- » Interview friends of both the victim and alleged offender.
- » Recommend the school follow its existing policies to determine the appropriate response, which may include discipline and/or alternative interventions.
- » Recommend to appropriate partners (e.g., school, prosecutor's office and courts) that the offender attend educational workshops, conduct community service or complete diversion programs.
- » Consult counseling professionals to see if assessment and treatment are recommended for any children involved. Follow up with the parents of children involved to see if the situation was completely resolved or if additional action or resources are needed.

For more cyberbullying resources from NetSmartz Workshop, International Association of Chiefs of Police and others, visit [www.theiacp.org/CyberbullyingResources](http://www.theiacp.org/CyberbullyingResources)



A program of the



This project was supported by Cooperative Agreement Numbers 2010-MU-FX-K591 and 2013-MC-FX-K001 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Copyright © 2014 National Center for Missing & Exploited Children and International Association of Chiefs of Police. All rights reserved.

National Center for Missing & Exploited Children® and NetSmartz® Workshop are registered trademarks of the National Center for Missing & Exploited Children.