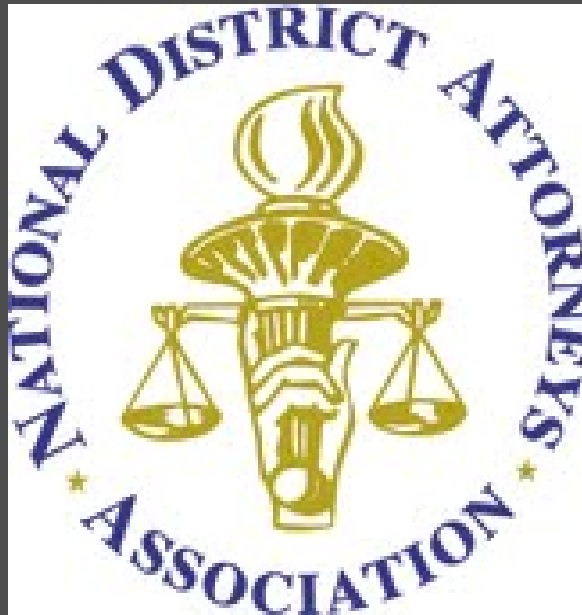


Prosecuting Cyber-Crimes



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National Center for Prosecution of Child Abuse

Types of Cases

- Stalking or cyber-stalking
- Bullying or cyber-bullying
- Harassment or intimidation
- Harassment by electronic communications

Level of Offense

- Misdemeanor
- Felony
- Enhancements based on general criminal history
- Enhancements based on prior similar acts

Difficulty in Prosecuting

- Investigation:
 - Fleeting evidence
 - Difficulty in securing evidence
 - Cost
 - Level of involvement

WHERE'S YOUR CRIME SCENE?

Any and Possibly All:



Difficulty in Prosecuting

- Level of Offense
 - Expense
 - Time

Sentencing:

- Diversion
- Court Supervision
- Conviction
- Conditional Discharge
- Probation
- Prison

Examples:

- North Carolina:
 - Cyber-bullying:
 - **N.C. GEN. STAT. § 14-458.1 (2010)**
- California:
 - Use of Electronic Communication to Instill Fear or to Harass:
 - **CAL. PENAL CODE § 653.2 (2009)**

Resources:

Charging Cyberbullying

Updated December 2010

Please be advised that not all statutes in this compilation specifically include language on bullying or harassment via the computer or other electronic means. All of the statutes included, however, could arguably be used in charging cyberbullying. Proposed legislation is indicated by a red disclaimer directly preceding the statute. Please also note that this area of law is changing rapidly. We strongly recommend checking both case law, and current legislation for possible modifications to the statutes listed below.

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