

Legislation Text

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Supporting House Bill 229 which creates a punishable offense for the cyber harassment of a child in Pennsylvania and to raise awareness of the need for accountability for cyber bullying in Philadelphia.

WHEREAS, State Representative Ron Marsico (R- Dauphin County) with 34 co-sponsors, introduced House Bill 229 on January 27, 2015, the bill achieved final passage in the House on February 23, 2015, with a 193-to-5 vote. The bill now goes to the Senate; and

WHEREAS, The legislation amends the Harassment Statute, Section 2709 of the Crimes Code adding a subsection dealing with cyber harassment of a child. Cyber harassment of a child by an adult becomes a third-degree misdemeanor charge, while a juvenile offender would be under the jurisdiction of juvenile court; and

WHEREAS, As described in HB 229, a person commits the crime of cyber harassment of a child when communication intending to harass, annoy, or alarm is done through electronic social media and disparages the child's health, physical characteristics, sexuality, sexual activity or mental or physical health condition, produces substantial emotional distress, or threatens harm; and

WHEREAS, The legislation would allow intervention by law enforcement, and if appropriate, the case could be referred to juvenile court and the juvenile offender could be placed in an educational program on the consequences of cyber harassment. An adult who engages in such conduct would be prosecuted in court in lieu of a summary citation, reflecting the seriousness of this form of child abuse; and

WHEREAS, With the rapidly increasing number of children using social networking sites such as Facebook, Twitter, and Instagram, the ability for other children or even adults to harass a child by repeatedly messaging or spreading seriously harmful comments through social media has become increasingly widespread; and

WHEREAS, Statistics released by DoSomething.org indicate that over 80% of teens regularly use cell phones, making it the most common source of cyber bullying, 70% of students report seeing frequent bullying online through sites such as Facebook and Twitter, yet only 1 in 10 cyber bullying victims will inform a parent or trusted adult; and

WHEREAS, The National Crime Victimization Survey data estimates that about 2.2 million children were victims of cyber bullying in 2011, although overall bullying in schools has decreased from years 2007 to 2011, cyber bullying of 12 to 18 year-old students anywhere during the school year has increased from 6.2% in 2009, to 9% of the students reporting being cyber bullied in 2011; and

WHEREAS, Cyber bullying has overwhelmingly negative effects on victims and can lead to depression, feelings of powerlessness and lowered self-esteem, school failure, school avoidance, loneliness, insecurity, use of alcohol or drugs, and violence. Cyber bullying victims are 2 to 9 times more likely to think about or seriously consider suicide; and

WHEREAS, Cyber bullying is an extremely dangerous and serious problem, made worse when it can be carried

out anonymously, and with the increased use of mobile devices, the harassment can follow the child victims wherever they go; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Council does hereby support House Bill 229 to create a punishable offense for the cyber harassment of a child in Pennsylvania and to raise of awareness of the need for accountability for cyber bullying in Philadelphia.

FURTHER RESOLVED, That certified copies of this Resolution be forwarded to the Speaker of the Pennsylvania House of Representatives, Mike Turzai, and to the President Pro Tempore of the Pennsylvania Senate, Joe Scarnati, representing the City of Philadelphia, as evidence of City Council's support of House Bill 229.