

**Colorado Commission on Criminal and Juvenile Justice  
Cyberbullying Subcommittee**

October 8, 2014 - 9:00 am-12:00 pm  
700 Kipling Street, 4<sup>th</sup> floor conference room, Lakewood, CO

**Members Present**

Kevin Paletta, Lakewood Police Department  
Jeanne Smith, Division of Criminal Justice  
Jennifer Bradford, MSU Denver  
Chris Harms, Co. School Safety Resource Center  
Tom Raynes, CDAC  
Maureen Cain, Colorado Defense Bar

**Guests:**

Jesse Jensen, CACP/CCASA/CCADU  
Hanni Raley, The Arc of Aurora

**Staff:**

Kim English, Division of Criminal Justice  
Laurence Lucero, Division of Criminal Justice

**Members Absent**

Linda Newell, Colorado Senate, District 26  
Kelly Friesen, SB94, 14<sup>th</sup> JD/Grand Co. J.J. Dept.  
Patty Moschner, Douglas County Sheriff's Office  
Christine Brite, Douglas County Sheriff's Office  
Denise Maes, ACLU of Denver

<p><b>Issue/Topic:</b></p> <p align="center"><b>Welcome, Introductions and review of minutes of September 17, 2014 meeting</b></p>	<p>Chief Paletta welcomed the group, and members and guests introduced themselves.</p> <p>The group reviewed the minutes of the Cyberbullying Subcommittee meeting on 9/17/2014 and some corrections were suggested.</p> <p>Tom Raynes moved for the approval of the 9/17/2014 amended minutes of the Cyberbullying Subcommittee. Chris Harms seconded the motion. The amended minutes were approved by unanimous vote.</p>
<p><b>Issue/Topic:</b></p> <p align="center"><b>Assignment Reports and Review</b></p>	<p><b>Assignment Reports and Review:</b></p> <p><b><u>Introduction for Response Letter</u></b>, <i>Chief Paletta, Jen Bradford</i></p> <p>Kevin Paletta and Jen Bradford prepared a draft letter of the Subcommittee's response to the General Assembly. The letter would be framed as follows:</p> <ul style="list-style-type: none"> <li>➤ Background: Request from the General Assembly to CCJJ, creation of the Cyberbullying Subcommittee and membership.</li> <li>➤ Overview of the Problem: State laws definitions, research presented to the Subcommittee and key findings (new phenomenon, research limited, victimization rates, other states' responses, legislation, school policies and practices, limited research on evidence-based prevention or intervention programs, and promising practices).</li> <li>➤ Response to directives from the General Assembly (see below in the "Requests" section)</li> </ul>

➤ Summary of Recommendations

**Response to Directive from the General Assembly**

**Request 1:** Maureen Cain presented on the criminal statutes that address or could address the underlying factual circumstances in bullying/cyberbullying cases:

- Harassment,
- Stalking,
- Criminal impersonation,
- Criminal invasion of privacy,
- Menacing,
- Bias-motivated crimes,
- Interference with staff, faculty, or students of educational institutions,
- Disorderly conduct,
- Abuse of telephone and telegraph services (to be expanded with internet services),
- Hazing,
- Unlawful sexual contact,
- Internet sexual exploitation,
- Revenge porn.

Examples of bullying/cyberbullying situations that could apply to each statute will be provided.

The legal experts in the Subcommittee will continue working on closing the identified gaps in the statutes.

It was suggested to acknowledge that these offenses cannot necessarily be linked, in statute, to the harm caused to the victims (examples of suicide or suicide attempt).

**Request 2:** School policies from Aurora Public Schools, Jefferson and Douglas counties as well as a Colorado sample school policy developed by Colorado Association of School Board (CASB) were included in the hand-out materials.

Chris Harms presented a document summarizing information collected to respond to Request #2 and included: a list of existing laws defining bullying and requiring school policies, data from the Youth Risk Behavior Survey and the Healthy Kids Colorado Survey and key information from Dr. Espelage's presentation on 9/16/14.

Chris Harms informed the group that the report issued by Healthy Kids Colorado Survey in 2013 contained some mistakes and was being verified by the university that first released it.

Some of the highlights of Dr. Espelage's presentation were discussed. Research shows that there is association between traditional face-to-face bullying and cyberbullying. There is very limited research on which

	<p>programs are effective in decreasing bullying and that there are multiple components/factors to consider. Many programs focus on bystanders interventions and according to a meta-analysis conducted in 2011, these programs are overall effective but results varied by age and therefore, bystander programs need to consider multiple elements such as the age of the population, gender, peer/adult norms etc.</p> <p>Some most promising programs were cited including Social-Emotional Learning (SEL) programs and <i>Second Step: Student Success Through Prevention</i>.</p> <p>Dr. Espelage concluded with a list of recommendations and including the implementation of procedures allowing students to confidentially report bullying incidents (Safe2Tell).</p> <p><u>Group Discussion</u></p> <p>It was suggested to mention in the response to the General Assembly that research shows that there is no proven causal effect between bullying and suicide since other mental health factors likely contribute to suicide.</p> <p>The response from the Subcommittee will also include existing school legislation, preventative and educational resources that can help with the development of coping skills for victims of bullying, promising interventions and programs showing positive outcomes in reducing bullying, labelling and mistreatment (mention of Project Unify, Aurora's Arc, Positive Behavioral Intervention Support programs, etc.) as well as some data regarding the prevalence of face to face bullying compared to cyberbullying. It was suggested to report that, according to self-report studies of students who experienced cyberbullying, 75% of students reported not being affected by the cyberbullying.</p> <p>It was commented that there is a challenge associated with over-criminalizing adolescent behavior.</p> <p>The response will also recommend funding schools to develop prevention and intervention programs that have effective outcomes.</p> <p>Chris Harms commented that Positive Behavioral Intervention Support (PBIS) programs are well recognized and have been implemented in many schools in Colorado in an effort to create a positive school climate.</p> <p>The Colorado Association of School Board (CASB) has developed a template of school policy containing the content/language that CASB believes best meets the intent of the law (template included in the handouts of the meeting).</p> <p>Chris Harms and Jen Bradford will prepare a draft of the response to Request 2.</p>
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	<p><b>Request 3:</b> Tom Raynes proposed to prepare the draft response to Request 3 which will include information received from service providers, a list of resources available and possibly some data resulting from 4 pilot projects conducted in the state and measuring outcome data of juvenile restorative justice. The response should conclude that research shows that peer mediation is not recommended for instances of bullying and cyberbullying and those restorative justice programs as one of many tools available might not be appropriate to address cyberbullying.</p> <p><b>Request 4</b> (response paired with Request 1) Maureen Cain will prepare the response to Request 4. The response will state that there are existing criminal statutes that address the act of pornography. It was commented that the question concerns pornography as used in the cyberbullying act as revenge porn or bullying through embarrassment.</p> <p><b>Request 5:</b> Jeanne Smith will prepare the response to Request 5 which will include a list of general resources for victims of crime, school counseling options and community services available. Reporting systems such as Safe2Tell will also be mentioned.</p> <p><b>Request 6:</b> Jen Bradford will prepare the response to Request 6 which will summarize research collected.</p> <p>Jen Bradford informed the group that she reached out to the Psychological Department at Metro State University to discuss potential specific psychological harm associated by cyberbullying in comparison with traditional bullying. As previously acknowledged, cyberbullying is a relatively recent problem and there is very little research available.</p> <p>Jen Bradford presented two articles of international studies conducted in Europe. One European cross-national study surveyed 5862 students in Spain, Italy and the U.K. The study delineated between <i>direct bullying and cyberbullying</i> via mobile phone and <i>indirect bullying</i> using the internet and found similar effects for all types. The study shows that traditional bullying is more prevalent than cyberbullying and that a majority of youth surveyed reported not being affected by cyberbullying. This international study expressed that the U.S. seems to put greater emphasis on the problem of cyberbullying. The study concluded that the issue of cyberbullying can be addressed with traditional approaches to bullying. There doesn't seem to be any substantial psychological difference between traditional bullying and cyberbullying.</p> <p>Another study conducted in Belgium surveyed 102 obese adolescents and found that obese youth were significantly more often cyber-victimized than normal-weight peers. The study suggests that because obese youth may spend more time on electronic platforms than normal weight youth, they are more likely to be victimized in cyber space. Obese cyber-victims</p>
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	<p>experienced significantly higher suicidal ideation. The study suggested that because obesity is more prevalent in the U.S., obesity is less of a problem and U.S. obese youth are less bullied.</p> <p>Jen Bradford mentioned an article paper published in the European Journal of Developmental Psychology from Dan Olweus of Uni Research in Norway: "<i>Cyberbullying: an overrated phenomenon</i>".</p>
<p><b>Issue/Topic:</b></p> <p><b>Discussion of Next Steps for Response Letter</b></p>	<p><b>Discussion of Next Steps for Response Letter – Chief Paletta, All</b></p> <p>It was suggested that each Subcommittee member submit the draft of their response to the group before next meeting on October 30, 2014.</p> <p>A final draft of the response letter to the General Assembly will be forwarded for review by Chair and Vice Chair of the CCJJ, Stan Hilkey and Doug Wilson.</p>
<p><b>Issue/Topic:</b></p> <p><b>Next meeting</b></p>	<p>Meeting adjourned at 10:35 a.m.</p> <p>Next meeting is on October 30, 2014 at 2 p.m. at 700 Kipling St. 4<sup>th</sup> Floor conference room, Lakewood</p>