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Time to rein in harassment on the Internet

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Usually, the victims just walk away. The damage is done, they figure, and any further action only calls more attention to it and makes it worse.

"They feel like, if they just go offline, it goes away," says Danielle Citron, a University of Maryland law professor and expert on cyber-harassment. "But it's all Google-able. Even if it's taken down, it could be linked elsewhere."

But growing numbers of states, including Maryland, are hoping to give victims of online threateners, harassers and stalkers more legal muscle when it comes to fighting back. A bill that came before the Maryland House of Delegates Judiciary Committee this past week would expand current harassment laws to include postings on Web pages and social networking sites like MySpace.

It was on that site where cyber-harassment hit home for an Anne Arundel County woman, who like many others might have avoided fighting back, except for one thing: They had gone after her daughter.

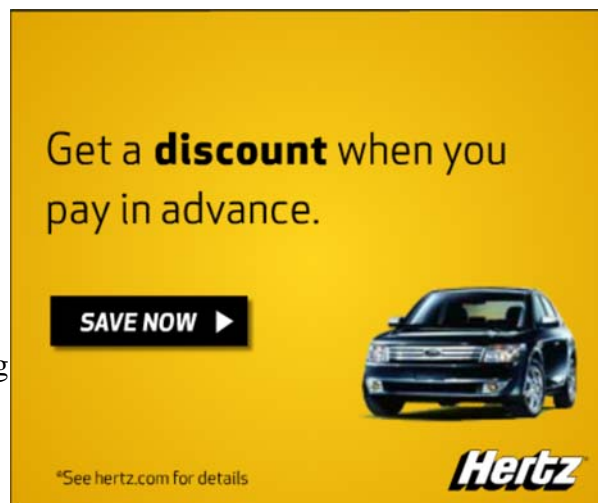
"She did nothing to deserve this," said the woman, who testified in support of the bill but asked not to be identified to protect her daughter. "It was terrible. Just dropping it was not an option for me."

Last summer, a MySpace profile of her daughter appeared, in sexually explicit language, accompanied by a picture of the girl and other identifying details, she said. It was the work, she said, of one-time friends of her daughter.

"They had had some issues," she said, going on to describe a typical teenage shifting and re-shifting of alliances and friendships. "I don't like you any more; she's my best friend now."

In the past, the spat might have played out in hallway whispers or cafeteria snubs; today, though, it can go instantly viral - from text messages to chat rooms to discussion boards to networking sites. The daughter, who doesn't have a MySpace account, only learned of the profile when a friend told her about it; in tears, she called her mother, who plugged her then-13-year-old daughter's name in a search engine and up popped the profile.

The bill seeks to expand on a current law that bans the use of e-mail to harass someone; it adds the newer forms of electronic communication. "The code couldn't see into the future," said Del. Nicholas R. Kipke, the bill's main sponsor. "It couldn't predict that online sites like MySpace would become such a highly trafficked

A yellow rectangular advertisement for Hertz. The text "Get a **discount** when you pay in advance." is in black. Below it is a black button with "SAVE NOW" in white and a right-pointing arrow. To the right of the button is a dark blue SUV. At the bottom left, it says "See hertz.com for details" in small text. At the bottom right is the "Hertz" logo in its signature italicized font.

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place for young people."

Cyber-bullying, as it's sometimes called, hit the headlines in 2006 when an already emotionally fragile Missouri girl killed herself after the mother of a former friend created a fictitious MySpace profile of a boy who befriended her online but ultimately started e-mailing and posting cruel things about her.

Citron prefers the term harassment, which is also what the bill uses. "The term cyber-bullying seems to trivialize it," she said, "like it's just schoolyard pranks."

It's not. For one thing, adults engage in it, to pretty horrifying levels, as a recent story in Portfolio magazine details. The article, in the March issue, is about two law students who launched a legal battle against posters on a Web forum who made outrageous, and false, claims about them - that, among other things, they had sexually transmitted diseases, used drugs and had slept their way to better grades.

It was bad enough that any readers of the forum would have seen this, but because of search engines like Google, the nasty stuff could, and probably did, find a vastly larger audience.

"It becomes a bigger issue because once something is done digitally, it becomes a fossil," said Davina Pruitt-Mentle, director of Educational Technology Policy, Research and Outreach, which works on issues of cyber-safety, and whom Kipke had lined up to testify for the bill. "It doesn't matter if it's taken down - someone may have made a screen grab. So what is the impact in terms of future employment? Or college admissions?"

If you ever doubt that the Internet is basically the Wild West without a sheriff, you only have to check out a few discussion boards. Truly, anything goes - anything racist or sexist, crude or rude tends to emerge because of the cloak of anonymity that the Internet provides.

It's doubtful any law can rein in every last excess of the Web - sites like Google that transmit rather than produce content cannot be sued for defamation. And I'm not sure I would even want it to. You don't want to throw out all the great, funny, illuminating chatter out there along with the disgusting and hateful. You may not want to sit next to some of these posters at a dinner party - and surely they don't get invited to many, thus their need to spew online to be heard at all - but my guess is that most people are smart enough take what's on the Internet for what it's worth.

Still, once the talk turns personally threatening - someone posted that he planned to sodomize one of the Yale students - or, as in the case of the girl in Anne Arundel County, it takes the form of someone posing as you, that's another story. Citron said that while much of what is on the Internet is protected as free speech, more states are realizing that they need to target the kind of cyber-harassment that involves a true threat or causes severe emotional distress.

The Anne Arundel mother eventually got her daughter's fake profile taken down.

"But right now, there's no reason," she said, "that they couldn't do it again."



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