

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

When making inquiries relative to
this matter, please refer to the
Council File No.

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacity.org

March 20, 2013

To All Interested Parties:

City Attorney (w/blue sheet)

The City Council adopted the action(s), as attached, under Council File No. 13-0085,
at its meeting held March 19, 2013.

City Clerk
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**TO THE COUNCIL OF THE
CITY OF LOS ANGELES**

File No. 13-0085

Your **PUBLIC SAFETY COMMITTEE**

reports as follows:

PUBLIC SAFETY COMMITTEE REPORT relative to existing policies and procedures to investigate, and the additional resources or ordinances needed to more effectively address the problem of cyberbullying.

Recommendations for Council action, as initiated by Motion (Buscaino – Garcetti):

1. INSTRUCT the Los Angeles Police Department (LAPD) to report within 45 days to the Public Safety Committee on what policies and procedures are currently in place for investigating instances of cyberbullying, and what additional resources or ordinances are needed to allow the Department to more effectively address this problem.
2. REQUEST that the City Attorney report within 45 days to the Public Safety Committee on existing statutes within the Los Angeles Municipal Code, State, or Federal law that can be used by law enforcement to curtail cyberbullying, as well as recommend changes in law to protect minors from abuse, without infringing on First Amendment protection of free speech.

Fiscal Impact Statement: None submitted. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

SUMMARY

On January 18, 2013, Council considered Motion (Buscaino – Garcetti) relative to cyberbullying. Motion movers state the rise of instant communications and social media has added a new dimension to the age old childhood problem of bullying. Anonymous bullying via social media channels allows for students to be subject to abuse by their peers 24 hours a day and allow the libelous information to be distributed to a wide audience. The bullying is not limited to harmful words or accusations, but can include the distribution of photographs taken without the consent of the student. The short and long term effects of bullying, made worse by the expansion of the audience, can range from social withdrawal, declining performance at school, and suicide.

Motion movers go on to state that the communities of San Pedro and Wilmington recently experienced a widespread case of cyberbullying when a number of Facebook pages appeared containing erotic and scantily clad images of local high school students. The so-called "ratchets" pages encouraged participants to post photos of students for commentary by their peers based upon their perceived level of sexual activity. As is typical of cyberbullying cases, many of the photos were taken without the consent of the student and were distributed and commented on by a large audience. After receiving numerous complaints from outraged community members, LAPD and Facebook worked in cooperation to remove the offensive pages. However, the concern remains that this situation has the potential for repeat future instances. As noted by the LAPD, since the images in question did not fit the definition of child pornography, there are no clear statues to crack down on instances and perpetrators of cyberbullying. Motion movers recommend that LAPD on the City Attorney report relative to how

to enhance investigations of cyberbullying. Council referred Motion to the Public Safety Committee for consideration.

At its meeting held February 22, 2013, the Public Safety Committee discussed this matter with representatives of LAPD and the City Attorney. LAPD's representative stated that the Department has met with schools, parents, and with representatives of Facebook to address this concern. Facebook now requires users to identify themselves, and takes down pages making specific threats. The City Attorney representative stated that it is often difficult to categorize cyberbullying as criminal activity. Committee urged the LAPD and the City Attorney to continue working on the matter and to develop recommendations to stop cyberbullying. Committee recommended that Council approve Motion.

Respectfully submitted,

PUBLIC SAFETY COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
ENGLANDER:	ABSENT
PERRY:	ABSENT
BUSCAINO:	YES
KREKORIAN:	YES
ZINE:	YES

JAW
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ADOPTED

MAR 19 2013

LBS ANGELES CITY COUNCIL