

226.60B CYBERSTALKING—FALSE STATEMENT. MISDEMEANOR

The defendant has been charged with cyberstalking.

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt:

First, that the defendant communicated to the victim by way of [electronic mail]¹ [electronic communication].²

Second, that the defendant knowingly made a false statement concerning the [death] [injury] [illness] [disfigurement] [indecent conduct] [criminal conduct] of [the victim] [any member of the victim's family] [any member of the victim's household].

And Third, that the defendant communicated to the victim with the intent to [abuse] [annoy] [threaten] [terrify] [harass] [embarrass).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant communicated to the victim by way of [electronic mail] [electronic communication] and knowingly made a false statement concerning the [death] [injury] [illness] [disfigurement] [indecent conduct] [criminal conduct] of [the victim] [any member of the victim's family] [any member of the victim's household] with the intent to [abuse] [annoy] [threaten] [terrify] [harass] [embarrass], it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1. "Electronic mail" is defined as the transmission of information or communication by the use of the Internet, a computer, a facsimile machine, a pager, a cellular telephone, a video recorder, or other electronic means sent to a person identified by a unique address or address number and received by that person.

2. "Electronic communication" is defined as any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature, transmitted in whole or in part by a wire, radio, computer, electromagnetic, photoelectric, or photo-optical system.