

226.60C CYBERSTALKING—PERMITTING COMMUNICATION. MISDEMEANOR.

The defendant has been charged with cyberstalking.

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

First, that the defendant had an electronic communication device under his control.

And Second, that the defendant knowingly permitted such device to be used to communicate to the victim by way of [electronic mail] [electronic communication]:

- a. [and threaten to [inflict bodily harm to the victim] [inflict bodily harm to the victim's child, sibling, spouse, or dependent] [inflict physical injury to the property of the victim] [extort money or other things of value from the victim]];
- b. [repeatedly for the purpose of [abusing] [annoying] [threatening] [terrifying] [harassing] [embarrassing] any person];
- c. [and knowingly make 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]].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant knowingly permitted an electronic device under his control to be used to communicate to the victim by way of [electronic mail] [electronic communication]:

- a. [and threaten to [inflict bodily harm to the victim] [inflict bodily harm to the victim's child, sibling, spouse, or dependent] [inflict physical injury

to the property of the victim] [extort money or other things of value from the victim]]];

b. [repeatedly for the purpose of [abusing] [annoying] [threatening] [terrifying] [harassing] [embarrassing] any person];

c. [and knowingly make 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.