

226.68 CYBER-BULLYING—USING A [COMPUTER] [COMPUTER NETWORK] TO [COPY AND DISSEMINATE] [CAUSE TO BE MADE] AN UNAUTHORIZED COPY OF DATA PERTAINING TO A MINOR FOR PURPOSE OF [INTIMIDATING] [TORMENTING] THAT MINOR. MISDEMEANOR.

The defendant has been charged with using a [computer] [computer network] to [copy and disseminate] [cause to be made] an unauthorized copy of data pertaining to a minor for the purpose of [intimidating] [tormenting] that minor.

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

First, that the defendant used a [computer] [computer network].

Second, that the defendant [copied and disseminated] [caused to be made] an unauthorized copy of any data pertaining to a minor.

(And) Third, that the defendant intended to [intimidate] [torment] a minor.

NOTE WELL: If defendant is 18 years of age or older at the time the alleged offense was committed, use the following:

((And) Fourth, that the defendant was 18 years of age or older at the time the alleged offense was committed.¹)

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant used a [computer] [computer network] to [copy and disseminate] [cause to be made] an unauthorized copy of any data pertaining to a minor for the purpose of [intimidating] [tormenting] that minor, (and the defendant was 18 years of age or older), 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. The penalty for this offense is higher if the defendant is 18 years old or older.