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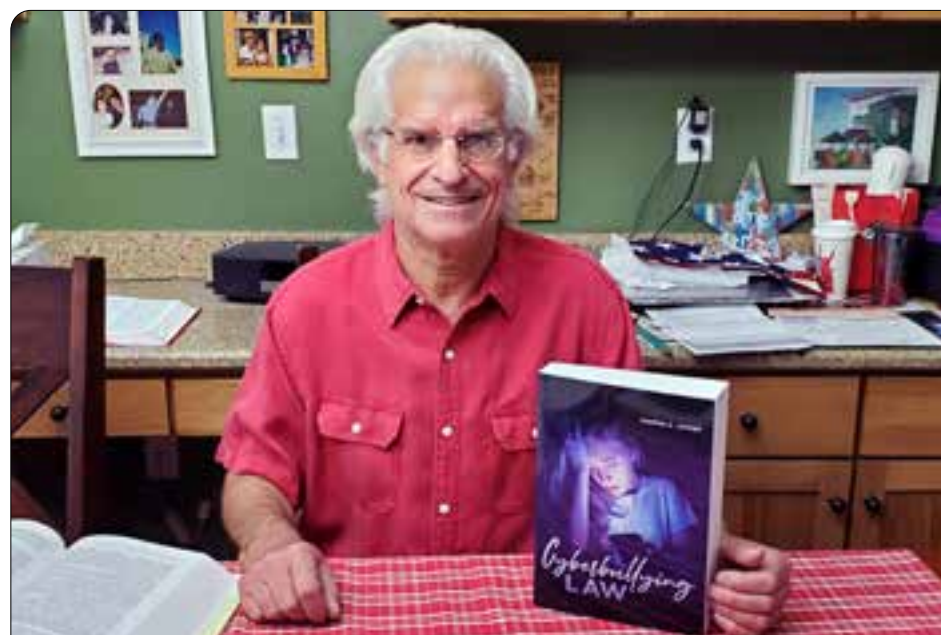
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CREST



Judge Thomas Jacobs says consequences of cyberbullying range from probation to prison. courtesy photo

A Click Away from Danger

Flagstaff resident and retired judge publishes book on cyberbullying law

By Betsey Bruner, FBN

When the internet took off and became mainstream three decades ago, a serious social problem slowly grew to become what retired judge and Flagstaff resident Thomas Jacobs considers the first pandemic of the 21st century: Cyberbullying.

Jacobs has written a landmark book on the subject, "Cyberbullying Law," made available to the public this July by his publisher, the American Bar Association.

To date, no country has escaped this phenomenon. "With the ubiquity of cyberbullying affecting all ages and all aspects of life, from elementary school through university studies, in the workplace and through retirement, an awareness of the problem and how to best deal with it, and the civil and criminal consequences for thoughtless posts may prevent further incidents," Jacobs said. "The opportunity to bully online is even greater now that COVID-19 has entered our lives. More of us, including moms, dads and kids, are working and schooling at home, often behind closed doors."

As described in his book, cyberbullying is based on underlying acts. "Every state has criminal laws regarding harassment, intimidation, threatening and stalking," Jacobs explained. "These apply to kids as well as adults. When done on a digital device, they constitute cyberbullying."

When formal charges are filed against the bully, results "can lead to either dismissal through a diversion program, or conviction and sentencing, depending, of course, on the severity of the act and the victim's injuries," Jacobs said.

Consequences vary from probation to prison.

This timely book contains a powerful collection of landmark court cases involving cyberbullying, as well as comments and legal research for attorneys, judges and anyone interested in the rights and responsibilities of those involved in cyber abuse or harassment.

"It is the nation's first law book about this global phenomenon, with cases from the nation's state and federal courts over the past 25 years," Jacobs noted.

The reach of cyberbullying is wide and "is seen in all areas of the law and considered by litigants

in not only juvenile court, but family court," civil court and in wrongful death cases when the victim commits suicide, referred to as "bullycide" – when the suicide is at least in part the result of online bullying.

The dangers and tragedies caused by online bullies are often just a click away. "A fairly recent example of texting/bullying gone wrong involved 18-year-old Conrad Roy and his 17-year-old girlfriend, Michelle Carter," Jacobs recounted. "They met online and developed a texting relationship. They met in person once or twice. After exchanging hundreds of emails, Michelle tired of Roy's constant talk of suicide. She researched the subject and texted him that 'You can't think about it. You just have to do it. You need to do it.'"

"She suggested methods of suicide for Roy to consider. Eventually, Roy ended his life by inhaling carbon dioxide while sitting in the cab of his truck. At one point, he got out, but Michelle convinced him to get back in, which he did."

Carter was charged and convicted of involuntary manslaughter for her "reckless and wanton words contributing to Roy's death," Jacobs continued. "She was sentenced to serve 15 months in prison. In 2017, Roy's mother filed a wrongful death lawsuit against Michelle, seeking \$4.2 million. Michelle used her cell phone to bully Roy to death."

Jacobs said this case is one of more than 200 cases in "Cyberbullying Law."

It is important for everyone to understand that "the internet never forgets; once a user hits 'send,' the message or image cannot be taken back," he emphasized. "Someone may take a screenshot of it and/or pass it on. The delete tab on one's computer does not erase what's already been posted."

Insensitive comments may follow the creator of the message around and affect future endeavors such as employment, job promotion and military service, as well as one's family and social life, he added.

Jacobs, 73, is married to Anne Lee Jacobs, and they have five adult children in their 40s.

After moving from the Valley to Flagstaff in 2006, Jacobs retired from the courtroom in 2008.

Originally from Southern California, Jacobs moved to Tempe and graduated from Arizona

Sedona Arts Academy Announces Grand Opening

The grand opening for the Sedona Arts Academy (SAA) is scheduled for Oct. 17 at The Collective Sedona in the Village of Oak Creek as a community arts, performance and social center.

Sedona Arts Academy is a non-profit organization committed to providing educational and community programs to Sedona and Verde Valley residents and visitors. The Sedona Arts Academy and Community Center is an educational and cultural community center committed to innovation and creating art in all forms, including dance, art and music classes for adults and children, along with events.

Currently, plans are being finalized for installing art exhibits. Any artist working in the Verde Valley will be eligible to apply. In addition to recruiting individual artists, the program will also reach out to local arts groups, galleries, native communities and schools with the objective of attracting artists of all ages and experience levels, including children and first-time exhibitors.

Resident companies located at the Sedona Arts Academy and Community Center are Emerson Theater Collaborative, Sedona Chamber Ballet, Sedona Shakespeare Co. and Sedona Conservatory. SAA is located at The Collective Sedona, 7000 SR 179 Ste. C-100-104, Sedona, AZ 86351. For more information, call Camilla Ross at 928-288-2258 or email sedonaartsacademy@gmail.com. **FBN**



Downtown galleries and businesses like The Artists Gallery are featuring "Night Skies through Artists' Eyes" exhibits through September and October. *Courtesy photo*

It's About the Journey

By Bonnie Stevens, FBN

Arizona Trail Association Executive Director Matthew Nelson has long praised the impressive landscape along the Arizona National Scenic Trail north of Flagstaff. The piñon pine, chaparral and high desert stretch is anchored by two Northern Arizona landmarks – the San Francisco Peaks and the Grand Canyon – and crosses the Babbitt Ranches CO Bar Ranch, the only portion of the 807-mile, border-to-border trail located on private land. But now, he says, the journey for hikers, runners, cyclists and equestrians has just gotten better.

"This trail goes through the wildest heart of Arizona," he said. The project is so special because it's the most significant improvement to the trail since it became a National Scenic Trail in 2009.

The completion of the project – going from a two-track ranch road to a 13-mile single-track trail – was celebrated with a small group of outdoor enthusiasts Saturday, Aug. 1, on a portion of the Babbitt Ranch Passage about 30 miles north of Flagstaff.

"It's really going to preserve the trail and the nature-emersion experience," said Nelson.



Babbitt Ranches President and General Manager Billy Cordasco accepted a plaque from the Arizona Trail Association, on behalf of the Babbitt Ranches Board and owners, honoring 25 years of active participation in the Arizona Trail project and the recent completion of the improved section on the CO Bar. *Photo by Bonnie Stevens*

Coconino County District 1 Supervisor Art Babbott brought his mountain bike to test the new path. "This asset, the National Scenic Trail in Arizona, which is just an incredible gem, is something that lives forward forever in perpetuity. The watersheds that feed these areas, the wildlife, all the ecological assets deserve to be respected and they deserve to be experienced in a thoughtful and responsible way, that's what this trail gives, not only us today, but the generations who come behind us."

"The trail through Babbitt Ranches

is particularly special, not only because of the beauty and the geography of the area, but also because of the relationships – it brings so many well-meaning groups together," said Coconino County Parks and Recreation Director Cynthia Nemeth.

Babbitt Ranches, Arizona Trail Association, Coconino County, Kaibab National Forest, Youth Conservation Corps, trail-building volunteers and monetary private donations have made the most recent single-track portion possible. **FBN**

CYBERBULLY continued from page 6

State University College of Law in 1971. His long career includes 13 years as an Arizona Assistant Attorney General practicing criminal and child welfare law. He was then appointed to the Maricopa County Superior Court and served as a judge pro tem and commissioner in the juvenile and family courts.

"Both employment opportunities provided me with an awareness of life beyond my small space in the universe," he remembered. "It brought to bear the challenges others face on a daily basis, and an appreciation for their struggles in balancing work, school, health issues and more. Our youth experience all of these challenges through their parents and, oftentimes, their behavior reflects the dynamics of their home life. It's essential to take all of this into consideration when dealing with families and in addressing the issue that brings them to court."

In addition, the judge's resume includes teaching juvenile and criminal law for 10 years as an adjunct professor at the ASU School of Social Work.

As an award-winning expert author, Jacobs has written a total of 10 books, including five written for education publisher Free Spirit Publishing in Minneapolis that constituted a Teen Law Series. A 2010 book titled "Teen Cyberbullying Investigated" was written for middle and high school students and included his interviews with students who had been caught bullying online.

This book was taken out of print in 2018 because of a decline in funding

for public schools and libraries, he explained.

"This came as a big surprise to me since I knew the phenomenon of cyberbullying was a growing international problem. There isn't a country that isn't confronting it as a societal problem affecting kids and adults alike. So, I repurposed the book for a new audience: lawyers, judges, law students and anyone interested in cyberbullying. The American Bar Association liked it, especially since such a book didn't exist."

The tools used by cyberbullies are many, and include sending insulting or threatening emails, texts or instant messages directly to someone, as well as spreading hateful comments about someone through emails, blogs or chat rooms. Cyberbullies can also steal passwords and send out threatening messages using a false identity and even build a website to target specific people.

Jacobs said that consequences for cyberbullying depend a lot on the age of the cyberbully, criminal history and the victim's position in the matter. "It is generally believed that cyberbullying by juveniles should be dealt with in a diversion program in order to avoid a criminal or juvenile record that may follow them into their adult lives."

Once the terms of diversion are successfully completed through community service, counseling, restitution or other requirements, "the case is closed and no record exists that could affect the offender later on," Jacobs said. "Addressing cyberbullying done by kids is generally seen as a matter of education and reha-

ilitation, rather than criminal behavior calling for harsher consequences."

Practicing "netiquette" (etiquette on the internet) is essential for all users. "Adults as well as kids need to understand the power of the internet," he said.

"Cyberbullying Law" presents the reader with an understanding of the difference between protected and unprotected speech, "true threats," versus speech protected by the First Amendment, as well as what speech constitutes actionable defamation, revenge pornography and sexting.

Another endeavor in retirement has been the judge's website, AsktheJudge.info, which went live in 2007 and is maintained with his daughter, Natalie, who is a lawyer in Flagstaff.

The judge and his daughter advise everyone who writes them that they are not providing legal advice, but just giving them general information about their area of inquiry and leading them to additional resources to explore.

"We try to answer all questions within 24 hours since some are time-sensitive," he added. "Some write us hours before having to go to court. We try our best to get back to them promptly."

Other questions deal with serious issues such as shoplifting, school discipline, emancipation laws, reproductive rights, online bullying and even thoughts of suicide.

"Cyberbullying Law" is available through Amazon or through the American Bar Association (americanbar.org). It can also be ordered from Barnes and Noble. **FBN**

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back to learn from the experience and make improvements for the next time around. We are being forced to find inventive solutions. We are grateful to be in an industry that has so much range, not just for the survival of our business but also for the practical solutions we can help produce for others."

International Minute Press in Flagstaff has printed thousands of yard signs over the last few months and is seeing growing demand for personal safety products like hand sanitizers and facemasks – items that weren't even in the marketplace prior to the pandemic.

Through the course of spring and summer, Hansen realized her center was meeting a demand for low-cost graduation printing. "We had many good-hearted people who ordered signs for other families, even when they didn't have kids themselves. They didn't want any graduate missing out. As word continues to spread, so does our reach. We've shipped signs as far away as Hawaii. And we're poised to help recognize college grads in December. We see this as an ongoing effort for years to come."

Hansen implemented online custom ordering for "new normal" agility. She is also doing a lot of work during this election and fundraising season. "We are developing new relationships and getting larger orders in ways we didn't see coming."

Tourism, hospitality and gala events have been stifled, but with the

resilience of the printing industry, she's ready. "We hurt for our local businesses that are enduring extended closures and changing restrictions. We chose to close our lobby initially, but it was an easy transition to conduct business online or by phone and offer curbside pickup. We have come to realize how essential our industry is as we provide continuing support to our county emergency management, hospitals and police. Printed communication is a critical part of these efforts."

Their business is now known as a friend in times of trouble. "Every day, we are fulfilling orders for products we never could have predicted – floor decals to promote social distancing, branded hand sanitizers and custom promotional items to make up for lost in-person events. In some ways, we are learning a whole new way to be of service," she said.

As scary as the early days of this coronavirus were, Hansen has renewed vision today. "I am doing things now that are going to make business better for everyone. It's the little things that matter, especially when times are hard. People need to know that someone has their backs, and we definitely do." **FBN**

For more information on International Minute Press, visit flagstaff-az.int-minutepress.com.

Mary Friese is a writer for Minuteman Press International.