



### **About 'sexting'**

For perspective, nude and sexual images were probably shared on cave walls in prehistoric times and have been shared via every technology invented since. "Sexting" is just the latest term for use of imagery for a wide spectrum of behaviors and intentions: from flirting to sexual interplay between consenting partners to sexual harassment to extortion or blackmail. Now it typically refers to nude, semi-nude or sexually provocative photos shared by people of all ages using cellphones, but it can happen on other devices and the Web too.

As for teens, it's important to know that research shows that most teens don't "sext" – and most of those who do experience no negative consequences. Still, there are both psychological and legal risks, especially if coercion's involved and the images wind up being distributed beyond their intended audience.

**Various causes:** The reasons teens "sext" vary widely. In some cases it's a form of flirting or a way of showing affection for a boyfriend or girlfriend or someone the teen is interested in dating. Sometimes it's impulsive behavior, perhaps at a party or when under the influence of drugs or alcohol. There are also cases where the teen is responding to peer pressure, bullying or even threats. In rarer cases, adults solicit images from teens. Some teens view sexting as a form of "safe sex," because, unlike physical sex, there is no risk of pregnancy or sexually transmitted diseases.

**Possible consequences:** The consequences of sexting can range from nothing at all to extremely serious. In most cases, nothing bad happens because the image is never shared beyond the person it was sent to. That doesn't mean there's no risk, because there's always the possibility that the image will be shared later, for example after a break-up, or seen by someone else who has access to the phone or even accessed and distributed as the result of a hack. And as you know, digital photos are all too easy to copy and paste onto the Web, where they can be archived and searchable pretty much forever.

**Severe consequences:** In cases where the images have been seen by others beyond the intended person, the consequences can be quite severe in terms of possible criminal prosecution, trouble with school authorities or serious social and psychological problems, including increased bullying, social isolation, shaming and severe anxiety, fear and depression. Experts caution never to assume that any single incident or event is the

cause of a suicide, but there have been a few tragic cases where teens have killed themselves after nude images have been widely distributed.

**It's illegal.** For maximum safety and peace of mind, don't share nude or sexually explicit photos of yourself or anyone else, especially if the subject (even if it's you) is under 18. Though increasingly rare, there have been cases of teens being charged with producing and distributing child pornography, charges that, in a very small number of cases, have resulted in criminal prosecution and being put on a sex offender list. The owner of a phone or computer with nude photos of anyone under 18 could be charged with possession. If the photos go to someone in another state (which can happen really easily), then it could be federal felony charges.

**Parents, talk with your kids** about sexting in a relaxed setting. Ask them what they know about it. Express how you feel in a conversational, non-confrontational way. For one thing, help them think about what it might feel like to have intimate photos of themselves forwarded to any number of peers by someone they thought they liked or trusted. A two-way dialog can go a long way toward helping your kids understand how to minimize legal, social and reputation risks. If they want to avoid the conversation, that's OK, have it anyway. Just don't expect it to last very long and be respectful of how they respond. Chances are your kid is not sexting (it's less common than a lot of people think), but it's still a good idea to bring it up.

**Consider seeking help** from a therapist or counselor if a sexting incident causes you to be concerned about the mental health of your child or is causing prolonged stress, anxiety or depression for the child or family members or other people in the child's life.

**The bottom line for everybody:** Stay alert when using digital media. Critical thinking about what we upload as well as download is solid prevention, and prevention in this case is the best protection by far.

*We're not in a position to provide legal advice, but we can tell you that laws vary from state to state, each jurisdiction enforces the law differently, and the applicable "child pornography" laws that are sometimes applied were written before sexting was "invented." With sexting, the same minor can be both perpetrator and victim when producing and sending photos of him or herself – a very tricky situation under current laws.*

***[Snapchat people, if you definitely just want one page, you could trim here.]***

#### **Guidance for parents:**

- If your children have received any nude pictures on their phones, have them delete the photos. Your family doesn't want to run the risk of having what could be deemed "child pornography" on any of its devices.
- The next most important thing is to have the calm, supportive conversation we mention above, if you haven't already and learn as much as you can about the situation – for example, if they forwarded any images and why and what they think about the motives behind the incident. Talk about the possible psychological and legal impacts.
- Consider talking with other teens and parents involved, and possibly your child's school, based on what you've learned, but keep your child informed and

involved. Every case is unique and contextual, but if your child's involved, so is his or her social life and emotional wellbeing. Consider very carefully whether or not to involve the school. Some schools have mandatory reporting requirements, which could mean that any case they hear about has to go to law enforcement, which could turn an already hard lesson into long-term pain.

- Consider seeking help from a therapist or counselor as we suggested above.
- Some experts advise that you report the photo to your local police, but consider that, while intending to protect your child, you could incriminate another and possibly your own child. That's why it's usually good to talk to the kids and their parents first. If malice or criminal intent or an adult is involved, you may want to get some legal advice. Just be aware of the possibility, however unlikely, that child-pornography charges could be filed against anyone involved.

#### **A few extra thoughts for teens:**

- If a sexting photo arrives on your phone, first, do not send it to anyone else (that's not only a violation of trust, but could be considered distribution of child pornography). Delete the photo(s). If it would help – especially if you're being victimized – talk with a parent or trusted adult. Tell them the full story so they can figure out how to support you. Ask them to keep you involved.
- If the picture is from a friend or someone you know, then someone needs to talk to that friend so he or she is aware of the harmful consequences that are possible. You're actually doing the friend a big favor because of the serious trouble that can happen if the police get involved. Get the friend to delete the photo(s).
- If the photos keep coming, you and a parent might have to speak with your friend's parents, an attorney, school authorities or in extreme cases, law enforcement.