



Tips to Prevent Teen Sexting from ConnectSafely.org

"Sexting" usually refers to the sharing of nude photos via cellphone, but it can happen on other devices and the Web too. The practice is far from normative among young people, but when it does come up, great care is needed. Sexting can have serious psychological or even legal consequences if teens or kids are involved.

It's illegal. For maximum safety and peace of mind, do not share nude or sexually suggestive photos of yourself or anyone else. Though increasingly rare, there have even been cases of teens being charged with producing and distributing child pornography. The owner of a phone or computer with nude photos of anyone under 18 stored on it could be charged with possession. If they go to someone in another state (which can happen really easily) could lead to federal felony charges.

Other serious consequences: Then there's the emotional (and reputation) damage that can come from having intimate photos of yourself go to someone you might've thought was a friend or potential friend who forwards them on in what amounts to a violation of your trust. That can be really hurtful, obviously. And as you know, digital photos are too easy to copy and paste onto the Web, where they can be archived and searchable pretty much forever.

Various causes. In some cases, kids are responding to peer pressure in a form of bullying or sexual harassment-type pressure from a boyfriend or girlfriend (after break-ups, photos can get sent around out of revenge). Sometimes it's impulsive behavior, flirting, or even blackmail. It's always a bad idea.

Parents: Talk with your kids about sexting in a relaxed setting. Ask them what they know about it (they may not have heard the term, so "naked photo-sharing" works too). Express how you feel in a conversational, non-confrontational way. A two-way dialog can go a long way toward helping your kids understand how to minimize legal, social and reputation risks.

The bottom line: Stay alert when using digital media. People aren't always who they seem to be, even in real life, and sometimes they change and do mean things. Critical thinking about what we upload as well as download is solid prevention, and prevention in this case is the best protection by far.

What to do

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 laws 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.

Parents:

- If your children have sent any nude pictures of themselves, make sure they stop immediately, explaining the legal and psychological risks we mention above. 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 a good talk. Stay calm, be supportive and learn as much as you can about the situation. For example, see if it was impulsive behavior, a teen "romance" thing, or a form of harassment or aggression.
- 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. 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.
- 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. In some states, teachers and other school staff are required by law to report sexting photos to law enforcement. That's why it's usually good to talk to the kids and their parents first. If malice or criminal intent is involved, you may want to get some legal advice. Just be aware of the possibility that child-pornography charges could be filed against anyone involved.

Teens:

- If a sexting photo arrives on your phone, first, do not send it to anyone else (that 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 knows sexting is against the law. 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, or school authorities.

These tips were originally written in April 2009, after several reported cases of teens being prosecuted for taking, distributing and possessing pictures of themselves or friends. While we are aware that such activity is inappropriate and risky, we do not feel that - in most cases - law enforcement should treat sexting as a criminal act. Except in the rare cases involving malice or criminal intent, law enforcement should play an educational role, along with parents, community leaders, school officials and other caring adults. [Revised October 2012]