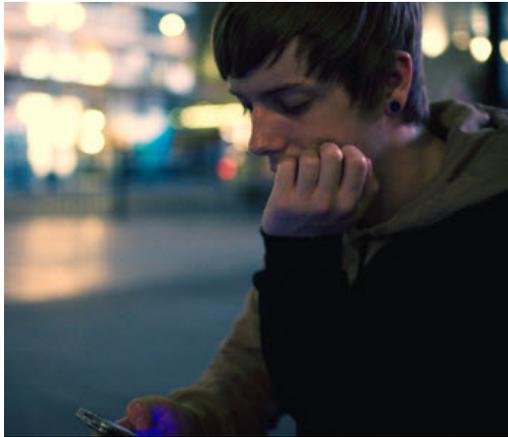


## Teen 'Sexting:' Stupid and Illegal

By Larry Magid - Posted Tue Mar 31, 2009 6:22pm PDT



"Sexting" is the practice of taking a sexually revealing picture of yourself, typically from a cell phone, and sending it to someone. Legal consequences aside, it's a dumb thing to do, especially for younger age groups in which it has become something of a fad.

Even if you are comfortable with the person receiving the image, you never know where else it might land. Digital images are easy to copy and forward and, even if you trust your friend's discretion, it can be accidentally forwarded or seen by others with access to your friend's phone or computer. It's not uncommon for such images to find their way to other people's cell phones and even Web pages,

where they can be seen by anyone, copied, searched for and redistributed, perhaps forever.

For minors, there's another risk — serious legal consequences. Creating, transmitting and even possessing a nude, semi-nude or sexually explicit image of a minor can be considered child pornography. It can be prosecuted as a state or federal felony and can even lead to having to register as a sex offender.

Crazy as it seems, some prosecutors have gone after kids for taking and sending pictures of themselves. There was a case in Florida a couple of years ago where a teenage boy and girl photographed themselves nude and engaged in "unspecified sexual behavior." One kid sent the picture to the other and somehow the police got involved. They were tried and convicted for production and distribution of child porn and the teen who received the image had the additional charge of possession. An appeals court upheld the convictions.

In January this year, three teenage girls from Pennsylvania were charged for creating child porn and the three boys who received the images were charged for possessing it. And, according to CBS News, a Texas eighth-grader in October spent a night in jail after a coach found a nude picture on his cell phone, sent by another student.

It's sadly ironic that the very child porn laws that were written to protect children from being exploited by adults could wind up having a devastating impact on the lives of children who, while acting stupid, have no criminal intent. For some perspective on whether this issue is or isn't overblown, see [Anne Collier's piece in NetFamily News](#).

It's hard to know how prevalent the practice is. But if you believe the results of an [online survey commissioned by the National Campaign to Prevent Teen and Unplanned Pregnancy](#), about 22 percent of teenage girls and 18 percent of boys admit to having "electronically sent, or posted online, nude or semi-nude pictures or video of themselves." I'm not completely confident about the results of this study, which was carried out by a market research firm and not subject to academic peer review. But I think it's fair to assume that a significant number of kids are doing this.

Perhaps more interesting than the survey's overall number is the breakdown of why teens take and send these pictures. Of those who reportedly sent such pictures, 71 percent of girls and 67 percent of boys said they sent or posted content to a boyfriend or girlfriend, while 21 percent of the girls and 39 percent of the boys say they sent it to someone they wanted to date.

As you might expect, peer pressure plays a role. Of those who sent such content, 51 percent of teen girls cited "pressure from a guy," while 18 percent of teen boys blamed pressure from girls.

While sexting is troubling, I think it's important for us all to take a deep breath and refrain from passing new laws or using child pornography laws that were designed to protect children from exploitation by adults.

I suspect that sexting will diminish over time. Kids aren't stupid and, faced with the facts, most will wise up. We also know that kids who get in trouble online are the same kids who get in trouble offline, so when teens repeatedly do sexting or other stupid or risky things online, it's important to intervene early and often.

The best thing for a parent to do is to have a non-confrontational conversation — perhaps over dinner — to ask your kids if they've heard about sexting and what they think about it. You might not get a straight answer but you'll open up a dialog that can go a long way toward helping your kids understand how to minimize legal, social and reputation risks. There are [more tips on ConnectSafely.org](#), a non-profit Internet safety site I help operate.

Boy, am I glad the Internet and camera phones weren't around when I was a kid.