



Let's Talk about "Sexting"

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WHAT IS “*SEXTING*?”

Definitions

- Taking nude photographs of self via cellphone or other cameras and texting to others

Kids find Paradise by the Cell Phone Light” Helen A.S. Popkin (msnbc.com)

- Posting nude photos of self or others on social sites on the internet
- Sending explicit messages
- ***AND SO MUCH MORE...***

Sexting is a Broad Term

“The sending or receiving of sexually-suggestive or explicit text or pictures via one’s cell phone, web cam, or other electronic means”



Former New Berlin student pleads not guilty in sex assault case

By Mike Johnson of the Journal Sentinel

Posted: Mar. 9, 2009



Stancl

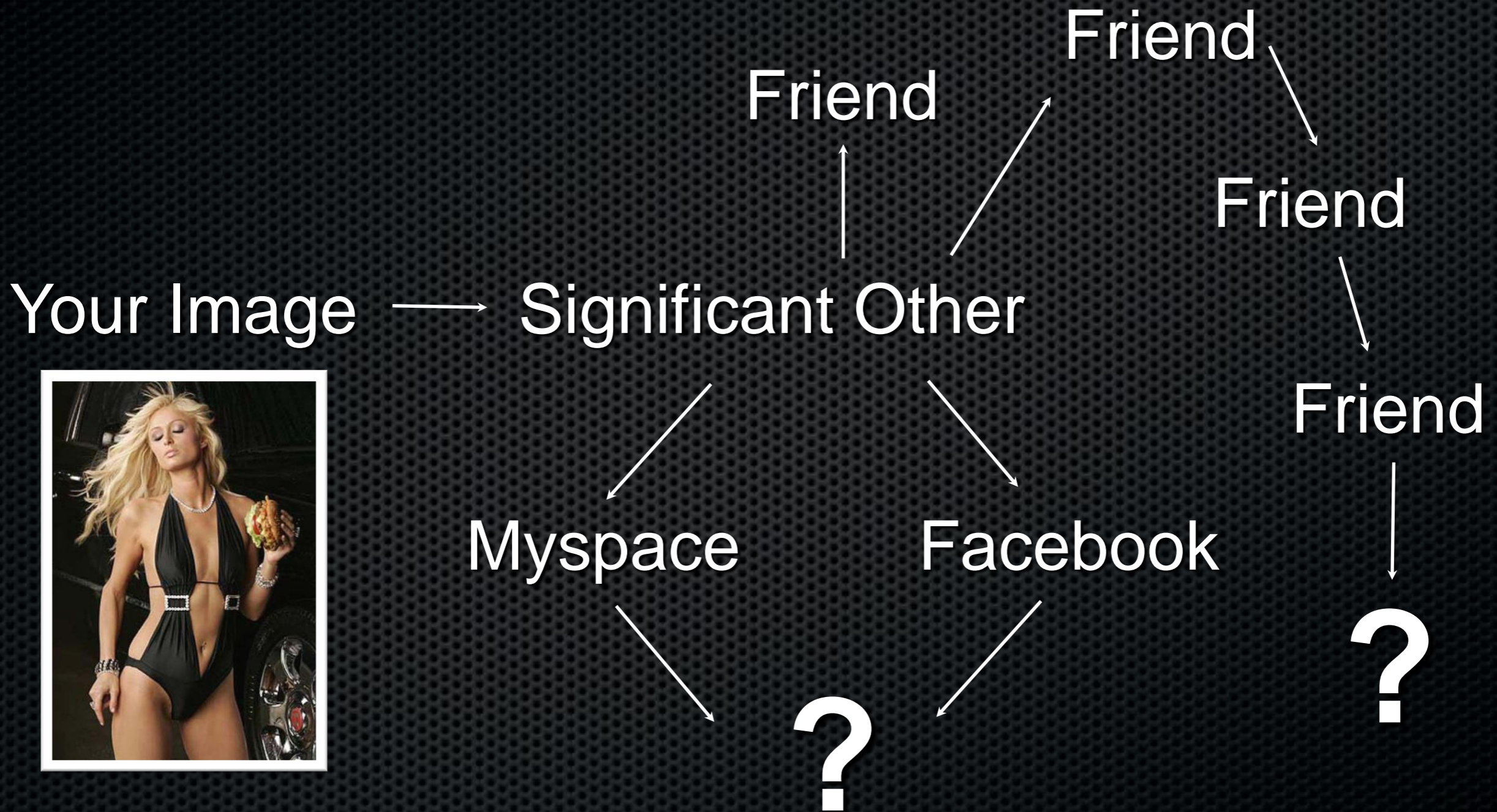
Stancl is accused of posing as a girl on Facebook, persuading at least 31 boys to send him pictures of themselves naked and then blackmailing some of the boys into performing sex acts under the threat that the pictures would be released to the rest of the high school, according to a criminal complaint.

All 31 boys attend New Berlin Eisenhower Middle/High School, Waukesha County District Attorney Brad Schimel has said.

At least seven boys, ages 15 to 17, were coerced into performing sex acts, Schimel said. The incidents occurred from spring 2008 until the time of Stancl's arrest in November. Stancl had 300 photos and movie clips on his computer of boys ages 13 to 19 from the school, Schimel said last month when charges were filed.

The Extreme Case...

How far will that message travel?



What happens next?

What Happens After You hit Send?



Impact On:

Job interviews

Security Clearances

Future Findings

What Does the Law
Say?

18 Pa.C.S.A. 6312

Sexual Abuse of Children

Any person who knowingly sells, distributes, delivers, disseminates, transfers, displays or exhibits to others, or who possesses for the purpose of sale, distribution, delivery, dissemination, transfer, display or exhibition to others, any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of 18 years engaging in ***a prohibited sexual act*** or in the simulation of such act commits an offense. (Felony 3 or Felony 2 depending)

18 Pa.C.S.A. 6312
Sexual Abuse of Children

Prohibited Sexual Act:

Sexual intercourse; masturbation...oral sex, lewd exhibition of the genitals or nudity if such nudity is depicted for the purpose of sexual stimulation or gratification of any person who might view such depiction.

18 Pa.C.S.A. 5903 – Obscene or other sexual materials and performances

No person knowing the obscene character of the materials or performances involved shall:

- (3) design, copy, draw, photograph, print, utter, publish or in any manner manufacture or prepare any obscene material
- (4) write, print, publish, utter or cause to be written, printed, published, or uttered any advertisement or notice of any kind giving information, directly or indirectly, stating or purporting to state where, how, from whom, or by what means any obscene materials can be purchased, obtained or had
- (5) produce, present or direct any obscene performance or participate in a portion thereof that is obscene or that contributes to its obscenity

18 Pa.C.S.A. 7512 – Criminal Use of Communication Facility

Uses communication facility to commit, cause or facilitate the commission or the attempt thereof of any crime which constitutes a felony

Felony of the 3rd Degree punishable by \$15,000 fine and/or 7 years in prison

“Communication facility” – public or private instrumentality used or useful in the transmission of signs, signals, writing, images, sounds, data including telephone...photoelectronic or photo-optical systems

Exceptions?

1. “But I took the pictures for my boyfriend/girlfriend...”

Nope

• “I thought my friends would find it funny...”

Nope

• “Everybody forwards these pictures...”

Nope

Applying the Law

The Impact on You: Adults

If you are 18 years of age or older charged with possessing or sending these images:

- charged as an adult
- criminal complaint
- name in the newspaper as being charged with sexual abuse of children or obscene and other sexual materials
- preliminary hearing
- plea or conviction will have to go on your criminal record; job applications; security clearance applications
- registration as a sex offender under PA law for at least 10 years
- potential federal registration requirements (SORNA)

Who wants to explain this to a potential employer?

The Impact on You: Juveniles

Under 18 years of age, charged a juvenile:

- allegation/petition
- adjudicated delinquent
- dispositional options from consent decree up to and including out-of-home placement
- potential registration as a sex offender
- potential counting for a prior criminal record score
- people will know

Sexting: Close to Home

- PA State Police investigate Sexting at Susquenita High School
- 8 Students face charges out of DA Charles Chenot's office
- Alleged to have sent pornographic images and videos of themselves and other students
- "Once they send it to someone else it could go anywhere" – DA Chenot



Dan Gleiter, The Patriot-News

Widespread Issues

What teens are doing electronically seems to have an effect on what they do in real life: 22% admit that technology makes them personally more forward and aggressive.

38% say exchanging sexy content makes dating or hooking up with others more likely.

29% believe those exchanging sexy content are "expected" to date or hook up.

Widespread Issues

- One in five teens (13-19 years) of age have sent/posted nude or semi-nude pictures or videos of themselves
- 21% of teen girls and 39% of teen boys sent these photos in hopes of dating or 'hooking up' with the person receiving the photos
- 51% of girls say they have felt pressure from a guy to send nude photos
- 33% of boys admit to having looked at nude or semi nude images - originally meant for someone else



Hon. A. Weiner

Final Thoughts



- Jesse Logan, 18 years old
- Sent nude pictures to a boyfriend; the two broke up
- Ex-boyfriend sent the pictures to other girls in the school
- Jesse tragically committed suicide
- “She was attacked and tortured” – Cynthia Logan