

Sexting

Terms, legal issues, dangers, and precautions.



Learning Outcomes

- Recognize terms related to sexting
- Appreciate the legal complexities of sexting
- Recognize the permanence of digital media
- Understand the dangers of sexting
- Know the basic precautions
- Be able to provide advice to parents, teens and young adults about sexting

This workshop is intended for mature audiences and may not be suitable for all attendees.

The presentation contains strong terms and slides of a sexual nature.

Consider Yourself Carded



Disclaimer

- I am a school psychologist, not an attorney.
- I am not offering any legal advice.
- If you want legal advice, see your attorney.

Terms: Major or Minor?

- Under 18?
- Under 21?
- Age of consent for sex in New York?

Terms: Sexting

- “Sexting” refers to an act of sending sexually explicit materials through cell phones.
- The word is derived from the combination of two terms “sex” and “texting”.

Terms: Sexting

- “Sexting” was defined by the court in *United States v. Broxmeyer*, 2010 U.S. App. LEXIS 16032 (2d Cir. 2010) as
- “ the exchange of sexually explicit text messages, including photographs, via cell phone.”

Terms: Sexting

- Broxmeyer was for some years a field hockey coach to girls 14–to–18 years old. During this career, Broxmeyer engaged in sexual relationships with several of his players, some of whom were younger than 18.
- These relationships involved both physical acts and “sexting”

Terms: Abbreviations

- POS, PIR, PAW, CD9, Code 9
- GNOC, GNRN, NIFOC, GYPO
- 8, 143, cu46
- IWS, YWS, RU18
- NAOPKT, TDTM, FMH
- SorG, DUM, JO

True or False

- If a social networking profile is set up right, the person who set up the profile cannot be traced and no one will know who did it. True or False?

True or False

- Breaking the law in cyberspace is as risky as breaking the law in the “real world”. You can be arrested for cyber crimes. True or False?

Digital Evidence



Is sexting legal?



THE NEWS SAYS:
Enough of all the lies
& salacious revelations.
Weiner is not fit to lead
America's premier city.

BEAT IT!

ANTHONY WEINER admitted Tuesday to sending a picture of his penis to a 17-year-old woman "sometimes but never" — more than a year after his alleged fall from Congress. He says their online relationship "never" happened.

Weiner usually had called his wife, Huma (above), who had said to say that he did not live hard-core. He will never tell the truth and needs to end the fall he says now.

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New Weiner sext bombshell

MEET CARLOS DANGER



Anthony Weiner yesterday sent wife Huma to new depths of humiliation as he admitted sexting a woman filthy messages and pictures under the name Carlos Danger — a year after he resigned from Congress in disgrace. Despite the new scandal, Huma says she forgives him — and he's staying in the mayoral race.

THE ROYAL BABY — FIRST PHOTO

NEW YORK LOTTERY'S **POWERBALL** JACKPOT IS NOW **\$166 MILLION** **PLAY NOW!**

Legal Issues

- In the US, teens texting sexually explicit photographs of themselves, or of their friends or partners, can be charged with what?
- And, those who receive the images can be charged with what?

Legal Issues



Legal Issues

- Many sexting cases have extenuating circumstances and varying facts that parents, school officials, law enforcement officials and prosecutors must weigh when kids are discovered in such situations.

Legislation

- All 50 states have laws prohibiting the production, possession or distribution of images depicting sexually explicit activities involving a child.

Legislation

- In 2012, at least 13 states introduced bills or resolutions aimed at "sexting". Hawaii, New York, Pennsylvania and South Dakota enacted legislation in 2012.

Legislation

- The New York State Cyber Crime Youth Rescue Act is designed to offer a second chance to teens who make the mistake of sexting.

Permanency

- “But I erased it. “
- The Wayback Machine
- <http://archive.org/web/web.php>
- Google dashboard
- Everything that is digital can be (and often is) recorded somewhere.

Store Phone Calls

- The Internet Archive's Brewster Kahle has done the math on building a data-center that could hold all of America's voice-calls.
- Take a guess how much that would cost.

Recovery Software

Recuva - Features

File Recovery

Undelete files on your computer

Deleted a file by mistake? Recuva brings lost files on your computer, USB drive, camera or iPod. [More...](#)



Recovery from damaged or formatted disks

Even if you've formatted a drive so that it looks blank, Recuva can still find your files on it. [More...](#)

Recover deleted emails

Emptied your email trash and need it back? Recuva's got you covered with full support for Microsoft Outlook Express, Mozilla Thunderbird, or Windows Live Mail. [More...](#)

Recover deleted iPod music

Deleted music from your iPod or MP3 player? No problem, Recuva will get this back for you along with any additional track data. [More...](#)

Restore unsaved Word documents

Did Microsoft Word crash or did you forget to save that important Word document. No problem with Recuva! As it can intelligently rebuild Word documents from their temporary files. [More...](#)

Take it back!

- What a principal recently said about the app Snapchat:
- One of the most popular is Snap Chat. It allows you to take a picture on your phone and send it to a friend. Three seconds after it appears on his or her phone, tablet or computer, it disappears.
- "There's no history, no tracks, so teens are using that app for sexting," he said.


Facebook Poke

Facebook Poke

The Poke app for iPhone is a simple and fun way to say hello to your friends. You can send pokes, along with messages, photos and videos, to a friend or multiple friends at once. When you send messages, photos and videos, you can choose how long they'll be available for your friends to view up to 10 seconds. After that, they disappear from the app.

Poke Basics

- ▶ Who can I poke?
- ▶ How do I view pokes on the Facebook Poke app?
- ▶ Who can see the pokes I send from the Facebook Poke app?
- ▼ Can I take a screenshot of pokes I receive?

Yes. When you take a screenshot, your friend will see  next to your name letting them know. While pokes will disappear on the app, screenshots and photos from other devices can capture your poke, so share responsibly.

Hide it!



Frequency

- Four percent of cell phone owning teens ages 12 to 17 say they have sent sexually suggestive nude/semi-nude messages to others via text message.
- 15 percent of cell phone owning teens ages 12 to 17 say they have received sexually suggestive nude/semi-nude images of someone they know via text.

Frequency

- Focus group findings identify three scenarios:
 1. Exchanges of images solely between two romantic partners
 2. Exchanges between partners that are then shared outside the relationship
 3. Exchanges between people who are not yet in a relationship, but where often one person hopes to be.

Dangers

- Child pornography or related charges
- Embarrassment
- Humiliation
- Harm to reputation.
- NBC News – Today Show – “Sexting: Jesse Logan Story” - 3/6/2009 (video)

http://today.msnbc.msn.com/id/29546030/ns/parenting_and_family/

Advice for Parents



Advice for Parents

- Communicate
- Emphasize the Risks
- Promote Empathy
- Personal Responsibility

Sex & Tech

- Teen Voices (Short Video Clips)
- <http://www.thenationalcampaign.org/sextech/mayron4.aspx>

Advice for Teens and Young Adults

- Understand the risks
- Avoid making yourself vulnerable
- Trust is a complicated word
- Keep intimacy private
- Don't get too comfortable

Advice for Schools

- Have a policy that addresses digital media, including sexting
- Inform staff of laws regarding sexting with specific measures that comply with district policy
- Risk-assessment and counseling for those affected by sexting

Advice for Schools

- Responding to a “Sexting” Incident at your school (one attorney’s opinion).
- <http://www.aftab.com/uploads/resources/Responding%20to%20a%20Sexting%20Incident%20at%20Your%20School.pdf>

Resources and Videos

- The National Campaign

<http://www.thenationalcampaign.org/sextech/>

- NBC News – Today Show – “Sexting: Jesse Logan Story” - 3/6/2009 (video)

http://today.msnbc.msn.com/id/29546030/ns/parenting_and_family/

Resources and Videos

- CNN News – “Sexting Lands Teen on Sex Offender List” – 3/8/2009 (video)

<http://www.cnn.com/2009/CRIME/04/07/sexting.busts/index.html#cnnSTCVideo>

- Cox Communications – “Take Charge News” (Research)

<http://www.cox.com/takecharge/research.asp>

Resources and Videos - FTC

- Net Cetera – Chatting with Kids About Being Online
- <http://www.dhSES.ny.gov/ocs/awareness-training-events/documents/tec04.pdf>
- To order free copies of this brochure, visit bulkorder.ftc.gov

Resources and Videos - FTC

- Net Cetera: Protection Connection (Video)
- <http://www.consumer.ftc.gov/media/video-0003-net-cetera-protection-connection>
- Net Cetera: Share with Care (Video)
- <http://www.consumer.ftc.gov/media/video-0004-net-cetera-share-care>

Resources and Videos - FTC

- Kids Online Safety Resources
- <http://www.consumer.ftc.gov/topics/kids-online-safety?sort=popular>
- Net Cetera: Chatting with Kids (Video)
- <http://www.consumer.ftc.gov/media/video-0001-net-cetera-chatting-kids-about-being-online>

Resources and Videos - Gov

- Oneguardonline.gov has a number of resources and videos.
- Heads Up: Stop. Think. Click.
- <http://www.onguardonline.gov/media/video-0002-heads-stop-think-click>

Resources and Videos - NYSED

- EdTech Educational Design and Technology offers internet safety resources for teachers, parents, students, administrators and technology directors.
- http://www.p12.nysed.gov/technology/internet_safety/home.html

Resources and Videos - NYSED

- Dignity for All Students Act Promising Practices Guide for School Administrators and Faculty
- Section VII: Guidance on Bullying and Cyberbullying
- <http://www.p12.nysed.gov/dignityact/rgsection7.html>

Resources and Videos - OCFS

- "Cyber-Crime Youth Rescue Act Education Reform Training" for age 14 and younger.
- <http://ocfs.ny.gov/ohrd/cyberbully/story.html>

Resources and Videos – OCFS

- "Cyber-Crime Youth Rescue Act Education Reform Training" for age 15 and over.
- http://ocfs.ny.gov/main/cyber_bully/html/introduction_introduction.html