

Teen Sexting

A Brief Guide for Educators and Parents

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CYBERBULLYING
RESEARCH CENTER

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Sexting is “the sending or receiving of sexually-explicit or sexually-suggestive images or video via mobile devices” [1:50]. Most commonly, the term has been used to describe incidents where teenagers take nude or semi-nude (e.g., topless) pictures of themselves and distribute those pictures to others using their phones (although it is also possible to distribute such images via social media, email, messaging programs, video chat, and on the Web). The images are often initially sent to romantic partners or interests but can find their way into the hands of others, which ultimately is what creates the problems [2]. While the public is most concerned about these behaviors as they occur among adolescents, there is evidence that many adults are participating in sexting as well [3-6].

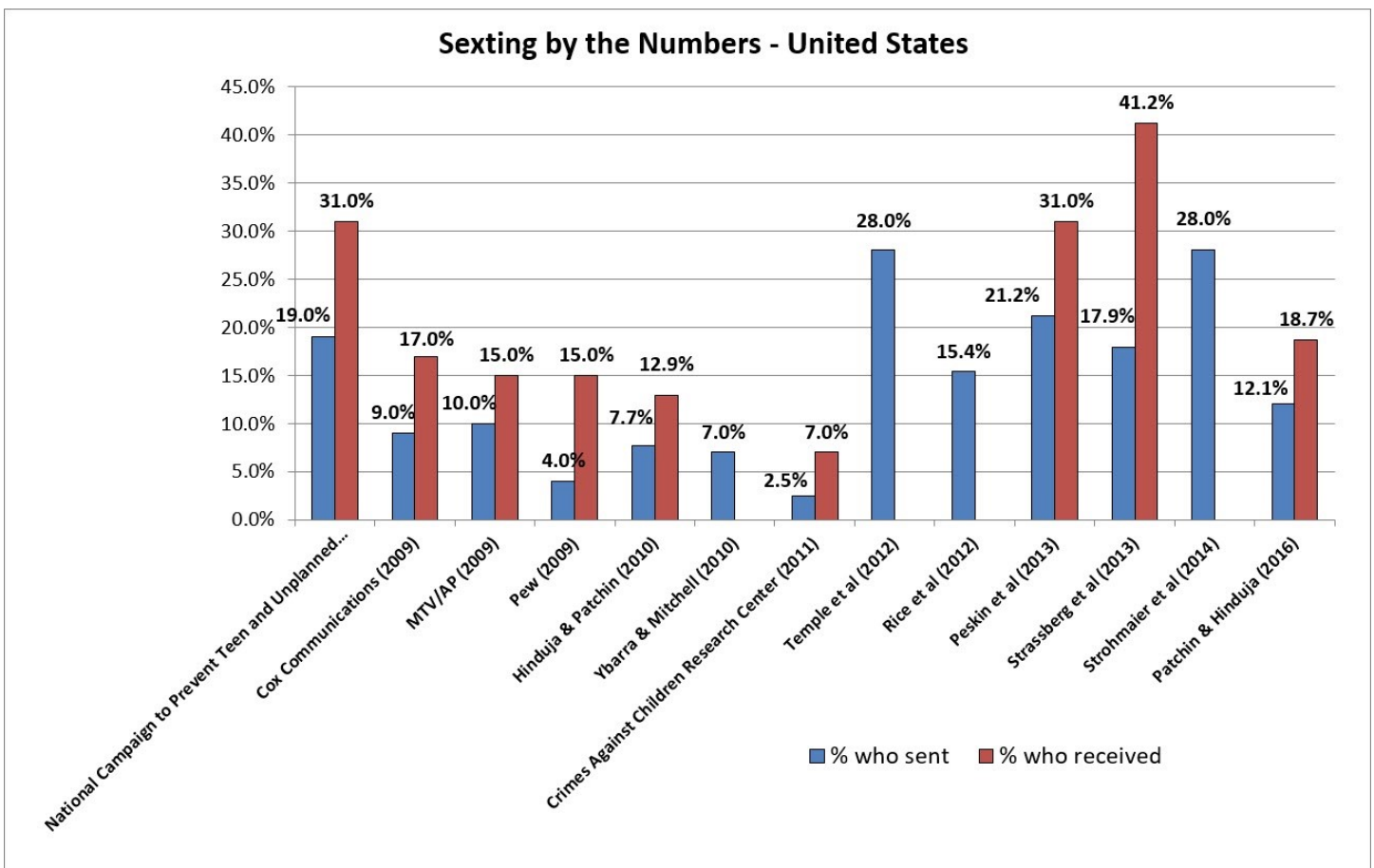
High Profile Incidents

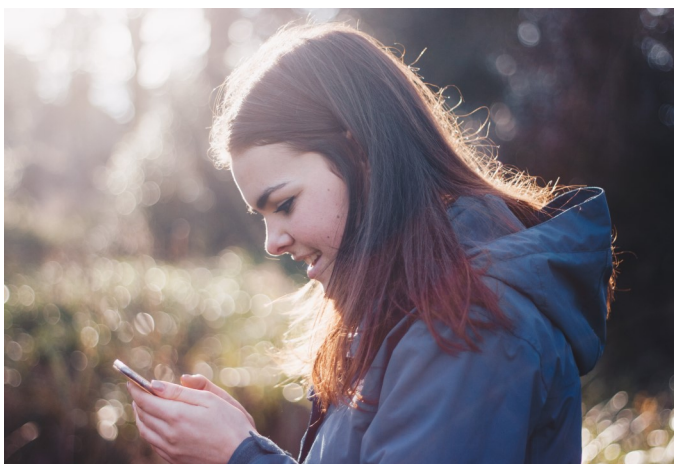
It may appear that sexting is exploding in frequency because of the attention it has been given in the media [7, 8]. In particular, the suicides of Jesse Logan and Hope Witsell catapulted adolescent sexting behaviors to the forefront of the national social conscience. Jesse Logan was an 18-year-old girl from Ohio whose ex-boyfriend circulated nude pictures of her to a large number of their high school peers, leading to extensive and unrelenting cruelty. Two months

later, she committed suicide after suffering scholastically and relationally as a result of the humiliation and abuse she received from classmates. Hope Witsell was a 13-year-old girl from Florida who sent a topless picture of herself to a boy she liked. The image quickly found its way onto the phones of other students. Her journals indicated the vicious name-calling (e.g., “slut,” “whore”) she endured for weeks before it became too much for her to handle. She ended her life two weeks into her eighth grade year. Additionally, there have been major news stories over the last few years about “sexting rings” in states including Virginia [9], Colorado [10], Nevada [11], and Connecticut [12] where large groups of students regularly circulated sexually-explicit pictures and video of other students – sometimes for money.

Review of the Research

Over the last decade, a number of surveys have explored the frequency of sexting among youth and young adults [13-17]. The first known study was conducted by the National Campaign to Prevent Teen and Unplanned Pregnancy [18], and identified that 19% of teens (aged 13 to 19) had sent a sexually-suggestive picture or video of themselves to someone via email, cell phone, or through another form of online interaction, while 31% had received a





nude or semi-nude picture from someone else. Soon after, Cox Communications [19] and the National Center for Missing & Exploited Children released survey results which found that 9% of young persons between 13-18 had sent “sexually suggestive text messages or emails with nude or nearly-nude photos,” while 17% had received such content.

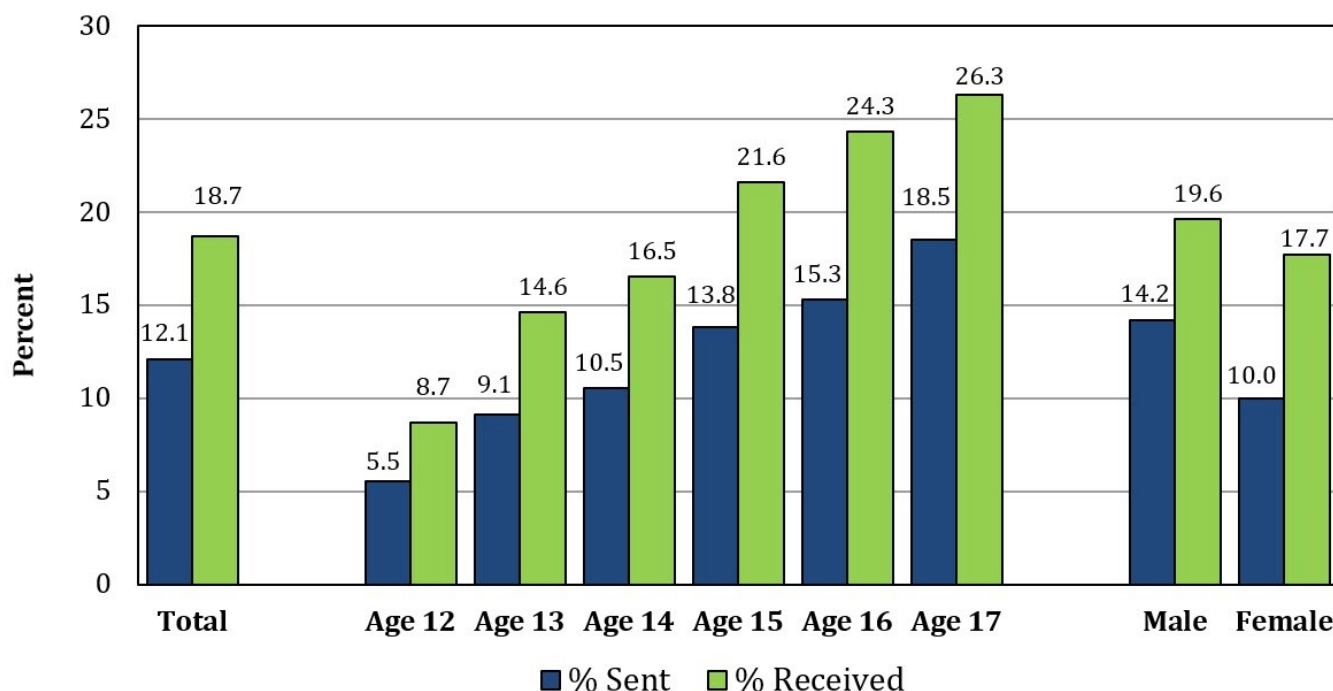
To our knowledge, only three known studies [16, 17, 20] have examined sexting among a national sample of middle and high school youth. In Lenhart’s [20] telephone-based study involving 800 teens ages 12-17, 4% admitted to sending a sext while 15% indicated they had received a text. Similarly, Mitchell et al.’s [16] telephone-based study

consisted of 1,560 teens aged 10 to 17, and found prevalence rates of 2.5% and 15% for the sending and receiving of sexts. Finally, Ybarra & Mitchell’s [17] online survey to an opt-in panel of 5,907 youth collected between August 2010 and January 2011 identified that 7% of those between the ages of 13-17 had sent or shown someone a sexual picture of themselves.

At the Cyberbullying Research Center, we first explored sexting behaviors in the spring of 2010 in a sample of approximately 4,400 randomly-selected students between the ages of 11 and 18 from a large public school district. We found that 12.9% of youth had received a naked or semi-naked image of someone from their school. Moreover, 7.7% admitted that they sent a naked or semi-naked image of themselves to someone else. We also noted that boys and girls were equally as likely to send naked images, while boys were significantly more likely to report receiving them.

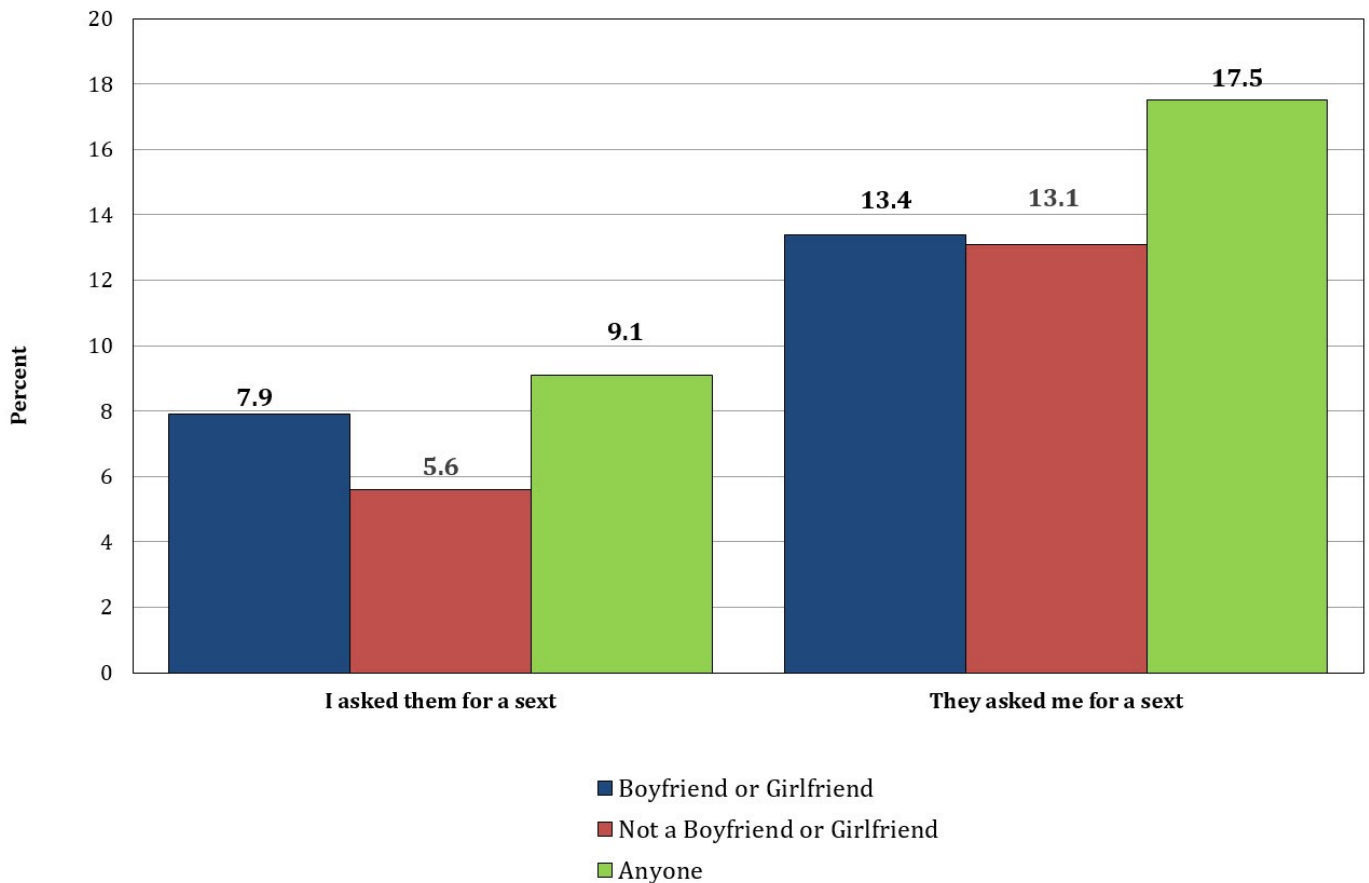
In the fall of 2016, we once again surveyed students on the nature and extent of their sexting behaviors. This time we used a nationally-representative sample of nearly 5,600 middle and high school students. In this study, we defined sexting as “when someone takes a naked or semi-naked (explicit) picture or video of themselves, usually using their phone, and sends it to someone else.” About 12% of

Sexting among Middle and High School Students (national U.S. sample of 5,539 12-17 year-olds - October, 2016)



Adolescents Requesting Explicit Images

(national U.S. sample of 5,539 12-17 year-olds - October 2016)



students had sent a sext image of themselves to others and about 19% had received a sext from someone else.

Males were significantly more likely to have received a sext from a romantic partner (16.2% compared to 11.6%), though there was no difference between males and females with regard to receiving a sext from someone who was not a current romantic partner. Females were slightly more likely to have received an image from someone who was not a romantic partner than someone who was (13.6% compared to 11.6%) while males were more likely to have received the sext from a current romantic partner (16.2% compared to 13.4%)

Requests for “Nudes”

In addition to asking students about whether they had sent or received sexually explicit images from others, we also asked if they’d been *asked* to share images (or if they’d asked others). Overall, 17.5% of students said they had been asked to send an explicit image. More specifically,

about 13.4% said they were asked by a current boyfriend or girlfriend and 13.1% were asked by someone who wasn’t a current significant other (9% were asked by both). Only about 9% said they had asked others to send them naked images (7.9% had asked a significant other and 5.6% had asked someone else). When we broke the numbers down by sex, boys were significantly more likely to ask for a sext (11.3% compared to 7.1%). But boys and girls were equally as likely to report that they had been asked for one (16.7% compared to 18.3%). In short, most students are not asking (or being asked) for nude photos.

Formal and Informal Responses

Recently, attention has been given to cases of criminal prosecution against teens who engage in sexting, with charges including: “disorderly conduct,” “illegal use of a minor in nudity-oriented material,” and felony “sexual abuse of children...,” criminal [use] of a communications facility, or open lewdness.” [20-22]. Some have argued that these convictions overstep appropriate bounds, and are

outside of the original intention of legislators who formulated the laws to prosecute adults who prey on youth [23-25]. Others believe that such strict interpretation of the law (where it is a felony to take, send, or keep any sexually-explicit image of a minor) is necessary to prevent victimization and tragedies like the suicides of Jesse Logan and Hope Witsell [26-28].

To be sure, some legal and political authorities have recently retreated from a hard-nosed stance and are factoring in the age of participants and the relational context in which the sexting incident occurred [29-31]. The vast majority of instances seem to occur as part of adolescent courtship rituals during an era where cell phones, texting, sending digital pictures are mainstays in youth culture [32-34]. As such, the growing sentiment is that youth should not be prosecuted using laws that were intended to protect them from adults [21].

We agree with this perspective. Teenagers who engage in this behavior should not be placed on sexual offender registries as that will largely ruin their life potential. With all of this said, twenty-five states have enacted legislation to address sexting as of July 2018, with penalties ranging from educational programming for first-time offenders, to fines, felony charges, or short-term incarceration. (See <https://cyberbullying.org/sexting-laws> for an updated list of state sexting laws.)

What Schools Should Do

Many adults find themselves ill-equipped to deal with sexting and its consequences [35]. It is important that any adult who is made aware of naked or semi-naked images of minors act quickly to limit the extent of harm that may result. Educators should work with their school resource officer or other law enforcement contact to collect any evidence and investigate the incident to determine its nature. Administrators and educators should never forward, copy, transmit, download, place on a USB thumb drive, or show any non-law enforcement personnel any evidence collected from a personal digital device, cell phone and/or computer after the initial discovery of sexual content, or at any other time during the investigation. This may lead to felony criminal child pornography charges, even if actions were made in the best interests of the student(s) involved [36]. To avoid legal liability in instances of sexting, it is highly recommended that school administrators only confiscate the devices, and let law enforcement search its contents and call logs given their level of legal immunity.

Next, we suggest contacting the students involved, as well as their families. With regard to the child who is featured in the pictures, the situation must be addressed in a delicate manner since emotional and psychological harm most likely has occurred (especially if by now the incident has come to the school's attention). The student (and perhaps even the parents) should be encouraged to meet (separately or together) with a counselor or another mental health professional to deal with the trauma and stress of the incident.

When dealing with student(s) who disseminated the image(s), contacting parents is mandated in some school districts prior to the onset of an investigation. Then, it is critical to identify the motivations behind the behavior. For some, the picture or video was sent without forethought and betrays their developmental level of immaturity and the belief that such a practice is harmless, funny, normative adolescent behavior, or somehow necessary to gain attention and validation from another student (or their peer group). For others, the images were distributed in order to intentionally humiliate or otherwise inflict harm on another person – and can be considered cyberbullying, sexual harassment, blackmail, extortion, stalking, or the dissemination of child pornography [1, 37-39].

Informing parents may also motivate them to speak with and discipline their child in the way they see fit. It should also induce them to pay stricter attention to what their





child is doing with their phone, and may lead to restrictions placed on texting, messaging, social media, and general Internet use. Parents who remain informed and vigilant can then continue to educate their children about the consequences of such behavior.

In addition to these steps, it is crucial to control the distribution of the problematic images as soon as possible. After checking logs and records with the help of social media providers, law enforcement can inform school administrators as to who else may have sent and received the images. This should prompt one-on-one meetings with those students to determine the extent of image dissemination. Confidentiality should be promised, and warnings (or discipline) should be given when necessary to deter further broadcast of these pictures (and the use of phones on campus, if prohibited by school policy).

As it relates to prevention, districts must adopt a comprehensive anti-sexting policy comprised of certain key elements [40, 41]. First, the policy should clearly state that the mere possession of sexually-explicit images of minors on any device is prohibited regardless of whether any state laws are violated. Second, it should indicate that all involved in sexting, unless they immediately deleted the content, could be subject to discipline. Third, the policy should

inform students that their parents and the police may be contacted to investigate. Fourth, it should put students on notice that phones will be searched if there is *probable cause* that a criminal violation has occurred, and may be searched if *reasonable suspicion* exists that the phone contains evidence of a violation of school policy. Fifth, consequences must be clearly stated but should include wording that allows administrators to use discretion to determine an appropriate punishment on a case-by-case basis. Finally, the policy should explicitly prohibit harassment and bullying related to sexting incidents, and include provisions for increased punishment where threats are made regarding the distribution of explicit images [42].

A Call for Education and Outreach

Based on our experience working with youth, and having been teenagers ourselves, we don't believe that formal law and policy is the "magic bullet" – because adolescents tend not to be deterred by rules and laws [43]. Of course, this does not mean that schools should not develop well-informed policies which include the elements described above. Policies are a necessary, but not sufficient, component of a comprehensive prevention and response plan. We don't want the presence of law and policy to take the place of purposed educational efforts to teach teens about

the responsible use of technology. This sometimes happens when laws or policies are passed as a way of quickly “dealing” with an issue, without understanding its fundamental causes [44]. Rather, schools must implement creative educational strategies to raise awareness among students on the shortsightedness and foolishness of sending or receiving sexually-explicit images of themselves or someone else [45, 46].

This can take the form of in-school assemblies for youth, professional development for staff, and workshops for parents and other community members [47]. Additionally, information and resources can be shared through take-home memorandums, student handbooks, electronic mailing lists, letters to the editor in local newspapers, town hall meetings, and automated phone calls to the families of students. Finally, the Web can be exploited through the construction and maintenance of a Facebook Fan Page, a Twitter feed, or a page on the school website that covers sexting prevention and response while detailing legal and policy issues relevant to students and parents – and conveys the school’s standards of the appropriate, ethical, and lawful use of technology. Overall, the goal is to constantly raise the issue so that it is in the forefront of everyone’s mind, and to change perceptions across the student body related to what they may consider normative behavior [48]. This should send the message that sexting is strongly on the school’s radar and will be immediately addressed, and also hopefully lead to wiser choices by youth who slowly but surely learn from the messaging strategies.

Such efforts are critical in order to change prevailing mentalities regarding what is acceptable and unacceptable in the minds of youth [1]. Our prevention and response efforts are going to be less than ideal if we cannot effectively counter what society is hammering into the minds of adolescents. Cultivating in youth a deeper measure of self-respect, for example, is one such way to insulate them against being pressured to participate in sexting and help them to stand firm when faced with very strong peer and cultural influences.

NOTES:

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Note

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