

# **NUDES NO MORE INITIATIVE:**

## **Counselors Edition**

For middle school and high school students

This is a step-by-step guide for presenting the growing issues of sexting among adolescents.

1. Contact local law enforcement and set a date for a school wide assembly
2. Explain that:
  - a) sexting is sending, receiving, or forwarding sexually explicit messages, photographs or images, primarily between mobile phones.
  - b) sexting is not just sending a photograph- it's pornography and it's against the law if the person is under 18.
3. Introduce law enforcement: Law enforcement trains faculty and students of the law regarding sharing, possessing, and producing explicit photographs- nude selfies.

*According to Alabama law, there are three types of felonies related to sexting:*

***Class A felony:*** production of child pornography -this would also include a child taking his/her own photos. For this offense, a child who is 16 or 17, who commits a Class A felony will be charged as an adult in district court.

***Class B felony:*** possessing child pornography (nude selfies). A 16-year-old accused of possessing child pornography (old or recent photo of a minor), may be accused of delinquency in juvenile court. If the teen is determined to have committed the act, he/she may be sentenced to a youth detention center for a short period of time.

***Class C felony:*** possessing child pornography without having an intent to distribute the material. A defendant convicted of a Class C felony faces a maximum fine of \$15,000 and up to 10 years in prison. Under Alabama law, possession of three or more copies of the same visual depiction of child pornography is considered proof of the intent to distribute.

4. Young teens who take naked pictures (*intentional sexting*) of themselves make themselves vulnerable to abuse, harassment, and even jail time. The taking and sharing of naked photographs increases the risk of sexual aggression, sexual perversion, promiscuity, teen pregnancy, mental issues, and jeopardy to becoming trafficked.
5. *Sextortion* is a means of luring others into sending nude photos and then threatening them if they did not send more- even if he's your boyfriend. An example

of this is a boyfriend may ask a girlfriend to send photos of her in her bra, stating that it's no different than a swimsuit pic. Once that's sent he will threaten her by using manipulation/control to get her to send more explicit photos. In this scenario, the girl is a victim.

6. A snapshot message or video can be captured in a screenshot and remain forever. Photos can circulate the web for life.

7. A minor who is caught in possession of naked selfies of another underage person can be legally charged with possession of pornography. Those who distribute these photos (even if the other person has given permission to do so) may face even more serious charges. Criminal charges stay on a person's record for life, affecting where the individual in question can live, what type of job he can work at, which school he can or cannot go to and more.

8. Hacking is a very real danger for anyone who takes naked selfies. Mobile phones are not entirely secure. Cloud service providers are also far from secure and many hackers can and do access them on a regular basis. Even Snapchat or deleted photos are forever encrypted in your phone. Once photos are on a phone they are there forever on a microchip- even if you run over the phone with your car- they are still there and yes, even if they were deleted from snapchat.

9. If you know of or suspect someone of having nude selfies on their phone go directly to a teacher or counselor. If you are being pressured into sending photos tell an adult or if a friend has taken a photo of you to use as blackmail, report it.

10. Encourage kids to talk to the counselors regarding instances where she/he may have been a victim.

11. Do not ever accept a request to follow or friend you on social media by someone you don't know- even if it looks like a kid your age.

12. We have a right to search your phone if we have reasonable suspicion, just like we can search your locker.

Schools should include a specific statement in their policies that regulate student-owned devices brought to school. The policy should advise everyone that students who bring their own devices to school are subject to a reasonable search if suspicion arises that the device contains evidence of a violation of school policy or the law. Students, staff, parents, and law enforcement officers working in the schools need to be aware of this policy so that no one is surprised if/when certain actions are taken.

## Note to Counselors:

Sextortion is a crime. The coercion of a child by an adult to produce what is considered child pornography carries heavy penalties, which can include up to life sentences for the offender. The FBI does not treat a child as an offender in the production of child pornography as a result of their sextortion or coercion. In order for the victimization to stop, children typically have to come forward to someone—normally a parent, teacher, caregiver, or law enforcement. The embarrassment of the activity a child was forced to engage in is what typically prevents them from coming forward. Sextortion offenders may have hundreds of victims around the world, so coming forward to help law enforcement identify the offender may prevent countless other incidents of sexual exploitation to that victim and others.

The U.S. Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) have worked in collaboration with the National Center for Missing and Exploited Children (NCMEC) to investigate how sextortion impacts youth and to promote awareness about this emerging issue. Results from NCMEC's analysis of more than 800 sextortion-related tips received on their CyberTipline in a two-year time frame show that the average age of a child at the time of victimization was 15 years old (National Center for Missing & Exploited Children, n.d.). Female victims, who make up 78 percent of children victimized, experienced their first sextortion incident as young as 8 years old, compared to 11 years old for boys, who make up 12 percent of victims. Furthermore, an analysis of 43 sextortion cases involving child victims, revealed that at least two victims committed suicide and at least ten more attempted suicide. Sextortion impacts youth from elementary to high school and as in other cyber-based crimes, perpetrators of sextortion, sometimes called "sextortionists," do not discriminate based on a student's color, ethnicity or socio-economic status.

The following measures may help educate and prevent children from becoming victims of this type of sexual exploitation:

- Make children aware that anything done online may be available to others;
- Make sure children's apps and social networking sites' privacy settings are set to the strictest level possible;
- Make sure children are aware of the dangers involving adding strangers on social media. Sometimes men pose as women or even as a child to entice you to allow them to follow you on social media.
- Make sure to talk to the child who is sexting to see if there has been previous sexual assault to him or her. This requires more intense counseling and reporting. The assault could be current and the child need immediate protection.
- Look for signs that the child is being trafficked- possibly by a boyfriend, parent
- Anyone who asks a child to engage in sexually explicit activity online should be reported to a parent, guardian, or law enforcement;
- Parents should review and approve apps downloaded to smart phones and mobile devices and monitor activity on those devices;
- Ensure an adult is present and engaged when children communicate via webcam; and

- Discuss Internet safety with children before they engage in any online activity and maintain those discussions as children become teenagers.

What to do if you believe you are or someone you know is the victim of sextortion:

- Contact your local law enforcement agency, your local FBI field office (contact information can be found at [www.fbi.gov](http://www.fbi.gov)), or the National Center for Missing and Exploited Children (1-800-the-lost or [Cybertipline.org](http://Cybertipline.org)); Alabama Department of Child Abuse and Neglect Prevention office, Alabama Department of Human Resources, local office
- Do not delete anything before law enforcement is able to review it; and
- Tell law enforcement everything about the encounters you had online-it may be embarrassing, but it is necessary to find the offender.

**Different Apps used to store sexting photos:**

Snapchat

Kik App

Calculator+

Applock

Safe Lock

Photo Vault (several types)

Hide it Pro

My Utilities

HiPhoto Lock Secret

Mislabeled photos

Android has a hide applications feature

