



# **SEXTING & BULLYING PREVENTION & EDUCATION**

**Message**

1 of 1

**From:** Girlfriend (M)

**Date:** 10/29/09 10:44 am

I love you to

# Sexting

- What Is it?
- Is it Illegal?
- Can Kids Really Face Consequences?

# What Is Sexting?

Texting or e-mailing, to another person, sexually explicit messages or pictures





**WHAT WE KNOW**

**TEENS 13-19**



# What We Know About Our Teens

(National Campaign to Prevent Teen and Unwanted Pregnancy)

**87% Have Cell Phone**

**80% Send/Receive Photos**

**89% Have Social Networking  
Profile(s)**

**61% Send Photos on Cell  
Phone**



# What We Know About Our Teens

(National Campaign to Prevent Teen and Unwanted Pregnancy)

**66% Send "Sexy" Messages**

**44% Forward "Sexy" Messages**

**49% Send "Sexy" Pictures of  
Themselves**

**37% Forward "Sexy" Pictures  
of Others**

# Facts

22%  
of  
Ladies



18%  
of  
Guys

Send NUDE Pictures  
of **THEMSELVES**



# Why Should I Care?



# You Should Care If

- You own a cell phone(s)
- Your child sends text messages
- Your child has taken photos with a cell phone/digital camera
- Your child has forwarded or posted a message/photo



# NOTHING Is Private

- People may think text messages/photos are safe and private.
- You can't control if they are forwarded to others
- Forwarded text messages are the fastest way to spread gossip and rumors.
- How many people could have access to a text/photo in a matter of seconds?

## Every Time A Message Is Sent

- It gets stored on the cell phone company's computer server.
- Law Enforcement can access messages from the cell provider.
- Deleted messages are retrievable.

Messages can be forwarded



# Items Found To Have Illegal Images

- They become evidence to a crime
- They are impounded
- They are not returned



# Don't Assume Any Privacy

Text Messages/Pictures can  
come back to haunt a person  
for the

**REST OF THEIR LIFE**



# SEXTING

In the Eyes  
of the Law



# Federal & State Laws

- FEDERAL LAW - makes it illegal when images of anyone 18 years or younger are created, posted, sent, shared or viewed.
- OHIO LAW - disseminating matter harmful to juveniles; Illegal use of a minor in nudity oriented material or performance



# Criminal Consequences

- Having nude photos of **ANYONE** under 18 (including nude photos of themselves) is a **CRIME**.
- Convictions may prevent adults from getting jobs that require criminal background checks.

# Sexting and the Law



- Current Ohio law does not address “Sexting” among minors
- As a result, teens caught with images on their phones could face felony level child pornography charges
- Students don’t understand schools have the right and obligation to search property and cell phones if they have reasonable suspicion the student has violated school rules and/or the law.



# Ohio Law

## ORC 2907.31 DISSEMINATING MATTER HARMFUL TO JUVENILES

- **No person** with knowledge of its character or content shall recklessly do any of the following: **Directly sell, offer to sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to a juvenile any material or performance that is obscene or harmful to juveniles**
- **While in physical proximity of the juvenile, allow any juvenile to review or peruse any material or view any live performance that is harmful to juveniles.**
- **Whoever violates this section is guilty of disseminating matter harmful to juveniles.**
- **If the material is harmful to juveniles it is M-1 offence**
- **If the material is obscene to juveniles it is F-5 offense**



# Ohio Law

## ORC 2907.32 PANDERING OBSCENITY

- (A) No person, with knowledge of the character of the material or performance involved, shall do any of the following:
  - (1) Create, reproduce, or publish any obscene material, when the offender knows that the material is to be used for commercial exploitation or will be publicly disseminated or displayed, or when the offender is reckless in that regard;
  - (2) Promote or advertise for sale, delivery, or dissemination; sell, deliver, publicly disseminate, publicly display, exhibit, present, rent, or provide; or offer or agree to sell, deliver, publicly disseminate, publicly display, exhibit, present, rent, or provide, any obscene material;
  - (3) Create, direct, or produce an obscene performance, when the offender knows that it is to be used for commercial exploitation or will be publicly presented, or when the offender



# Ohio Law

## ORC 2907.323 ILLEGAL USE OF A MINOR IN NUDITY-ORIENTED MATERIAL OR PERFORMANCE

- No person shall do any of the following:
- Photograph any minor who is not the person's child in a state of nudity, or create, direct, produce, or transfer any material that shows a minor in a state of nudity.
- Possess or view any material that shows a minor in a state of nudity.
- Whoever violates this section is guilty of illegal use of a minor in nudity oriented material or performance.
- Violations of this section is a FELONY 5<sup>th</sup> DEGREE



# Criminal Consequences

In Ohio, these crimes are currently punishable by:

- A minimum of 6 to 12 months in a State Level Juvenile Detention Center
- Classified as a Registered Sex Offender
- Sex Offender Treatment Program
- Probation
- Fees/Fines



# Failure To Report a Crime

## Ohio Revised Code Sec. 2921.22

(A) No person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities.

Violation of division (A)(1) of this section is a **misdemeanor of the fourth degree**



# Tampering With Evidence

## Ohio Revised Code Sec. 2921.12

(A) No person, knowing that an official proceeding or investigation is in progress, or is about to be or likely to be instituted, shall do any of the following:

(1) **Alter, destroy, conceal, or remove any record, document, or thing, with purpose to impair its value or availability as evidence in such proceeding or investigation.**

(2) Purposely mislead a public official who is or may be engaged in any proceeding or investigation

B) Whoever violates this section is guilty of tampering with evidence, a **felony of the third degree**



**IN THE NEWS...**  
**IT COULD COST YOU**  
**YOUR FUTURE**

# What is Cyberbullying?

- Cyberbullying has many definitions but can be summed up as any inappropriate use of technology that is intended to harass, humiliate, stalk, threaten, terrorize, or slander others.
- It is not uncommon for cyberbullying to be prevalent in students ages 8-15 and beyond.

## ***Cyberbullying . . .***

- Think it's funny
- Don't think it's a big deal
- Are encouraged by friends
- Think they won't get caught
- Think everybody cyberbullies

# Statistics

- Approximately 160,000 children miss school because they fear bullying
- One in three teens (ages 12-17) have been victims of cyberbullying
- One in six pre-teens (ages 6-11) have been victims of
- Children are just as likely to receive threatening messages at school as they are at home
- The impact on the victims of bullying often include truancy, depression, poor academic performance, and

# Statistics

- One out of every ten students who drops out of school does so because of repeated bullying
- Harassment and bullying have been linked to 75% of school shooting incidents.
- Those who are bullied are five times more likely to be depressed and far more likely to be suicidal
- 17% (ages 6-11) have been victims of cyberbullying
- 33% (ages 12-17) have



# Is It Against the Law?

- **Ohio HB 276** - The bill requires the board of education of each city, local, exempted village, and joint vocational school district, and governing authority of each community school to develop their own policy to prohibit harassment, intimidation, and bullying and include the policy in any student handbooks or publications detailing the comprehensive rules and standards of conduct for schools and students

## Someone Who Is Being Cyberbullied May:

- Avoid using computers, cell phones, and other technological devices
- Appear stressed when receiving an e-mail, instant message, or text
- Withdraw from family and friends

## Someone Who Is Being Cyberbullied May:

- Avoid conversations about computer use
- Exhibit signs of low self-esteem including depression and/or fear
- Have declining grades
- Stop eating or sleeping
- In serious cases, consider

# Deal With It

If You Suspect Cyberbullying You  
Should:

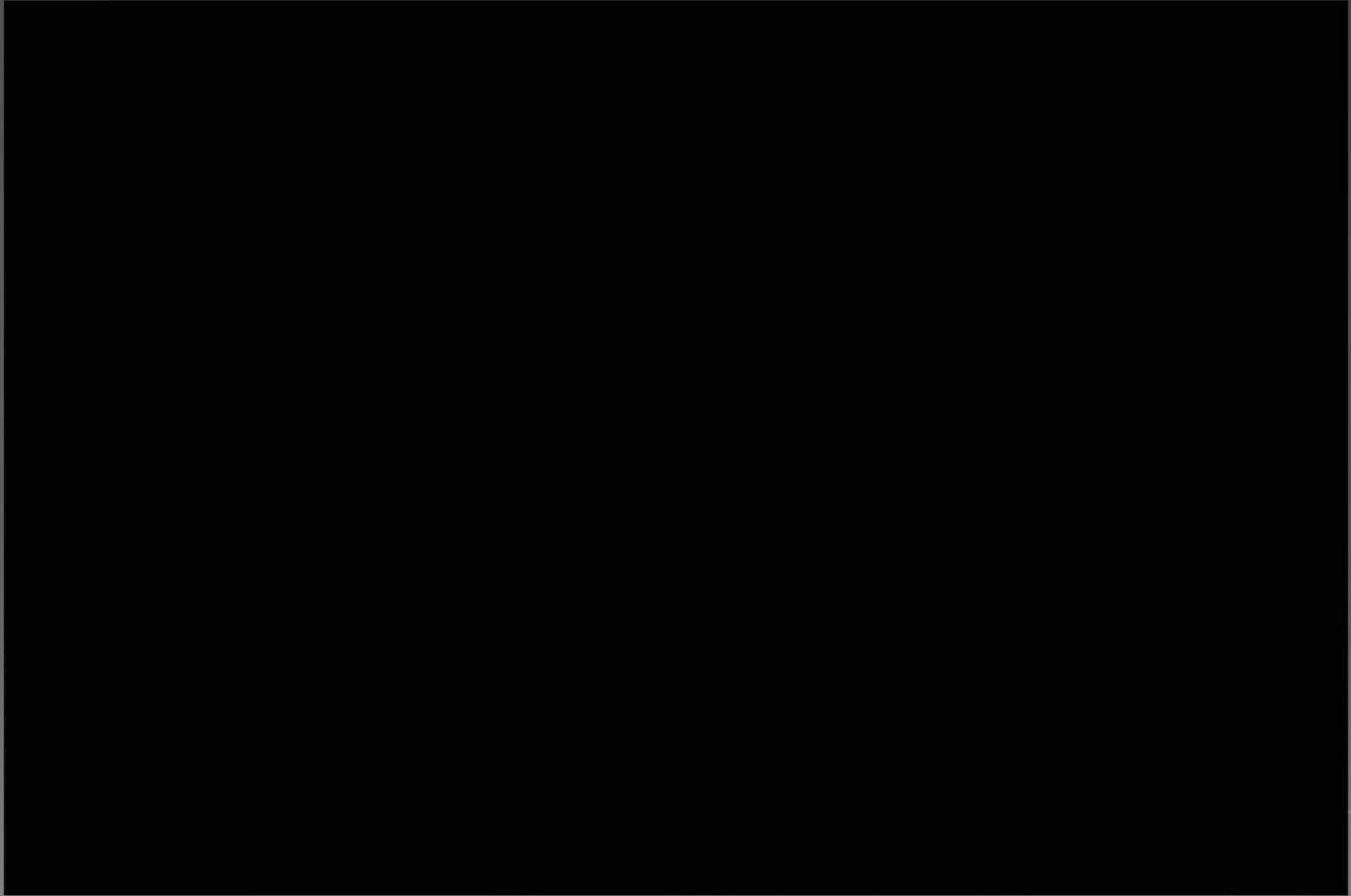
- Not Respond
- Save the Evidence
- Report It



# Is It Against the Law?

That depends...

**In the First  
Amendment we are  
all given the right of  
freedom of speech.**





# Telecommunication Harrasment

## Ohio Revised Code Sec. 2917.21

No person shall knowingly make or cause to be made a telecommunication, or knowing permit a telecommunication to be made from a telecommunications device under the person's control, to another, if the caller does any of the following:



# Telecommunication Harrassment

## Ohio Revised Code Sec. 2917.21

- ❄ Fails to I.D. with purpose to harass
- ❄ Describe, suggest, request, sex
- ❄ Threaten serious physical harm
- ❄ Threaten to damage recipient property
- ❄ Communicates on-line after told to stop
- ❄ With purpose to abuse, harass, or annoy

M-1 to F-3



# Menacing By Stalking

## Ohio Revised Code Sec. 2903.211

(A)(1) No person by engaging in a **pattern** of conduct shall knowingly cause another person to **believe** that the offender will cause physical harm to the other person or cause **mental distress** to the other person.

(A)(2) No person, through the use of any electronic method of remotely transferring information [including computers, etc.] shall post a message with purpose to urge or incite the violation of (A)(1)



# Resources

- Center on Media and Human Development, School of Communication, Northwestern University  
Children, Media and Race: Media Use Among White, Black, Hispanic and Asian American Children (Released 6/11)  
<http://web5.soc.northwestern.edu/cmhd/wp-content/unloads/2011/06/SOCconfReportsingleFinal-1.pdf>
- Cliffview Pilot  
[www.cliffviewpilot.com](http://www.cliffviewpilot.com)
- CommonSense Media  
[www.CommonSense.org](http://www.CommonSense.org)
- Connect Safety  
[www.ConnectSafety.org](http://www.ConnectSafety.org)



# Resources

- I Love U Guys Foundation  
[www.iloveyouguys.org](http://www.iloveyouguys.org)
- Ironic Source  
<http://en.wikipedia.org/wiki/socialmedia>
- iSafe  
[www.isafe.org](http://www.isafe.org)
- Kentucky Center For School Safety  
[www.kysafeschools.org](http://www.kysafeschools.org)
- Los Angeles Times  
[www.latimes.com](http://www.latimes.com)



# Resources

- Mississippi Department of Education  
Department of Public Safety Planning  
Fear Stops Here – Students Against Bullying  
[www.fearstopshere.com](http://www.fearstopshere.com)
- MTV Web-Site: Digital Rights Project  
[www.athinline.org](http://www.athinline.org)
- National Campaign to Prevent Teen and Unwanted  
Pregnancy  
[www.thenationalcampaign.com](http://www.thenationalcampaign.com)
- National Center for Missing and Exploited Children  
[www.missingkids.com](http://www.missingkids.com)                      [www.cybertipline.com](http://www.cybertipline.com)



# Resources

- The Conversation Prism: Brian Solls and JEES3  
[www.theconversationprism.org](http://www.theconversationprism.org)
- The Nielsen Company  
[www.nielsen.com](http://www.nielsen.com)
- Victim Services Network  
[www.victimsservicesnetwork.org](http://www.victimsservicesnetwork.org)
- YouTube  
[www.youtube.com](http://www.youtube.com)