



Office of the
Attorney General
of Virginia

“Sexting”

Protecting Yourself on the Internet and Mobile Devices



Websites Often Used for Social Networking



facebook.



BURN NOTE



Instagram



Yik Yak

LinkedIn

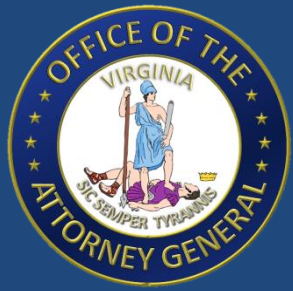
tumblr.

whisper



SKOUT™

tinder™



Monthly Visitors to Social Networking Sites

1. 750,000,000

facebook

2. 450,000,000

You Tube

3. 250,000,000

twitter

4. 110,000,000

Linked in

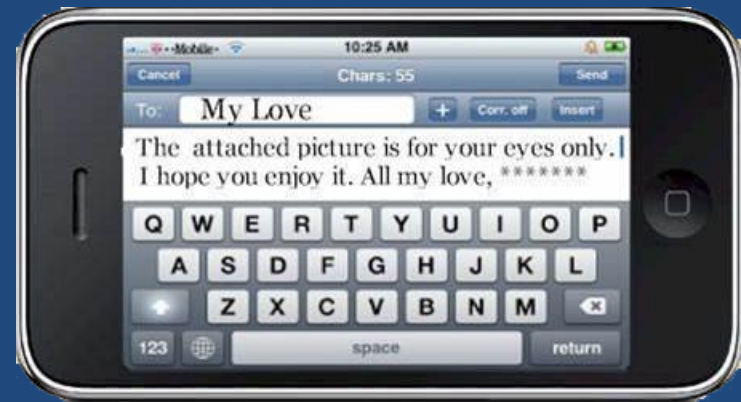
5. 100,000,000

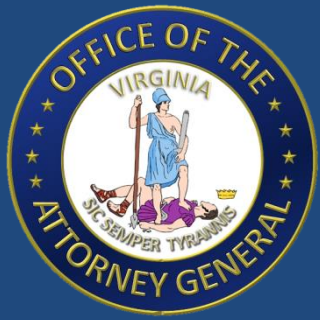




“Sexting”

- “Sexting” is the practice of sending or receiving sexually explicit or sexually suggestive images or video electronically, mainly via cell phones.
- Images/Videos can find their way into the hands of others!!!





“Sexting” Statistics

How many teens say they have sent/posted nude or semi-nude pictures or videos of themselves?

- 20% of teens ages 13 to 19
- 22% of teen girls
- 18% of teen boys
- 11% of teen girls ages 13 to 16



Child Exploitation Laws

Definition of “child pornography”

§ 18.2 – 374.1(A) (new):

- Sexually explicit visual material which utilizes an identifiable minor.
- “Identifiable minor” = minor at the time image was created.

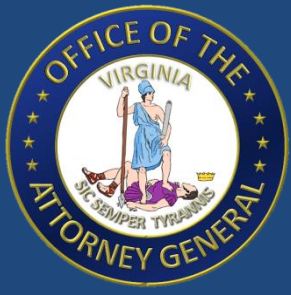


Child Exploitation Laws

Production of Child Pornography:

§ 18.2 – 374.1(B)(1), (2) & (3)

Knowingly takes part or participates in filming, photographing, or other reproduction of sexually explicit visual material of a subject less than 18 years of age.

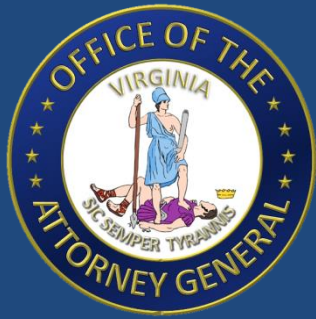


Child Exploitation Laws

Production of Child Pornography:

§ 18.2 – 374.1(C)(1)

- If child is less than 15 years old, punishable by 5 to 30 years.
- If offender is at least 7 years older than child under 15 years old, then mandatory minimum 5 years and up to 30 years.
- If offender is 7+ years older than child and second offense, then 15 year mandatory minimum and up to 40 years.

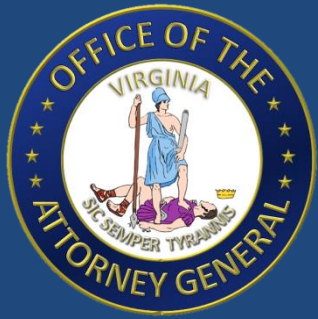


Child Exploitation Laws

Production of Child Pornography:

§ 18.2 – 374.1(C)(2)

- If child is 15 to 18 years old, punishable by 1 to 20 years.
- If offender is at least 7 years older than child 15 to 18 years old, then mandatory minimum 3 years and up to 30 years.
- If offender is 7+ years older than child and second offense, then 10 year mandatory minimum and up to 30 years.

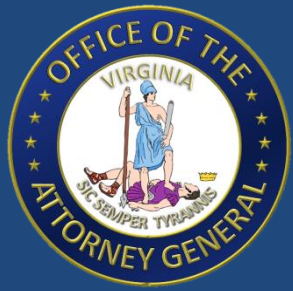


Child Exploitation Laws

Possession of Child Pornography:

§ 18.2 – 374.1:1(A)

- Person who knowingly possesses child pornography
- Guilty of Class 6 felony (1-5 years)
- § 18.2 – 374.1:1(B) – Second or subsequent violation is Class 5 felony (1-10 years)

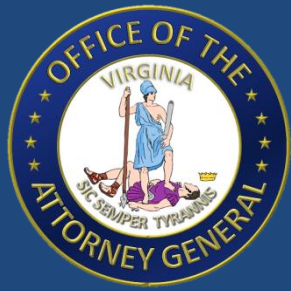


Child Exploitation Laws

Possession of Child Pornography:

§ 18.2 – 374.1:1(C)

- Reproduces by any means, including by computer, sells, gives away, distributes, electronically transmits...
- Possess with intent to sell, give away, distribute...
- Punishable by 5 to 20 years.
- Second or subsequent is mandatory minimum 5 years and up to 30 years.

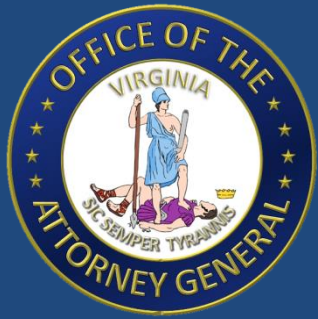


Child Exploitation Laws

Solicitation of Minors:

§ 18.2 – 374.3(C)

- Unlawful for one over 18 years of age to use a computer to solicit a minor who he/she has reason to believe is under 15 years of age for sexual conduct or indecent liberty offenses.
- Class 5 Felony (1 -20 years)
- If offender is 7 years older than the victim, 5 to 30 years.

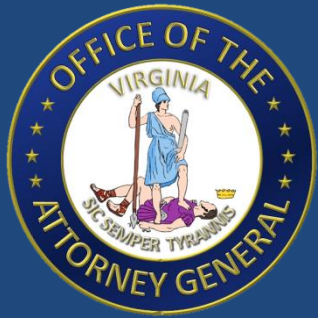


Child Exploitation Laws

Solicitation of Minors, cont.:

§ 18.2 – 374.3(D)

- If a child is believed to be between 15 years and less than 18 years and the offender is 7+ years older than the victim, then a Class 5 Felony can be applied.
- If second or subsequent offense then 1 year mandatory minimum and up to 10 years.



Child Exploitation Laws

Solicitation of Minors, cont.:

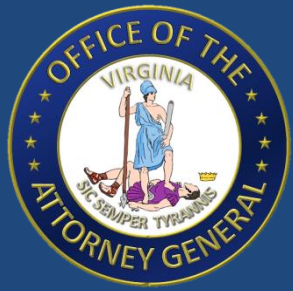
§ 18.2 – 374.3(E)

- Unlawful for offender over 18 years old to solicit anyone under 18 years old for child pornography offenses.
- Class 5 Felony (1-20 years)



Child Exploitation Laws

Child Pornography
Offenses =
Sex Offender
Registry



Preventing “Sexting”

- **THINK About the Consequences** of taking, sending, or forwarding a sexual picture of someone underage, even if its of you.
- **NEVER Take** images of yourself that you wouldn’t want everyone, your classmates, your teachers, your family, or employers to see!
- **BEFORE Hitting Send**, remember that you can’t control where this image may travel. What you send to a boyfriend or girlfriend could easily end up with their friends so on...
- **If You Forward** a sexual picture of someone underage, you are as responsible for this image as the original sender. You could face child pornography charges, go to jail, and have to register as a sex offender.
- **REPORT** any nude pictures you receive to an adult you trust. Do not delete the message. Instead, get your parents or guardians, teachers, and school counselors involved immediately.





“Sexting”: A Dangerous New Trend

- In 2009, students “sexting” in Spotsylvania, Louisa and Virginia Beach were charged with possession and/or distribution of child pornography.
- “Sexting” violates Virginia’s possession of child pornography law and those caught sending the photos can be charged with distribution.



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