

Balance the Scales for Kids



AMERICAN PROSECUTORS RESEARCH INSTITUTE
NATIONAL CENTER FOR PROSECUTION OF CHILD ABUSE

Sexting & Self-Exploitation

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NDAA's National Center for Prosecution of Child Abuse

- National Conferences & Courses
- Publications
- Technical Assistance
- Customized regional trainings

HISTORY

- The Need:
 - 1985: NDAA recognized the need for child abuse cases to be handled by properly trained and prepared prosecutors.
 - NDAA sought legislation to create the National Center for Prosecution of Child Abuse.

Current National Conferences

- Equal Justice: Investigation and Prosecution of Child Abuse
- Strategies for Justice: Advanced Investigation and Prosecution of Child Abuse and Exploitation
- Investigation and Prosecution of Child Fatalities
- childProof: Advanced Trial Advocacy

Current National Conferences

- Safety Net: MDT Investigation of Online Crimes Against Children
- Unsafe Havens I: Investigation and Prosecution of Online Crimes Against Children
- Unsafe Havens II: Advanced Trial Advocacy for CSE

State And Local Conferences

Customized Regional Trainings

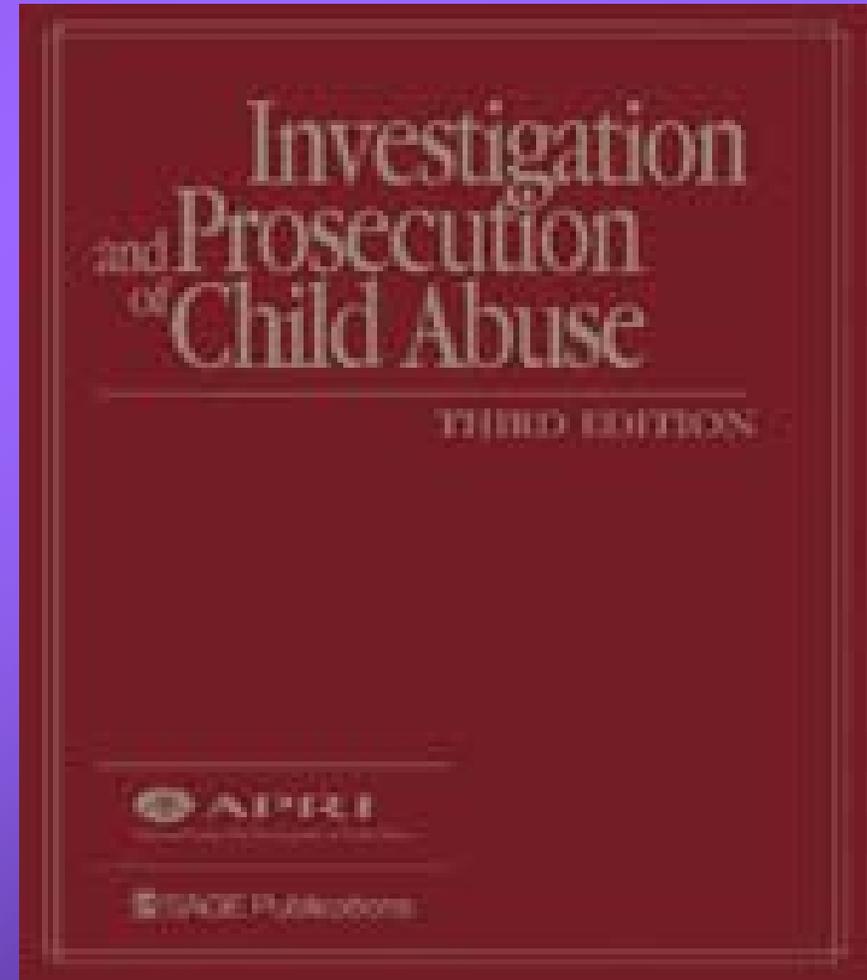
A shift in focus in response to demands of prosecutors & allied professionals.

Publications

- Update Newsletter
- CSE Update Newsletter
- Update Express (on-line)
- Books / Chapters / Law Review Articles

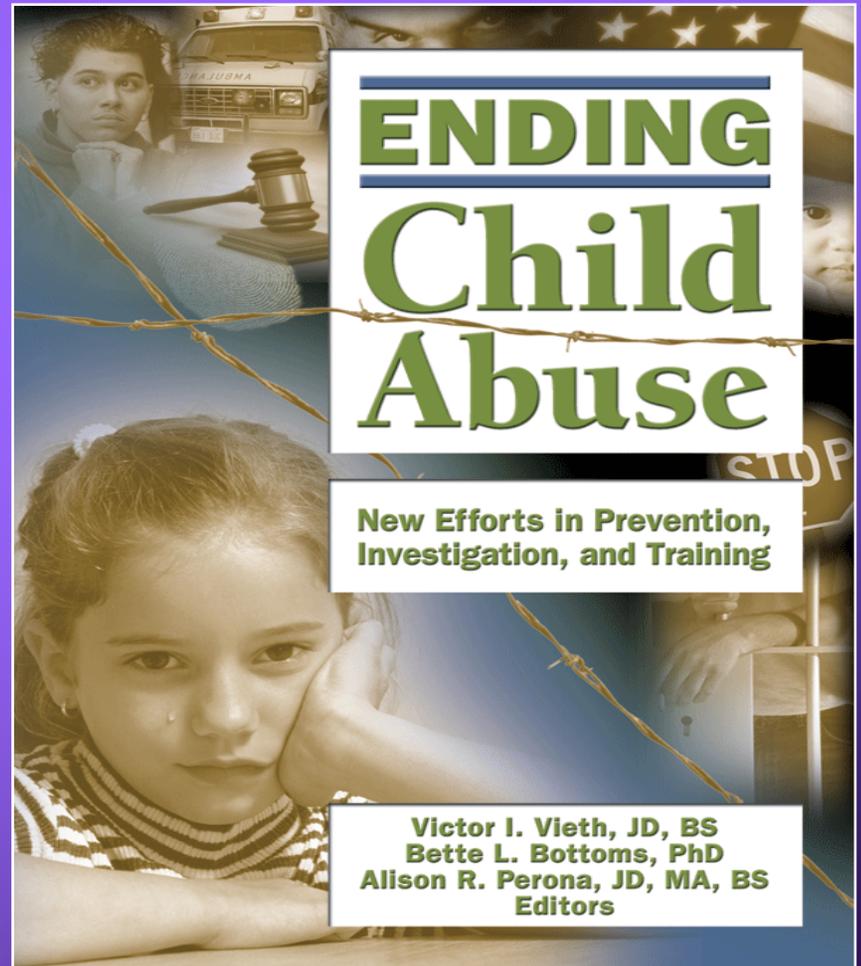
APRI Book Projects

- Investigation and Prosecution of Child Abuse (3rd Edition)
(Sage)



APRI Book Projects

- Unto the Third Generation: A Call to End Child Abuse in the United States within 120 Years (Haworth Press)





Child Sexual Exploitation

**Medical, Legal, & Social Science
Aspects of Child Sexual Exploitation:**

*A Comprehensive Review of
Pornography, Prostitution,
and Internet Crimes*

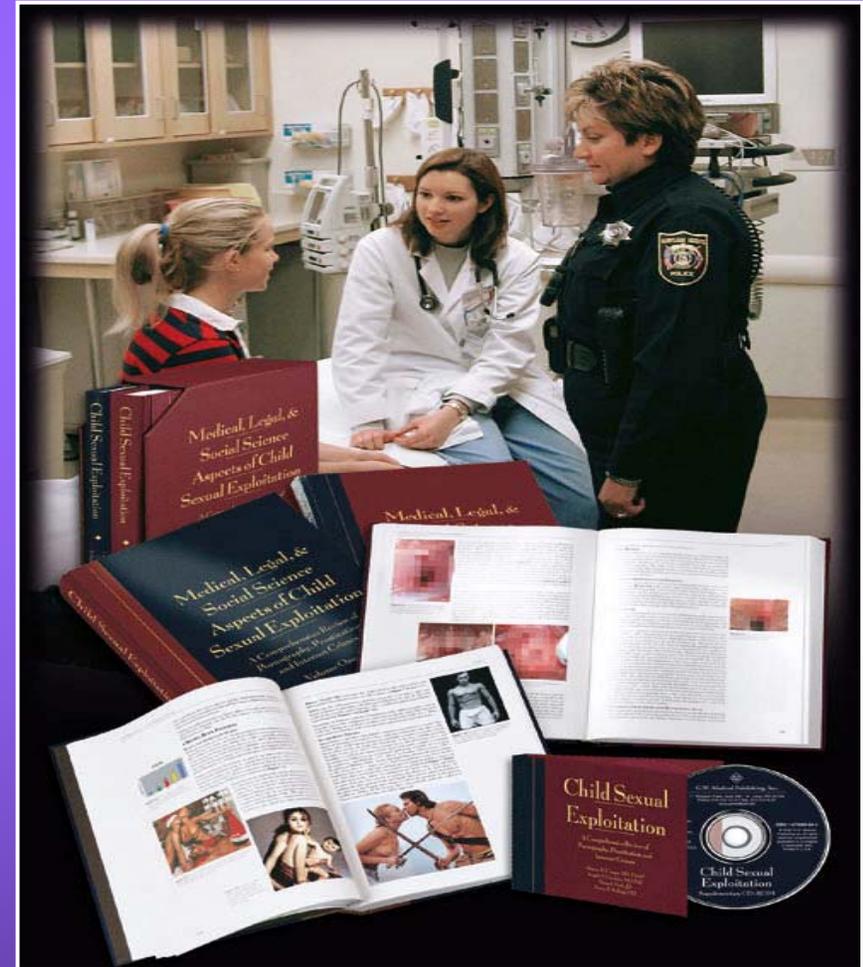
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Richard Estes, DSW, ACSW

Angelo P. Giardino, MD, PhD, FAAP

Nancy D. Kellogg, MD

Victor I. Vieth, JD



Technical Assistance

- Trial strategies
- Expert witness data base
- Legal research
- Media responses
- Legislative inquiries
- Victim witness referral
- Statistics
- Statutory summaries

- **STATE STATUTES***Alphabetized by*
- **Anatomical Dolls** Legislation Permitting the Use of Anatomical Dolls in Child Abuse Cases (updated November 2008)
- **Autopsies** Statutes Mandating Autopsies in Child Death Cases (updated May 2009)
- **Child Endangerment** Child Endangerment Statutes (updated June 2007)
- **Civil Commitment** Civil Commitment of Sexually Violent Predators (updated March 24, 2008)
- **Competency** Competency of Child Witnesses to Testify in Criminal Proceedings (updated August 2006)
- **Cyberbullying** Cyberbullying and Electronic Harassment Statutes (updated March 2009)
- **Drug Endangered Children** Drug Endangered Children (updated June 2007)
- **Emotional Maltreatment** Emotional Maltreatment Statutes (updated June 2007)
- **Enhanced Penalties** Enhanced Penalties for Assault & Battery of a Child (updated June 2007)
- **Homicide** Child Homicide (updated May 2009)
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Acknowledgements

- Investigator R. Williams, Cherokee County Sheriff's Ofc, North Carolina ICAC Task force
- Dr. Allison Foster, ARC South Carolina

Agenda

1. Adolescent Development

Cognitive

2. Sexting - Definitions

3. Legal Framework and Institutional Responses

4. Real world consequences

Cognitive Development

- Thinking becomes more self-conscious, idealistic, and critical
- Able to reason, generalize, form hypotheses and test them
- Events can be “viewed” from many perspectives
- By 14, decision-making process is same as for adults
- So why do they make so many bad decisions?

Cognitive Development

- Don't consider all the consequences of words or acts
 - Limited life experience
 - Brain still under construction
- Frontal / Prefrontal lobes responsible for
 - reasoning
 - goal and priority setting
 - impulse inhibition
 - emotional control
 - determining right from wrong
 - determining cause and effect relationships

Cognitive Development

- Frontal / Prefrontal lobes still under construction until 20 - something
 - Pruning
 - Myelination
- Adolescents rely on emotional decision-making driven by another part of the brain (amygdala)
- Reactive (juvenile) vs. Reflective (adult)

Cognitive Development

- Later Adolescence (16 – 19)
 - Symbolic reasoning and use of formal logic improves
 - “Fluid intelligence” is reached by the end of this period: ability to cope with new problems and situations

Sexting is ???

So Just What is Sexting

The Urban Dictionary provides us with this definition:

- v: the act of text messaging someone in the hopes of having a sexual encounter with them later; initially casual, transitioning into highly suggestive and even sexually explicit

- *Your Picture gets out there how do you get it back?*



Kids face porn charges over 'sexting'

Sat Jan 17 2009

By Shaun Davies

- Six US teens have charged with child porn offences after three girls took nude pictures of themselves using mobile phones and distributed them to friends — a phenomenon known as "sexting."
- <http://news.ninemsn.com.au/article.aspx?id=719928>

Is Your Child "Sexting?"

- The South Burlington Rebels are one player short these days. Seventeen year-old Isaac Owusu was recently suspended from the basketball team after allegedly sexually assaulting two teenage girls while on school grounds.
- But the case is also highlighting a disturbing trend taking place amongst teenagers. It's called "sexting." Teens use cell phones to willingly send explicit, nude photos of themselves to others. Several young girls sent nude photos of themselves to Owusu, and teens say it happens every day. "It happens a lot actually," said Essex Freshman Verity Mendes.

..... http://www.wcax.com/Global/story.asp?S=9612361&nav=menu183_2

Sexting ...



Legislative responses

- Vermont lawmakers introduced a bill in April 2009 to legalize the consensual exchange of graphic images between two people 13 to 18 years old. Passing along such images to others would remain a crime.

Legislative responses

- In Ohio, a county prosecutor and two lawmakers proposed a law that would reduce sexting from a felony to a first degree misdemeanor, and eliminate the possibility of a teenage offender being labeled a sex offender for years. The proposal was supported by the parents of Jessie Logan, a Cincinnati 18-year-old who committed suicide after the naked picture of herself which she sexted was forwarded to people in her high school.

Juvenile Diversion Program

- Felony charges, Pandering Obscenity Involving a Minor, 5th degree felony, Tier I or Tier II sex offender requiring registration for 10 to 20 yrs
- Screening considerations
 - Prior offenses
 - Force or illicit substances used to secure photos
 - Prior exposure to the diversionary program
 - Strong opposition by victim or law enforcement

Juvenile Diversion Program

- Core program focuses on education
 - Legal ramifications
 - Effects on the victim
 - Age appropriate sexual boundaries
 - Responsible use of the internet
- Otherwise, charges are filed.

» Montgomery County, Elected District Attorney Mathias Heck Jr.

Legislative responses

- Utah lawmakers lessened the penalty for sexting for someone younger than 18 to a misdemeanor from a felony.

Internet Triple Threat

- Socialization
- Information
- Communication

Internet Triple Threat

- Socialization
 1. Proactively, lure children back into real space.
 2. Reactively, human/human interaction needs to be reinforced.
- Information
 - Consequences of sexting.
- Communication
 1. Dynamics of communication and online communication vs. human/human communication.

» Eric Hsu, Washington, Safe Kids Consulting safekidsconsulting@gmail.com

Remember the 4 R's ...

- **Recognize** techniques used by online predators to deceive their victims.
- **Refuse** requests for personal information.
- **Respond** assertively if you are ever in an uncomfortable situation while online. Exit the program, log off or turn off the computer...
- **Report**, to a parent or other trusted adult, any suspicious or dangerous contact that makes you uncomfortable.

R. Williams

Sexting



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