

## What is sexting?

Sexting is the act of sending sexually explicit messages, photographs, or videos primarily between mobile phones. Texas law also includes sending these sexually explicit messages through any "electronic means", which includes computers and other digital devices.



## Limits of control over electronic communication

When a picture or video gets posted on the Internet or sent via mobile phone, it is impossible to know how many people will receive it. Because technology has made it easier to copy or send electronic content, you no longer have any control over a message, picture or video once you send it.

So who will see your sext message? According to [www.dosomething.org](http://www.dosomething.org), 17 percent of sexters share the message they receive with others, and 55 percent of those, share that sext with more than one person.

Data from <http://beforeyoutext.com>

## Counseling and Social Services... Building relationships with dignity and respect



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Para más información, por favor  
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Mr. David Hicks, Assistant Superintendent  
**Title II & Title IX District Coordinator:**  
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**Counseling &  
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## What are the legal consequences of sexting?

Under Texas law, a sexting offense is a Class C misdemeanor for first-time violators under 18 years old. The crime is serious enough, however, that offenders can face arrest, jail time of up to one year, community service up to 200 hours, mandatory attendance in a sexting educational program, fines of up to \$4,000 in addition to court costs and attorney fees, confiscation of mobile phones or other electronic devices by law enforcement and a criminal record.

Other legal ramifications may include:

- A minor can possibly be charged with a misdemeanor or a felony offense for possession or promotion of child pornography.
- If adjudicated for the offense of sexting, legal consequences may include probation until the child's 18th birthday.
- If a minor who is not a child is found guilty of the offense of sexting, penalties range from a fine not to exceed \$500 to up to one year in jail.
- If an individual is convicted of the felony offense of possession or promotion of child pornography, penalty range from 2 to 20 years in prison.

### Promotion vs. Possession

- Promotion = keeping a picture or video with the intent to manufacture, sell, give, lend, transmit, publish, distribute, present or exhibit.
- Possession = keeping a picture or video.

*Generally, you are illegally engaging in sexting if you—knowingly or on purpose—send, show or keep a picture or video of a minor—including yourself—engaging in “sexual conduct”.*

*Data from <http://beforeyoutext.com> and the Office of the Governor of the State of Texas.*



## Consider this...

Sexting can result in negative and harmful social/emotional consequences that seriously harm individuals and relationships. These include:

### Social Consequences

- Bad reputation
- Isolation/Outcast from peer group
- Undesired attention
- Sexual harassment

### Emotional Consequences

- Embarrassment and humiliation
- Loneliness
- Fear
- Betrayal

## Statistics

- 22 percent of high-school age teens (ages 14 to 17) have been involved in some form of nude sexting.
- 20 percent of all teens (ages 13 to 17) who own a mobile phone admit to having received a nude or nearly nude photo from someone they know
- 40 percent of all teenagers have posted or sent sexually suggestive photos or messages
- 70 percent of teen boys and girls who sext, do so with their girlfriend or boyfriend
- 61 percent of all sexters who have sent nude images of themselves admit they were pressured to do so at least once
- 11 percent of teen girls (ages 13 to 16) have been involved with sending or receiving sexually explicit messages or photos
- 29 percent of teens and young adults (ages 14 to 24) who admit to sexting say they have sent these messages to people they have never met, but know from the Internet

