

Sexting - Balancing the Law, Teens, Technology and Bad Choices

What is Sexting?

"Sexting" is a cross between sex and texting. It is the act of sending sexually explicit messages or photos electronically, primarily between cell phones. "Sexting" is a relatively new practice among teenagers and with increasing frequency is bringing teens into the juvenile justice system.

A juvenile adjudication (juvenile conviction) for a sexual offense has serious consequences which include registering as a sex offender. Even if "Sexting" does not result in judicial system intervention, the impact can last a lifetime. There is no changing your mind in cyberspace. NOTHING you send or post can ever be completely deleted or removed.

1.) Talk to your kids about what they are doing in cyberspace. Just as you need to talk openly and honestly with your kids about real life sex and relationships, you also should discuss online and cell phone activity. Make sure your kids fully understand that messages or pictures they send over the Internet or their cell phones are not truly private. Also make sure that your child knows that other people, even their friends, might forward their pictures or messages to people they do not know or people that they would not want to see them. They should also consider that school administrators and employers often look at online profiles to make judgments about potential students/employees. It's essential that you help your kids to understand the potential short-term and long-term consequences of their actions.

2.) Know who your kids communicate with online, both on the computer and their cell phone. Of course it's a given that you want to know who your children are spending time with when they leave the house. Also do your best to keep track of who your kids are spending time with online and on the phone. Supervising and monitoring your kids in real life and in cyberspace doesn't make you a nag; it's just part of your job as a parent. Many young people consider someone a friend even if they've only met online. What about your kids?

3.) Consider limitations on electronic communication. The days of having to talk on the phone in the kitchen in front of the whole family are long gone, but you can still limit the time your kids spend online and on the phone. Consider, for example, requiring your teen to leave the phone on the kitchen counter when they're at home and to take the laptop out of their bedroom before they go to bed, so they won't be tempted to log on or talk to friends at 2 am.

4.) Be aware of what your teens are posting on social networking sites. Check out your teen's MySpace, Facebook and other public online profiles from time to time. This isn't snooping. This is information your kids are making public. If everyone else can look at it, why shouldn't you? Talk with them specifically about their own notions of what is public and what is private. Your views may differ but you won't know until you ask, listen, and discuss.

5.) Set expectations for your children. Make sure you are clear with your teen about what you consider appropriate "electronic" behavior. Just as certain clothing is probably off-limits or certain language unacceptable in your house, make sure you let your kids know what is and is not allowed online either. And give reminders of those expectations from time to time. It doesn't mean you don't trust your kids, it just reinforces that you care about them enough to be paying attention.

Understanding the legal consequences and ramifications for "Sexting" in the State of Colorado can go a long way in making safer, better and informed choices.

In Colorado under the Colorado Revised Statutes (C.R.S), a juvenile could be charged with Sexual Exploitation of a Child under section 18-6-403(3)(a), a class 3 felony if committed by an adult, or Sexual Exploitation of a Child under section 18-6-403(3)(b.5), a class 6 felony if committed by an adult.

Colorado State law defines Sexual Exploitation of a Child as follows: A person commits sexual exploitation of a child if, for any purpose, he or she knowingly: (a) Causes, induces, entices, or permits a child to engage in, or be used for, any explicit sexual conduct for the making of any sexually exploitative material; or (b) Prepares, arranges for, publishes, including but not limited to publishing through digital or electronic means, produces, promotes, makes, sells, finances, offers, exhibits, advertises, deals in, or distributes, including but not limited to distributing through digital or electronic means, any sexually exploitative material; or (b.5) Possesses or controls any sexually exploitative material for any purpose. Sexual Exploitation of a Child (both 18-6-403(3)(a) and 18-6-403(3)(b.5)) are sexual .

Understanding the Law:

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