A Girl’s Nude Photo, and Altered Lives

Stuart Isett for The New York Times

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LACEY, Wash. — One day last winter Margarite posed naked before her bathroom mirror, held up her cellphone and took a picture. Then she sent the full-length frontal photo to Isaiah, her new boyfriend.

They broke up soon after. A few weeks later, Isaiah forwarded the photo to another eighth-grade girl, once a friend of Margarite’s. Around 11 o’clock at night, that girl slapped a text message on it.

“Ho Alert!” she typed. “If you think this girl is a whore, then text this to all your friends.” Then she clicked open the long list of contacts on her phone and pressed “send.”

In less than 24 hours, the effect was as if Margarite, 14, had sauntered naked down the hallways of the four middle schools in this racially and economically diverse suburb of the state capital, Olympia. Hundreds, possibly thousands, of students had received her photo and forwarded it.

Around the country, law enforcement officials and educators are struggling with how to confront minors who “sext,” an imprecise term that refers to sending sexual photos, videos or texts from one cellphone to another.

But adults face a hard truth. For teenagers, who have ready access to technology and are growing up in a culture that celebrates body flaunting, sexting is laughably easy, unremarkable and even compelling: the primary reason teenagers sext is to look cool and sexy to someone they find attractive.

But one night in late January, a few days before her transfer, Margarite’s cellphone began vibrating around 1 a.m., waking her. She was being bombarded by texts — alerts from worried friends, leers from boys she scarcely knew.

Earlier that morning a parent had phoned Kirsten Rae, the principal of Margarite’s school, Chinook Middle, complaining about a naked photo sent to her child. The child knew at least a dozen students who had received it.

The school was buzzing. “When I opened my phone I was scared,” recalled an eighth grader. “I knew who the girl in the picture was. It’s hard to unsee something.”

Meanwhile, another middle school principal in Lacey had begun investigating a sexting complaint that morning. Ms. Rae realized that Margarite’s photo had gone viral.

How had the sexting from Margarite begun? “We were about to date, and you’ll be like, ‘Oh, blah blah, I really like you, can you send me a picture?’ ” Isaiah recalled.

“I don’t remember if I asked her first or if she asked me. Well, I think I did send her a picture. Yeah, I’m pretty sure. Mine was, like, no shirt on.

“It is very common,” he said. “I’d seen pictures on other boys’ cellphones.”

Mr. Peters, the county prosecutor, had been hearing that sexting was becoming a problem in the community. In a recent interview, he said that if the case had just involved photos sent between Isaiah and Margarite, he would have called the parents but not pressed charges.

“The idea of forwarding that picture was bad enough,” he said. “But the text elevated it to something far more serious. It was mean-girl drama, an all-out attempt to destroy someone without thinking about the implications.”

He decided against charging Margarite. But he did charge three students with dissemination of child pornography, a Class C felony, because they had set off the viral outbreak.

WHERE TO DRAW THE LINE?

Sexting is not illegal.

But when that sexually explicit image includes a participant — subject, photographer, distributor or recipient — who is under 18, child pornography laws may apply.

“I didn’t know it was against the law,” Isaiah said.

That is because culturally, such a fine distinction eludes most teenagers. Their world is steeped in highly sexualized messages. Extreme pornography is easily available on the Internet. Hit songs and music videos promote stripping and sexting.

“Take a dirty picture for me,” urge the pop stars Taio Cruz and Kesha in their recent duet, “Dirty Picture.” “Send the dirty picture to me. Snap.”

In a 2010 Super Bowl advertisement for Motorola, the actress Megan Fox takes a cellphone picture of herself in a bubble bath. “I wonder what would happen if I were to send this out?” she muses. The commercial continues with goggle-eyed men gaping at the forwarded photo — normalizing and encouraging such messages.

“You can’t expect teenagers not to do something they see happening all around them,” said Susannah Stern, an associate professor at the University of San Diego who writes about adolescence and technology.

“They’re practicing to be a part of adult culture,” Dr. Stern said. “And in 2011, that is a culture of sexualization and of putting yourself out there to validate who you are and that you matter.”

But a double standard holds. While a boy caught sending a picture of himself may be regarded as a fool or even a boastful stud, girls, regardless of their bravado, are castigated as sluts.

Photos of girls tend to go viral more often, because boys and girls will circulate girls’ photos in part to shame them, explained Danah Boyd, a senior social media researcher at Microsoft and a fellow at Harvard University’s Berkman Center for Internet and Society.

There is the high-tech flirt. The troubled attention-seeker. A couple’s consensual exchanges. Drunken teenagers horsing around. Pressure from a boyfriend. Malicious distribution. A teenager who barrages another with unsolicited lewd photos or texts. The content of the photos can vary widely too, from suggestive to sadistic.

Adults in positions of authority have been debating how to respond. Many school districts have banned sexting and now authorize principals to search cellphones. According to the National Conference of State Legislatures, at least 26 states have tried to pass some sort of sexting legislation since 2009.

 “We have to protect kids from themselves sometimes. We’re on the cusp of teaching them how to manage their electronic reputations.”

But if the Lacey students were convicted of dissemination of child pornography, they could be sentenced to up to 36 weeks in a juvenile detention center. They would be registered as sex offenders. Because they were under 15, however, after two years they could petition a court to remove their names from the registry, if they could prove they no longer posed a threat to the public.

PENALTIES AND PREVENTION

Rick Peters, the prosecuting attorney, never intended for the Chinook Middle School students to receive draconian sentences. But he wanted to send a scared-straight message to them, as well as to the community.

 “Most of the questions were about penalties,” she said. “Kids wanted to know if they would get into trouble just for receiving the picture.”

Mr. Fredericks listed all the people who had spent hours trying to clean the mess the students had created in a matter of seconds: police officers, lawyers, teachers, principals, hundreds of families.

The photo most certainly still exists on cellphones, and perhaps on social networking sites, readily retrievable.

“She will have to live with this for the rest of her life.”

But the punishment insulated Margarite from the wave of reaction that surged online, in local papers and television reports, and in texted comments by young teenagers throughout town. Although the police and the schools urged parents to delete the image from their children’s phones, Antoinette heard that it had spread to a distant high school within a few days.

The school to which Margarite had transferred when she moved back in with her mother was about 15 miles away. She badly wanted to put the experience behind her. But within weeks she was recognized. A boy at the new school had the picture on his cellphone. The girls began to taunt her: Whore. Slut.

**NetSmartz.org Workshop: SextingSexting**

**DID YOU KNOW?**

Only 4% of cell-owning teens (12-17) say they have sent nude or partially nude images.

Lenhart, Amanda. Teens and Sexting. Pew Internet & American Life Project, 2009.

When teenagers ask for cell phones, they usually want the coolest, trendiest cell phone on the market. These days, that phone will have photo and video capabilities. Put that together with the unlimited text messaging plan that your teen is sure to beg for and here comes possible trouble. Silly photos and embarrassing videos aside, cameras and texting have given young people a new and potentially dangerous way to explore their curiosity: sexting.

What is sexting?

Sexting is the exchange of sexually suggestive messages or images between minors via cell phone. For example, a girl might take a nude picture of herself and send it to her boyfriend. Her boyfriend may forward the picture to one or two friends, who then decide to forward the picture to others. In this way, the girl’s picture could travel all over the Web, amassing countless viewers in a very short period of time. Please note that sexting does not include situations in which young people are coerced or blackmailed into sending sexually explicit images of themselves to adults. These adults are predators and the incident should be reported to law enforcement immediately.

Understanding teens and sexting

Teens that are sexting often do so within the context of a relationship. A teen may send a sexual image to someone to indicate his or her interest in starting a romantic relationship. Or teens already in romantic relationships may sext each other as a prelude to or as part of a sexual relationship. Teens may also use sexting as a way of exploring their sexuality[2].

Sexting consequences

When teens sext, they may not think about the consequences of their images becoming public. If an image surfaces at school, its creator and anyone caught distributing or possessing it may face removal from athletic teams or student groups and suspension. If a sexting incident involves harassment, coercion, or images passed around without the creator’s permission, law enforcement may become involved. Teens are unlikely to be charged with a serious crime for sexting, but they may be ordered to attend educational programs or complete community service. In addition to these consequences, the image’s creator may face additional emotional and psychological stressors, such as bullying and harassment by peers and judgment by friends and family. Some teens have moved schools or started attending homeschool to try to get a fresh start; unfortunately, sexting images can easily follow teens, victimizing them again. Sexting photos may even resurface years later during online searches by college admissions officers, employers, friends, and significant others. The images may also find their way into the hands of online sexual predators and be passed around for years after the teen has become an adult.

DoSomething.org 11 Facts About Sexting

Sending or receiving a sexually suggestive text or image under the age of 18 is considered child pornography and can result in criminal charges.

Sending semi-nude or nude photos is more common among teens girls. 22 percent of teen girls report sending images of this nature, while only 18 percent of same-age boys have.

While nearly 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 admit that they were pressured to do it at least once.

Who will see your sext? 17 percent of sexters share the messages they receive with others, and 55 percent of those share them with more than one person.

Teenage girls have a few reasons for sexting: 40 percent do it as a joke, 34 percent do it to feel sexy, and 12 percent feel pressured to do it.

In the U.S., 8 states have enacted bills to protect minors from sexting, and an additional 14 states have proposed bills to legislation.