

Is sexting a media overkill?

Paul Hamaker, Birmingham Science News Examiner

December 5, 2011

"In Alabama, sexting can result in charges of creating, possessing and distributing child pornography, a felony. In general, the dissemination, possession or production of an image containing a minor engaged in a sexual activity would constitute a felony under the Alabama child pornography and obscenity statutes. Exceptions to the law for minors do not exist and as such two minors who send each other sexually explicit images of themselves could be prosecuted under the State's child pornography and obscenity laws and if convicted, receive jail time and will generally need to register as a sex offender."

The prosecution of this statute to the letter of the law would overcome the state youth correctional facilities if the problem were as frequent as national and local media wish you to believe. That means more tax money spent for prosecution and a potential lifetime of unemployment due to a felony conviction for those convicted.

According to two new research studies carried out by researchers at the [University of New Hampshire's](#) Crimes against Children Research Center published online on December 4, 2011 in the journal *Pediatrics* the problem does not appear to be of the scale and magnitude the local Alabama media, national media, state legislature, or school officials would have us believe. The research was presented in the studies "Prevalence and Characteristics of Youth Sexting: A National Study" and "How Often Are Teens Arrested for Sexting? Data From a National Sample of Police Cases." Kimberly Mitchell, research assistant professor of psychology at the UNH Crimes against Children Research Center led the research.

The overestimation of the problem could be a play for funding for national and local charitable groups in difficult government give away times. The prosecutions in Alabama could be the result of a serious need for money by all police departments.

The difference between 20 percent and 2.5 percent is large.

We appear to have foisted a parental responsibility upon the schools and police by legislation from the "nanny government" of Alabama.

The results are:

"The study found that 2.5 percent of youth surveyed have participated in sexting in the past year, but only 1 percent involved images that potentially violate child pornography laws."

"In the second study, researchers discovered that in most sexting cases investigated by the police, no juvenile arrest occurred. There was an arrest in 36 percent of the cases where there were

aggravating activities by youth, such as using the images to blackmail or harass other youth. In cases without aggravating elements, the arrest rate was 18 percent."

"In both studies, researchers found that sexual images of youth rarely were widely distributed online as many parents, youth, and law enforcement fear. In the teen survey, 90 percent of the youth said the images they created did not go beyond the intended recipient. Even in the cases where the images came to the attention of the police, two-thirds of the images stayed on cell phones and never circulated online."

Some of the over calculation of reality by local media is presented below.

"In Alabama, four Baldwin County middle school students accused of sexting were charged with possession of material harmful to minors in March 2008."

"Nationally, 20 percent of teens said they have sent or posted nude or semi-nude images of themselves, and 39 percent said they have sent or posted sexually suggestive messages, according to a nationwide survey by the [National Campaign to Support Teen and Unplanned Pregnancy](#).

In Birmingham City Schools, there have been a few cases in which students were charged with Class 3 violations for sexting and had to go through a hearing before returning to school, according to spokesperson Michaelle Chapman.

Some Jefferson County students were suspended during the recently completed school year because of sexting. "I wouldn't say it's a tremendous problem yet, but it's a problem," Weed said.

That's true for Shelby County, as well. Sexting has been an issue in at least four of the system's eight high schools, Dickson said. "It's not just high school," she said. "It's middle-school children we're seeing this from, too. I know of some 11- and 12-year-olds that are doing it," she said"

Ms. Weed is director of student services for Jefferson County Schools.

The research was reported at the [Eureka Alert](#) web site on December 5, 2011.