



Once you hit send, you lose control over the image you have sent. It won't remain private. Your photos and messages will get passed around — and there is nothing you can do about it. You can never get them back. Below are some national statistics:

- 20% of teens report having sent nude or semi-nude photos of themselves.
- 33% of teenage boys say they have electronically posted nude or semi-nude pictures of themselves.
- 40% of teens report being shown sexually explicit messages or photos that were meant to be kept private.
- 20% of teens report having shared such messages and or photos with someone other than the person it was originally meant.

Message to Parents:

Parents need to think long and hard before giving their teens cellphones and other devices. We are seeing children given smartphones, tablets and other devices as young as 6 years old.

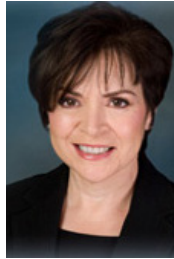
There are many predators out there who will exploit the trusting nature of a child. And can easily do so. It is important to monitor what they are doing on the internet and with their cellphone, tablet and computer.

In Michigan a minor cannot sign a contract until they are 18 years old. The internet or other connections necessary to get that phone, tablet or computer to connect and really work requires a service contract that a minor cannot sign. In short, that phone, tablet or computer are yours. You should know what is being sent out by your children or who they are inviting into your home via the internet. It is important to have a serious discussion with your children about the dangers of unsafe use of these devices.

Office of the Prosecuting Attorney
County of Oakland



JESSICA R. COOPER
Prosecutor



Smartphones, tablets and computers can keep us informed, entertained and connected, but don't let this technology be used against you or someone you know. Whenever a picture is taken and sent you must assume that it will also be sent on to someone else and so on. It is very easy to capture and download one of these images and sent it on. With one click or swipe the sender has lost control of the image, including who views it next and where it goes.

Sexting, of minors is not a game. A "minor" for purposes of these cases is anyone under the age of 18. Short and simple, it is a crime. Once a sexually explicit picture is made someone can be prosecuted for making the picture, sending the picture, or keeping the picture.

But there are dangers that extend beyond criminal prosecution. There are the social consequences and the risk of internet predators.

Think — and remind others to think — before taking that picture or hitting send. Help others from becoming the victim or a defendant.

Sincerely,

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SEXTING

Think before you send



What do these numbers mean?



Jessica R. Cooper
Oakland County Prosecutor

What is SEXTING?

Sexting is the act of taking and/or sending sexually explicit photos of anyone under the age of 18 primarily between cell phones, tables and/or computers.



A conviction for any of these offenses has serious consequences — including legal, social, educational and even economic. A conviction or juvenile adjudication can affect your current school, your higher education plans and future employment.

Once you hit “send” you lose control of the picture forever.



20-20-7-4

What do these numbers mean?

[Creation of Sexually Explicit Material](#) — 20 year felony

[Solicitation of Sexually Explicit Material](#) — 20 year felony

[Distribution of Sexually Explicit Material](#) — 7 year felony

[Possession of Sexually Explicit Material](#) — 4 year felony

How personal phone images can become the business of a police investigation and prosecution:

A young girl (under 18 years old) is asked to send a photo of herself either nude or partially-nude, to her potential boyfriend ([Solicitation](#)). She takes the photos and then sends them to him ([Creation and Distribution](#)). He receives the photos and keeps them on his cell phone ([Possession](#)). He has promised not to show the photos to anyone else. After all, that's the only reason she agreed to make the photos and then send them to him.

The two continue to date for awhile and then one of them decides to break-up. The now former-boyfriend, either out of spite or just showing off, sends the photos on to his /her friends and/or family. ([Distribution](#)). The pictures are then shared with other students. Often times the young girl, parent or school official files a complaint with the school and then the police because they want the sharing of the photos to stop.

While this Office can prosecute, controlling where the pictures have been or will be sent is out of our hands.



Cell Phone Uses & Consequences

A “telecommunication device” is a cell phone, tablet and/or a computer. The device can be used as a weapon, to threaten, harass or to create sexually explicit photos. The misuse of these devices can result in potential criminal prosecution or victimization.

When a cellphone (tablet or computer) is used to:

- Threaten someone — Malicious Use of a Telecommunication Device. This is a misdemeanor offense with a penalty of up to 6 months in jail.
- Harass someone — Stalking. Can be a misdemeanor or felony offense.
- Send, create, solicit or possess sexually explicit photos of anyone under the age of 18 years of age. All felony charges.

What if the person agrees to have their picture taken?

What if the person takes a picture of themselves?

What if the picture was only sent as a joke?



If the picture is sexually explicit and of someone under 18 years of age, it does not matter why someone made, kept or sent the photos.