

(F)risky business: Is 'sexting' innocent flirtation or a crime?

BY ANNE McILROY OTTAWA

When he was 18, Peter Cumming posed for his university newspaper wearing only his jockstrap and had to go into hiding for a few days to escape the wrath of the associate dean.

Now a grey-haired associate professor at York University in Toronto, he sees no difference between that escapade and the modern phenomenon of "sexting," in which teenagers send nude or racy images of themselves via their cellphones to their romantic partners or classmates.

One online survey found that one in five American teens are sexting.

The technology has changed, but the impulse is the same. Sexting is normal, flirtatious behaviour for adolescents, says Dr. Cumming, who delivered a provocative paper in defence

of the practice at a conference this week in Ottawa.

Except when it plays a role in cyber-bullying or sexual harassment, it is the equivalent of spin the bottle or playing doctor, says Dr. Cumming, an associate humanities professor and co-ordinator of the children's studies program at York.

"Indeed, one could argue that in some ways virtual sexual activities are safer for teens than actual ones: Nobody ever got pregnant or received a sexually transmitted disease directly from an online exchange," he argued in a paper presented at the Congress of the Humanities and Social Sciences, formerly known as the Learned's, an annual gathering of academics that attracted 8,000 people to Carleton University this week.

But there are other risks, which Dr. Cumming men-

tioned briefly in his paper.

Once the send button has been pressed, a sexually explicit image or video can become available to hundreds of thousands of people, including sexual predators. In addition, it can lead to harassment. Jessica Logan, a teenager in Cincinnati, killed herself last year after a nude photo she sent to her boyfriend was widely distributed and she was taunted by other students.

And there is no guarantee that the humiliation will be short-term. Potential employers or future co-workers could easily find such pictures once they get posted on a social networking site such as Facebook. "I agree it is normal, flirtatious behaviour. But it can be published online potentially forever," says Amy Muise, a doctoral candidate at the University of Guelph who studies how the Internet is

changing relationships.

Still, there is no need for moral panic, Dr. Cumming says, and that is how he describes the response to sexting, especially in the United States, where it has led to more than dozen criminal charges against teenagers. For example, a girl in New Jersey was charged in March with possessing and distributing pornography after posting naked pictures of herself online. In some cases, adolescents caught sexting could be listed as sex offenders.

It is a mistake to see nudity as pornography, says Dr. Cumming, who also confesses to almost being expelled in Grade 2 for looking up girls' dresses. "When and how and why have we forgotten children's participatory rights as sexual beings?"

In a few states south of the border, judges and lawmakers seem uncomfortable with stiff

penalties for sexting.

In Greensburg, Pa., three high-school girls were recently sentenced to curfews and community service after being charged for sending racy pictures of themselves to their boyfriends, who got off with the same mild punishment.

Vermont is considering a bill that would legalize consensual sexting between minors, and Ohio is weighing legislation that would treat it as a misdemeanor.

There are no sexting-related cases before the courts in Canada, Dr. Cumming says, and it is not a crime here for consenting young people to exchange nude photos. But sharing them could become a criminal matter.

Steve Jones, a University of Illinois researcher who studies young people's use of technology, says parents are in the same boat as prosecutors in

trying to figure out what the "crime" is and what is an appropriate punishment.

"This type of communication among young people is not unheard of or unusual, but it is a new medium, with a different scope and reach and scale, and I think we are struggling with how to figure out how to deal with the sheer scale of it."

He recommends that parents talk to their teens about sexting. But don't start the conversation with a lecture about how their explicit photographs could reach millions of people, he says. "There is no way they are going to believe that."

Instead, he suggests looking at different scenarios, such as what will happen if their phone - with a picture of a naked friend - gets lost or stolen. "Try and get them thinking about the possibilities."

» Anne McIlroy is *The Globe and Mail's* science reporter.