

CONNECTICUT POST

www.CTPost.com | Wednesday, March 15, 2017 | SINCE 1883 | \$2.00

EDITORIAL.....Fix the disparity in sexting law

A 13-year-old found “sexting” could be charged with a misdemeanor in Connecticut. But a 12-year-old committing the same crime could end up with a felony.

How could there be such an unfair difference in treatment? When the sexting law was passed in 2010 lawmakers did not expect that pre-teens would engage in such behavior. Oh, but they do.

It is a dismal indication of the pressures, and opportunities, children face today. Reality dictates that the law must be updated.

The Judiciary Committee is considering lowering the age for sexting crimes in a bill introduced by state Rep. Steven J. Stafstrom, a Democrat from Bridgeport. House Bill 6002, “An Act Concerning Sexting by a Child,” ensures that children younger than 13 would be charged with a misdemeanor for sexting instead of a felony for child pornography.

Sexting, a word coined only a dozen years ago, pertains to sending sexually explicit images or messages by cell phone or social media. Both the sender and the recipient can be charged.

The behavior reaches into middle school, with 56 percent of children aged 8 to 12 having their own cell phones, according to the website Growing Wireless. Inappropriate photos may be taken and sent on a dare, or to impress a boyfriend or girlfriend or in a misguided attempt to seem sophisticated.

Regardless, children who are still immature can be harmed. “We have witnessed the consequences of what some people have written about others and then shared,” Liisa Balazs, of the Center of Youth Leadership and the Stamford Youth Services Bureau, told the Judiciary Committee in a public hearing Monday. Sexting can have a devastating impact on social, emotional and academic health, she testified, and urged the committee to include messages in the definition of sexting, not just images.

Punishment for the misdemeanor can be up to a year in prison, but generally is handled through juvenile review boards. With the bill, first-time offenders could go through a community-based diversionary program, an alternative approved by the Bridgeport-based Connecticut Juvenile Justice Alliance to avoid the stigma of entering the juvenile justice system. It is not clear how many juveniles in the state have been charged with sexting.

Note that while the proposal lifts a minimum age for 13-to 16-year-olds sending inappropriate pictures of themselves — which reasonably removes the disparity — it remains a felony for the receiver to share them, such as on social media.

We agree that the charge should be greater for sharing as that is the path for bullying, intimidation, harassment and trafficking. There is a difference between pre-teen naivety and darker intent.

The General Assembly can try to legislate all it wants, but parents bear responsibility here, too. They need to have conversations with their teenagers — and pre-teens — about the inappropriateness and lasting consequences of sexting. They need to monitor cell phone use and social media sites. Growingwireless.com is one place where parents can find suggestions on how to respond.

At its heart, the bill brings fairness to an unintended inequitable situation. But it is a sad commentary on childhood today that it is needed.