‘It's only a picture’: sexting, ‘smutty’ snapshots and felony charges

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‘It’s only a picture’: sexting, ‘smutty’ snapshots and felony charges
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INTRODUCTION: WHAT IS SEXTING?

The title of this article comes from a statement made by teenager Amanda Dagsher quoted in an article about the current popularity of sexting. She said: ‘I mean, you don’t have to have parents’ permission to send a picture’ (Choi 2009). But in contradiction to the phrase in my title, a photograph is always more than ‘only a picture’. One extreme and tragic confirmation of this claim was reported in July 2008 when an 18-year-old Cincinnati woman sent sext photographs to her boyfriend. Their romance soured and her angry ex-boyfriend sought retribution by sending these sexted photographs to his school classmates and friends. The humiliation and harassment proved too much for her, resulting in her suicide by hanging in her bedroom (TODAY Show.com, 6 March 2009) (Benzel 2009; Choi 2009; Searcey 2009).

Most readers of Visual Studies know that ‘sexting’ is a combination of the words ‘sex’ and ‘texting’ and designates the practice of using a camera cell phone to take and send nude (including semi-nude) photographs to other cell phones or Internet sites. First reported in 2005, these photographs are occasionally referred to as ‘home-made pornographic images’. While these digital photographs can be sent with or without text, the image is the central and most controversial feature. More to the point, sexting creates an uncomfortable combination of legal, social and emotional problems for participants, most unanticipated. Sexters give little or no thought to what other young people might do with the pictures or how adults could react to this practice. Not surprisingly, however, technology continues to develop in ways that outpace what lawmakers have envisioned under our present legal codes (Jacobs and Verniero 2009).

The following pages offer an overview of sexting, including a look at where this activity fits in the long-standing practice of intimates exchanging photographs. I will also consider how envisioning texting as a continuation of earlier photographic practices illuminates the legal, social and psychological dilemmas currently reported in the mass media. Responses to sexting offer social researchers an enhanced understanding of social norms and attitudes about photographic and pictorial communication, specifically reactions that call for private and public control of camera use and image dissemination.

INCREASED FREQUENCY

Marketing reports report that cell-phone sales, ownership and use continue to increase both domestically and internationally. According to Nielsen Mobile, about 80% of teens aged 13–17 and 93% of those aged 18–24 use cell phones and most of these have built-in cameras. In turn, surveys tell us that sexting is being practised more frequently. As a widely quoted statistic, one in five teenagers (20%) say they have either sent or posted pictures or videos of themselves where they are nude or only partially clothed. Other statistics from a survey conducted by the National Campaign to Prevent Teen and Unplanned Pregnancy include the following: 71% of teen girls and 67% of teen boys report sending/posting sexually suggestive content to a boyfriend/girlfriend – these figures include text-only messages as well as sexts. With regard to sext messages, and breaking down figures by gender, teen girls acknowledge engaging in this behaviour more often (22%), while only 18% of boys admit sending or posting pictures. Among even younger teens (girls aged 13 to 16), 11% told surveyors that they had ‘sexted’ (see http://www.knoxnews.com/news/2009/mar/15/teens-play-show-and-cell/; and McMahon 2009).

One also finds an increase in televised and tabloid news coverage of the sexting phenomenon. One report in early March 2009 noted that ‘this week alone, sexting cases have made front-page news in Ohio, Massachusetts, Pennsylvania and Texas. The United Way announced a public service campaign this week that aims to discourage the practice after a sexting scandal in Wisconsin’ (Danne 2009). A Flickr-housed illustration suggests that a moral panic may be emerging (see Figure 1).
Readers should keep in mind the tendency of news media culture to sensationalise aberrant behaviour, which, in this case, means restricting reporting to when sexting ‘goes wrong’. Needless to say, there are few if any stories about those instances when the activity remains private or even enjoyed.

As sexting spreads internationally it raises many of the same issues. Reports have appeared in the UK, Canada, Mexico, Spain, New Zealand and Australia (Laucius 2009). A survey by Australia’s Girlfriend magazine found that in 2007, almost 40% of the 588 teenage girls who responded had been asked to send a ‘naked or semi-naked’ image of themselves over the Internet. Though international occurrences of sexting are now reported, as well as sexting for several age groups, the focus of my article is on teenagers living in the United States (US).

**PRECEDENTS TO CURRENT SextING PRACTICES**

The majority of commentaries reviewed for this report treat sexting as a new phenomenon, a surprising turn of events that is unfortunate and even dangerous. Many of the current problems attributed to the emergence of sexting, however, would benefit by an examination of precursors and practices that have historical roots and social precedents. Adopting this approach to a ‘new’ phenomenon often proves helpful in gaining a clearer sense of what’s going on as well as of where and how to intervene if and when it is deemed necessary.

All such discussions should consider previous habits of photo-sharing, activities already in place, ones that might have connections to this current electronic transmission of photographs. In short, could sexting merely be a new iteration of previous practices, which were initially pilloried but have come to be seen as harmless? A researcher should consider how young people exchanged photographs in the past. It is well known, for example, that young couples swapped various sorts of pictures of themselves. These included official class photographs, given in person or sent through the mail, although shots in skimpy swimsuits were often preferred. Polaroid cameras also encouraged risqué poses because lovers could exchange instant photographs of themselves in ‘compromised positions’ (Clark-Flory 2009b); participants did not have to face embarrassing censorship by the corner drugstore or reprobation when referred to the police. Some early
adopters of consumer video technology who quickly discovered lascivious uses for their camcorders have continued this process of ‘pouring old wine into new bottles’. Digital cameras embedded in cell phones provide only the latest chapter in this saga.

Only rarely do we find commentaries that see sexting as ‘ultimately . . . merely another case of technology extending an activity or action that young people have engaged in for years, if not beyond that’ (Blanchard 2009) or that acknowledge that ‘the issue of teenagers distributing self-made pornography isn’t new, but its prevalence and consequences have been exacerbated by advances in technology’ (Zetter 2009). Neglect of these topics may be, in part, an artefact of not taking ‘home media’ seriously as a legitimate research topic.

Then there is the potential of the Internet. Personal pictures have been posted on family websites (including moment-of-birth shots) and various other group sites; personally revealing photographs have been posted to social sharing sites as Flickr and the increasingly problematic and controversial MySpace and Facebook (National Coalition Against Censorship 2009). Photo-sharing has never been so easy and potentially so much in public view. These circumstances are embedded in a volatile process of redefining the nature of, and boundaries between, the public and the private. The relationship between these two domains is constantly in flux, though there is evidence of an accelerating transformation of the private into the public sphere. Sexting, and other analogous phenomena, may in the end be forcing a more conclusive discussion about these issues. We see how pictures originally intended to be private can become public so easily and quickly; unlike any previous model of controlled private dissemination, once you put images into cyberspace, they can travel anywhere and can forever be attached to an individual’s identity (called by some a ‘cyber-tattoo’).

**FRAMEWORKS FOR UNDERSTANDING SEXTING**

Most public concern with sexting has focused on what adults believe to be the inappropriate behaviour of young people. Some continue to claim that sexting ‘exists at the intersection of poor teen judgment, sex and technology’ (Tuteur 2008). My sense is that much more is involved, which becomes apparent when young people’s lives are put into a wider context. Currently young people live at the intersection of four different subcultures, which are crucial to understanding the sexting phenomenon. In addition to their home, school and sometimes work cultures, other components of a contemporary teenager’s world consist of media culture, techno-culture, visual culture and adolescent culture. We should examine how each subculture contributes to and enhances our understanding of where ‘sexting’ fits in young people’s worlds.

- **Media Culture**: a world of multi-dimensional mediated life where images are ubiquitous and more embracing. Circumstances include an increase in public and private camera surveillance; this is a time when public imagery is more sexually explicit than ever, in daily television shows, magazines, advertisements (including public posters), websites, and so on. But this is also a time when young people are drawn to assuming the role of media-makers, rather than just being media-consumers.

- **Techno Culture**: a world driven by technologies that are more digital and facile than ever, to the point that the young are often referred to as ‘digital natives’ and their catch-up seniors as ‘digital immigrants’ (Palfrey and Gasser 2008). This is a world where camera phones are well embedded within everyday life and are used to constitute identity. Teenagers’ worlds also include a legacy of having used cameras recreationally in various ways: (a) secretly purloining a friend’s camera and exposing as many pictures as possible before running out of film; (b) taking unconventional poses in a public photo booth; and (c) using video cameras, and now camera phones, to enact ‘happy slapping’.

- **Intense Visual Culture**: including a dual emphasis on ‘how people look’, stressing both how young people value personal appearance and their unique ways of seeing their lives and surrounding worlds; more imagery rules personal and public lives than ever before, in entertainment, in advertising, in education. Importantly, children and young people have been playing with cameras as well as looking at television and computer screens all their lives, even from the first few weeks of life; they have grown in ‘the exhibitionistic Web culture of LiveJournal, YouTube and MySpace’ (Clark-Flory 2009b).

- **Adolescent Culture**: where we find key roles played by activated hormones within human development, sexual awakening, curiosity and activity, rebelliousness, competition, identity seeking and construction, pushing normative boundaries, seeking privacy and intimacy, living in a NOW world, with difficulties envisioning the near or distant future.
We gain a view of further complexity when other contextual features become explicit, specifically when sexting is put into a culture and communication framework. What kinds of communication do we find in sexting? One familiar starting point is the slightly revised question: Who is showing what to whom, for what reasons, under what circumstances, with what effect, and for what anticipated and unanticipated results? Sexting is technically understood as a one-way process of communication; little is known of what transpires in the texting that may precede or succeed a sexting act. Are such acts always a one-way communication or do we also find examples of a two-way process, an exchange, as when one sexting message is reciprocated with a return image? One high school principal observed: ‘However, usually it [sexting] is back and forth between two people who are consensual to what they are doing’ (Peterson 2009). This pattern, in fact, gets at the heart of the problem – namely, the shift from a presumed interpersonal dyadic interaction, a one to one, usually a boy-girl relationship, to a more troublesome, one-to-one-and-on-to-many pattern. The results of one December 2008 survey, undertaken by the National Campaign to Prevent Teen and Unplanned Pregnancy, reveal that one third (33%) of teen boys and one quarter (25%) of teen girls say they have had nude/semi-nude images – originally meant to be private – shared with them (Gable 2009).

A communication perspective suggests a need for additional clarity when trying to analyse sexting as visual interaction and/or socio-legal violation. Who gets the most or least punishment if legal, social or personal penalties ensue? Consider the following description:

There have also been incidents all over the country of boys receiving nude photos of girls sent to them via the girl’s cell phone. Those boys, once they have ended a relationship with the girl, have shared the photos with their friends as payback. The boy who sends the photo is subsequently charged with distribution of child pornography. If a young boy gets a nude photo of an underage girl and is found with the image still on his cell phone, he can be charged with possession of child pornography. In both cases, the children who are both victim and perpetrator in these situations can be forced to register as sex offenders. (Jones 2009)

Analysis of narratives like the above requires us to be quite clear about points of reference; we need to be more careful about how we define ‘participants’ in these situations. For instance:

1. We need to distinguish between people who voluntarily, consensually take and send the photograph(s) (‘sexts’) of themselves as opposed to those who coerce others to be photographed in ‘compromising’ appearances and postures.
2. We need to distinguish people who actually take the pictures (sexters) from those who subsequently receive pictures (sextees). One 16-year-old male said: ‘Most definitely, I’ve experienced sexting . . . I guess you could say I was the victim. I received pictures’ (James 2009); and members of one police department investigating the distribution of a teenage girl’s nude photographs taken with her cell phone began to warn people who had the pictures that they had 24 hours to hit delete or face the consequences (Anon. 2009).
3. There is a difference between those who choose to receive the images and those who do not choose – that is, between an individual who originally requested the photograph and recipients who become accidental members of an ‘unintended audience’ – victims, perhaps, of collateral damage.
4. We need to distinguish between those who delete the picture as soon as possible and those who retain it on the cell phone’s hard drive.
5. We should not confuse those receivers/sextees who keep the image to and for themselves with those who intentionally send it electronically on to local or distant others.
6. We also need to distinguish between exchanges of images between two minors and those between minors and adults (in one report, police said a 32-year-old middle school teacher sent photographs of her breasts and genitalia to the boy’s Samsung camera phone, and the boy sent a similar photograph of himself to her phone that ‘she knew or should have known was child pornography’ (Douglas and Thompson 2009), or when adults found with naked pictures of minors on their cell phones could be prosecuted on child pornography or felony obscenity charges.
7. And finally, we should distinguish instances when age designation changes – for example, when minors become adults: ‘people who take or share nude self-portraits when they are minors could be prosecuted as adults and face harsher penalties if they’re still in possession of the images when they reach the age of 18’ (Zetter...
for the reality of just such an age-sensitive example, see Braver 2009.

These distinctions are offered to explain potential complexity in and variation on the different ways of being involved in a sexting episode, and to clarify who might be labelled the perpetrator and who the victim, or, in many cases, who might be labelled both. On occasion, for instance, the originally designated image-receiver (sextee) converts to a ‘middle person’, becoming a sexter, creating the familiar two-step flow of information. This person becomes labelled the troublemaker, the perpetrator, when one member of the sexting couple (usually the male) decides to send the picture on to a group of people (e.g. friends, classmates, school officials) or beyond into open-access websites full of posts with teens’ breasts and genitalia, occasionally including a view of their faces; ‘they can easily become one of the millions of naked teen photos floating through cyberspace to be viewed by complete strangers’ (James 2009).

One result of examining sexting as a communication process is recognising the emergence of a kind of visual gossip, a relaying or passing on of visual information to both intended and unintended audiences. In sexting cases, the added feature of unintended consequences – a problem common to much Internet transportation – becomes highlighted and attracts the most attention. One question worthy of future debate focuses on whether the government should deal with someone who maliciously distributes the photographs beyond the audience intended by the original teen sender (see http://blog.nj.com/njv_guest_blog/2009/04/sexting_hardly_constitutes_chi.html).

Additional structural complexity appears when we acknowledge a series of related inputs – photographic activities that further contextualise contemporary visual culture and sexting activities. These include: daily reports of adult ‘image abuse’, meaning the misuse of cell-phone cameras (e.g. their use for ‘up-skirting’ on up-escalators); reports of cameras being placed in such public locations as department-store changing rooms, locker rooms, bathrooms (even toilets), tanning salons, among other locations; and young people learning that large sums of money are earned through taking and selling the ‘right’ picture of certain people in private acts, from ordinary people using their camera phones to become citizen photojournalists (e.g. the London Tube terrorism), to some photojournalists catching images of politicians taking bribe money or versions of paparazzi at work (e.g. an undressed female celebrity having her toes licked at a private poolside, among other titillating acts).

In these and related ways, the sexting phenomenon can be seen as a modern extension of previous ways of sharing words and images. When considering modern applications of the Internet, digital technology – especially cameras – and cell phones, we can schematically imagine a certain progression in communicating words and images.

**SEXTING PRACTICES: CONTENT AND MOTIVATIONS**

In comparison to questions of what kids are doing with their cell-generated pictures, it is more difficult to be specific about how adolescents are appearing in their pictures. I have not been able to locate a photo-sharing site dedicated to sexted images, although they are irregularly and seemingly carelessly tagged as ‘sexting photos’ on Flickr.

**Picture Content**

Readers should not be surprised to know that virtually all news articles are not illustrated with sext examples, just as this article does not include any non-commercial pictures. When we see an image illustrating an article about teenage sexting, we find a professionally produced photograph of a woman posing in a tease-position, as we see in three published illustrations (Braver 2009; Clark-Flory 2009b; Ghadialy 2009).

It remains awkward to write about a pictorial phenomenon without offering readers any visual examples of the topic. As a consequence of this situation, visual studies scholars are virtually forced to focus on processes of visual communication rather than isolating attention to pictorial products. I will return to this topic in my concluding comments. What is reported? What is said, if anything, about the pictorial features of sext messages, about what sexters actually photograph and what sexees see? What is the significance, if any, of photographing body parts as opposed to sending verbal descriptions of parts and/or sexual acts? It appears that pictures make all the difference to the problems under discussion; in this way, pictures have done what words would not.

Most of our knowledge of sext content comes from written descriptions. As previously stated, sexting revolves around young people taking and sending digital pictures of nude or semi-nude sex-related body parts, the latter referring to ‘revealing something not ordinarily revealed in public’. Pictures classified as a sext do not have to show real or even mock sexual activity – in fact,
they don’t have to show anything sexual – but they may be seen and classified as such. From the few reports we have, my impression is that many sext images are not full-body and people’s faces/heads are not always included.

Descriptions of picture content tend to be quite simple and general: ‘The photographs show three naked underage girls posing lasciviously for the camera’ (Clark-Flory 2009b). Some reported sexts show teenage girls in their bathing suits or underwear, often from the waist up and wearing a bra; another report mentions a female posed with a towel ‘wrapped just below her breasts’ sent to her boyfriend ‘to make him jealous when she heard he was interested in another girl’ (Searcey 2009). One report recounted a teenager in Indiana facing felony obscenity charges for sending a picture of his genitals to female classmates (Lithwick 2009). In another case, an official at Glen Este High School in Cincinnati said of one 14-year-old boy’s mobile phone photographs: ‘They were as graphic as you would see in any Penthouse magazine’ (Ghadialy 2009). One recently graduated 18-year-old boy stated: ‘I’ve had girls send me photos of them fingering themselves’ (Clark-Flory 2009b).

From other available descriptions, we learn that sext images are hardly distinguished by form, style or aesthetics; little effort is given to originality or camera expertise. On occasion, sexters will photograph themselves using a bathroom mirror to check they are getting the preferred look (Lent and Cooke 2009), which often means the ‘provocative look’ (Clark-Flory 2009b). In general, the adage ‘what you see is what you get’ seems to prevail. Images are appreciated for content; the primary motivation appears to be ‘looking good’ and appearing desirable.

**Sexting Motivations**

When asked, young people tend to offer a limited range of reasons and motivations for participating in sexting activities. General categories include:

1. Girls are saying their boyfriends are asking for these pictures – ‘if you love me . . .’ (From one survey: ‘51 percent of teen girls say pressure from a guy is a reason they send sexy messages or images. Only 18 percent of teen boys cite pressure from female counterparts as a reason’.)12 One Australian survey reported 40% of young female respondents reported being asked to send sexual/nude pictures of themselves (Battersby 2008). As just one example on the record: “One of my friends from school was asked by a guy she liked to send him naked pictures of herself,” said 16-year-old Margaret Daly. “But when she said no, he tried to cover it up and said, ‘Oh, I was just seeing if you were a skank or something.’ And it was obvious that he actually wanted the pictures’ (James 2009).

2. Girls are saying they sext to specific boys they wish to know better, claiming they are ‘just flirting’ (Jones 2008); we read: ‘21 percent of teen girls and 39 percent of teen boys say they have sent such content to someone they wanted to date or hook up with’. According to the results of a survey released by the National Campaign to Prevent Teen and Unplanned Pregnancy and CosmoGirl.com, teenage girls who have sent or posted sexually suggestive content provided a number of reasons why they did so: two thirds (66%) say they did so to be ‘fun or flirtatious’; half (52%) did so as a ‘sexy present’ for their boyfriend; and 40% did so as a ‘joke’.

3. Several commentators claim that teens seek feedback about their looks (Alapo 2009), that young girls sent images because they craved peer approval: ‘Three 15-year-old-girls said girls enjoyed the positive reaction sexting creates’, and ‘Girls feel like they can’t get attention without putting themselves out there like that’ (Battersby 2008).

4. Though sometimes sexting is referred to as a ‘digital disease’, some boys and girls justify their sexting activities by saying they are practising a new model of ‘safe sex’ – it’s much better than getting an STD. One 17-year-old high school student claimed that, for some teens, sending nude self-portraits ‘is like a high . . . I think they’re doing it because it’s not actual sex, so there’s less risk for STDs and pregnancies. It’s more of a visual stimulation for them’ (Alapo 2009). In a paper on children’s sexuality given at the 78th Congress of the Humanities and Social Sciences held at Ottawa’s Carleton University, Peter Cumming seemed to agree, suggesting that sexting, as a version of online spin-the-bottle, is safer than traditional sexual games because there is no immediate physical contact and thus is less likely to lead to pregnancy or sexually transmitted diseases (Comte 2009). Or, as one female reporter suggested, sexting may be just a modern version of ‘the best way I knew to try on, test out and confirm my femininity without actually having sex’ (Clark-Flory 2009b).

Downloaded by [Middlebury College] at 09:48 24 November 2015
MEANINGS OF, RESPONSES TO, AND CONSEQUENCES OF Sexting PRACTICES

Paralleling our mention of unintended audiences, we find a collection of unanticipated results accompanied by harmful, even dangerous, consequences. According to the same Family Research Council report cited earlier, nearly 75% of teens and young adults acknowledged that sending such images and messages can have ‘serious negative consequences’, including regret (79%), potential embarrassment (73%), bad reputation (69%), and disappointing family (57%) (Family Research Council 2009). Reactions to sexting by both young people and their adult counterparts (parents, school officials, police) are proving to be very revealing about societal norms and attitudes towards picture content and picture sharing. Young people experimenting with sexting are learning that they are making themselves, their parents, their friends and other participants vulnerable on several fronts. They have become aware of legal attacks, financial attacks, physical attacks and emotional attacks, each of which have short- and long-term effects.

Legal and Financial Attacks

Young people have been ambushed by laws pertaining to pornography and discovered themselves in varying degrees of legal turmoil. They are handicapped by a general lack of awareness that three crimes are usually occurring: first, taking a naked photograph of someone legally considered a child constitutes production of child pornography; second, sending it is distribution of child pornography; and third, everyone who keeps the photograph on his or her phone could be charged with possession of child pornography (Choi 2009). The prevalence of sexting has caused concern among police, prosecutors and parents: ‘your teenager may very well become the next target for law officials’ (Siegel 2009). In Rochester, NY, ‘a boy aged 16 faces seven years in jail for circulating an image of a girlfriend to friends’ (Ghadialy 2009).

While teens and parents have been caught off guard by legal ramifications, the same can be said of the legal profession. Children and adolescents are arrested for ‘crimes of technology’ that society couldn’t even anticipate only one year ago (Rowan 2009). Teenagers are being charged with crimes of creating and distributing child pornography, they are being charged with a felony in all parts of the US and prosecuted as a sex offender (Siegel 2009) under Megan’s Law. Felony charges have been filed in cases in Pennsylvania, Alabama, Connecticut, Florida, New Jersey, New York, Texas, Utah and Wisconsin (Lithwick 2009).

In some cases, ACLU (American Civil Liberties Union) advocates and defence attorneys are intervening, claiming that the photographs are protected speech, not pornography, that charges violate their First and Fourteen Amendment Rights. The general question being asked now is how the incarceration of young people and attaching permanent labels to their life records are in their best interests. As of this writing (April 2009), Vermont is considering a bill to decriminalise youngsters’ exchange of X-rated camera-phone snapshots (Clark-Flory 2009a), a bill that would legalise consensual sexting between two youths aged 13 to 18, and Ohio is considering a bill to treat sexting among minors as only a first-degree misdemeanour (Monitor’s Editorial Board 2009).

In addition, teenagers and their parents are realising a new sense of collateral damage. Parents and their children know that their cell-phone contracts and various options can be costly. But they are also learning that the costs of legal cases associated with texting can increase their financial loss. Expenses for courts appearances and fees for attorneys increase the overall damage.

Physical and Emotional Attacks

Critics offer serious claims that sexting can make children vulnerable to sexual predators, potential kidnapping and physical harm. Sending these images to social networking sites allows them to be distributed in unpredictable ways – for example, they might be used by commercial pornographers, paedophiles or others who might want to harm or exploit young people appearing in the photographs (Moody 2009). Two Reno teenagers thought they were sending nude photographs of themselves to a 15-year-old boy, but this ‘boy’ turned out to be 45 years old. ‘Police say Terrance Hofus threatened to put the photos online if the girls didn’t meet him for sex. The girls went to the police and, in January, Hofus went to federal lockup for 10 years’ (Choi 2009). Many adults are on record for prowling Internet sites looking for young victims, for children who they invite to send suggestive pictures.

Sexting can have ongoing consequences for the victim: ‘You’re going to be humiliated hundreds of thousands of times. It’s totally devastating’ (Blanchard 2009). Severe psychological effects can result from being taunted, shunned and called vicious names in face-to-face
confrontations. Online parallels are seen when sexting occasionally evolves into acts of cyberbullying.\textsuperscript{14} As part of daily harassment, it is described in the following way: ‘It will tear them down slowly because the girl will be called numerous names, written on the bathroom wall. It will tear the girl down immensely . . . It’s just like a big death sentence in school’ (Choi 2009).

**RELEVANCE FOR VISUAL SOCIAL SCIENCE AND CONCLUDING THOUGHTS**

Comments in this article are intended to clarify the emergence of sexting in general, and to provide a first look at factors relevant to visual studies. By putting many of the listed factors together, one finds a popularity of sexting for which relevant codes of laws, rules, standards and even etiquette have yet to be established and formalised.

In direct relation to several strands of visual studies, we can ask if the study of sexting practices contributes to theoretical understandings of visual communication. The personal and social reactions mentioned in the foregoing overview and summary of sexting have a lot to teach us about less well-articulated understandings of photographic representations in everyday life. Recalling James Elkins (1996), we are further persuaded that there is no such thing as ‘just a picture’. One important feature is the significance of identifying an intended audience and what problematic differences might be caused by the presence of unintended audiences. Consider the relevance of the following episode when District Attorney George Skumanick, Jr in Tunkhannock, PA threatened felony charges:

He then told the parents and teens to line up if they wanted to view the photos, which were printed out onto index cards. As the 17-year-old who took semi-nude self-portraits waited in line, she realized that Mr. Skumanick and other investigators had viewed the pictures. When the adults began to crowd around Mr. Skumanick, the 17-year-old worried they could see her photo and recalls she said, ‘I think the worst punishment is knowing that all you old guys saw me naked. I just think you guys are all just perverts.’ (Searcey 2009)

Herein lies the potential for introducing a piece of applied visual communication, a ‘tough love’ response by parents, whereby they suggest exposure of their child’s sexts to people (perhaps grandparents and other relatives) that count in very different and totally unacceptable ways to original sexting motivations.\textsuperscript{15} Thus another model of unintended audience is introduced; this tactic will be seen by some as trying to convert two wrongs into a right. Though examples continue to appear, it remains difficult to overtly advocate such a stance as a general punitive or therapeutic response, since individual circumstances of each case would have to be taken into account.

**Studying the Visual without the Visual**

An interesting irony remains to be discussed, one suggested in earlier pages regarding the surprisingly sparse discussion of the actual photographic results of the sexting process. Perhaps fewer than five percent of articles reviewed for this article mentioned, much less described, the photographic content of ‘sexts’. Is there a kind of elephant in the room, one that implicitly says there’s something wrong with people who insist on discussing the content of such photographs? Perhaps there is an ethical boundary line for describing the personal in a public forum that authors and observers do not want to breach.

Much remains to be asked about the visual features of sexting products and the sexting process. To date, questions of visuality are not being asked. Much snapshot photography, for instance, includes views of prideful presentations of people, places, activities, events and the like; there is a tendency to show off good things and moments, to put forward a positive view of life and existence (Chalfen 1987). In turn, much of snapshot photography in personal relationships acts as an ‘advertisement for the self’. How, then, do sexts as a photographic form – and sexting as a process of visual communication – remain consistent with or contradictory to these principles? It is unlikely that the pictorial content of sexts reveals the downside of a young person’s appearance or physical features. How is the repertoire of ‘what looks good’ or ‘what can be shown off’ in snapshot form altered in this model of interpersonal home media?

Finally, visual social scientists should be examining the sexting phenomenon because there are several ways in which they might contribute to the emerging controversies about the practice. First, sociologists and anthropologists can offer a more nuanced context for viewing the socio-cultural sexual development of young people and illuminate current activities in a more informed manner than we find in these discussions. Second, visual social scientists might provide a more sophisticated understanding of how sexting relates to topics of more general concern, such as mediated...
interpersonal interaction, distanced presence and electronic bonding. And last, social scientists who specialise in media studies might introduce a note of historically informed practical realism into discussions of the conditions that contribute to the development and evolution of practices like sexting. For instance, several commentators have expressed scepticism about how sustainable sexting may be as a practice. Chris Danne asks whether ‘sexting [is] a social trend or a technological one’ (2009), adding that ‘social trends are persistent, while technological trends turn over quickly’. He continues: ‘Based on its close parallel to the amateur porn phenomenon, I’d argue that sexting is more technological than social. This isn’t to say that we shouldn’t worry about teens sexting, but it is to say that the phenomenon, thankfully, won’t be durable’ (Danne 2009).

In any event, it is clear to me that young people will remain sighted, and visually enthusiastic, ambitious and creative members of contemporary visual culture. For now, we should be paying more attention to what they are doing with the emerging possibilities of visual culture, exploring how new possibilities relate to the rest of their lives and how they think about their conduct and its consequences. We should also, perhaps, be exercising more caution about defining and evaluating a possible trend based on only a few worst-case scenarios.

NOTES

[1] Parts of this article appeared as a three-part blog essay prepared for the Center on Media and Child Health, Boston, as ‘Perspective on Sexting’, 15, 16, and 18 April 2009 – see http://cmch.typepad.com/.

[2] I am not including instances I would classify as ‘para-sexting’ as suggested in the following episode: ‘Five youngsters in Mayville, New York face obscenity charges after getting caught with pornographic material on their cell phones. Similarly, a 14-year-old boy in Florida recently got suspended for sending photos of a topless woman to all his friends via cell phone’ (Kasprian 2009). These acts approximate teenagers passing around a ‘dirty magazine’.

[3] Consider the following comment: ‘One quick clue that the criminal justice system is probably not the best venue for addressing the sexting crisis? A survey of the charges brought in the cases reflects that – depending on the jurisdiction – prosecutors have charged the senders of smutty photos, the recipients of smutty photos, those who save the smutty photos, and the hapless forworders of smutty photos with the same crime: child pornography. Who is the victim here and who is the perpetrator? Everybody and nobody’ (Lithwick 2009).

[4] For an introductory overview, and a view of how sexting is being reported on the evening news, see http://www.kvbc.com/Global/story.asp?S=10095849&navv=15MV, and for another programme on ABC Good Morning America (a segment from 15 April 2009), featuring a townhall meeting with teens who have sent and received ‘texts’ and their parents, with Diane Sawyer and Parry Aftab of Wired Safety, see http://abcdn.com/GMA/story?id=7337547&page=1.

[5] According to a survey of 700 teens published in April 2008 by the Pew Internet & American Life Project, 71% of respondents already own cell phones, while only 59% own computers (see http://www.msnbc.msn.com/id/26510338/).

[6] This article will be restricted to still digital photographs; I will save for a later date the examination of sexted videos – for example, an investigation by the Holbrook, MA police department of an alleged case of teenagers creating and distributing a video that, according to news reports, featured two of the kids ‘having sexual intercourse while the third recorded it’. The video was shared amongst students attending Holbrook Junior-Senior High School (National Coalition Against Censorship 2009, blog).


[8] Happy slapping is said to occur when someone (usually a teenager or young adult) assaults an unsuspecting victim while an accomplice records the assault (commonly with a camera phone or a smartphone). For commentary and violent examples from the UK, see http://www.youtube.com/watch?v=47Qrs3OQgV8, and for a recent account from the US, see ‘Teen beating caught on cell phone camera’ at http://www.wgntv.com/news/wgntv-teen-beating-caught-on-tape-jun05/0/1609986.story. For a humorous example, see http://www.youtube.com/watch?v=e69mT9dTQTY.

[9] One expression of this embeddedness for current teenage females appeared as follows: ‘These girls have grown up on-screen, be it in home movies or MySpace profiles. Their lives are lived in the story – the telling and the showing. They also think that their value lies in their bodies. This is part of pop culture. Heck, it’s almost an honor for actresses to pose for Maxim, Playboy and the like. But also keep in mind that girls probably don’t intend for these to go public (though they will, of course . . . ) Girls are feeling pressure to compete with online porn, to make the real thing as enticing as the digital’ (Mooney 2008).

[10] I have uncovered any discussion of either a gay or a lesbian sexting pattern, which is certainly not to say that such does not exist.

[11] The following terms may help distinctions. I will refer to the pictorial content of a sexting message as a ‘sex’, which is a subcategory of a broader range of ‘picts’; the sender of a sext will be referred to as a ‘sexter’, and the receiver of a sext as a ‘sextee’.
The survey was sent to 1289 people, including 653 teens aged 13 to 19 and 627 young adults aged 20 to 26. Key findings of the survey can be found at www.thenationalcampaign.org (see also http://www.knoxnews.com/news/2009/mar/15/teens-play-show-and-cell/).

One rather serious consequence for some is the enhanced likelihood of ending up in Hell. In an award-winning essay entitled ‘What’s Wrong With “Sexting”? ’ by Christiana Zipay, a junior at Lutheran High School South in the St. Louis area, we read: ‘Gospel writer Matthew supports my stance. But I tell you that anyone who looks at a woman lustfully has already committed adultery with her in his heart. Girls who send nude pictures of themselves to their boyfriends are tempting the receivers into adultery, a sin expressly forbidden by the Ten Commandments. Likewise, the males taking these pictures and passing them around are not only committing adultery in their hearts but are spreading this sin around to others, allowing their girlfriends to be the subject of other peoples’ [sic] lusts as well’ (WorldNetDaily 2009).

StopCyberbullying.org, an expert organisation dedicated to Internet safety, security and privacy, defines cyberbullying as: ‘a situation when a child, tween or teen is repeatedly “tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted” by another child, tween or teen using text messaging, email, instant messaging or any other type of digital technology’. According to Andrew Weiner, such acts are considered cyberbullying if it is two children involved. But if there is an adult involved it is considered ‘cyber harassment’ or ‘cyber stalking’ (Weiner 2009).

A related suggestion appeared as follows: ‘But, I know one sure way to put an end to it: send a copy of every text message and MMS message created or received by a child to the parents who are paying the bill. Every teen in the country would yell out, “No way!” ’ (Purdy 2009).

REFERENCES


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