At first, parents and the media endlessly praise teen stars (such as Vanessa Hudgens and Miley Cyrus), holding them up as squeaky clean, young adult role models. Later on, when a scandal breaks, the same starlets are suddenly cast in an unflattering light. A common scenario often involves sending suggestive photos. The same adoring youthful audience suddenly tries to make sense of the backlash. After all, weren't these girls their heroes five minutes ago? Viewed this way, it should come as no surprise that Amanda Doe thought nothing of sending a single scantily-clad picture of herself to a few friends. Provocative pictures seem innocent instead of illegal; Sexting is seen as cool instead of a crime. When these respected personalities are capable of laughing off their risqué photos as nothing to be ashamed of, do teens today (such as Amanda) even know that there are legal consequences to their actions? Despite the media-created, glossy idols, who appear to be above the law, everyone (young and old alike) needs to be taught that when it comes to sexting, it is an actual crime.

And crime calls for punishment, but even more importantly with youthful offenders, *appropriate* punishment. By charging Amanda with "Dissemination of Pornographic Material" and threatening her with Juvenile Detention until age 21, the goal may be to protect the public from sexual misconduct, yet the reality may very well include destroying the reputation and future of an ignorant teen with no criminal intention what-so-ever. *Wired*, a magazine focused on how technology affects culture and politics, published an article in January 2009 on the issue of the unfair labeling of teens who have sexted as "sex offenders". "The problem is that the child porn laws were really designed for a situation where an adult abuses a minor by forcing that minor… into taking these pictures. But when the person takes the picture herself or consents to the picture being taken, it turns the whole statute on its head" (Zetter).

When laws aimed at protecting children are used against them, these laws instead blur the line between actual criminals and naïve adolescents. A 2009 poll conducted by The National Campaign to Prevent Teen Pregnancy revealed that around 20% of teenagers have sent suggestive photos of themselves to friends (The National Campaign to Prevent Teen and Unplanned Pregnancy). Technically speaking, any suggestive photo of a person under 18 constitutes child pornography. The reality of the matter is this: if there are approximately 21 million teenagers in the United States (U.S. Census 2008), and if 20% of these teens have sexted, then we have 4.2 million teenage "child pornographers" on our hands. While it is true that these teens need to experience consequences for their actions, applying a child sex offender status to any person who is still a child themselves is unreasonable and unfair. If we continue using our current method of punishing the distribution of suggestive photos, eventually our towns and cities will be overflowing with sex offenders that are really just the kid next door.

An article published in the *Seattle Times* in March 2009 told the story of high school student Phillip Alpert, who allegedly distributed suggestive photos of his ex-girlfriend. As a result, he was charged, similarly to Amanda, with transmitting child pornography. "Alpert today is serving five years of probation for the crime, and he is registered as a sex offender— a label he must carry at least until he is 43" (Prieto). For Alpert, his mistake was nothing short of devastating, making school and life nearly impossible for him. Perhaps worst of all, "Every Wednesday he attends a class for sex offenders where he is joined by people who have raped and molested children. He's not like them, but the law says he is" (Prieto).

Clearly, our current system of punishment is not the answer. While the distribution of suggestive photos is and should be considered a crime, punishing minors such as Amanda as

"sex offenders" and for "the production of pornographic material" is inappropriate under the circumstances. Sending suggestive photos to friends needs to be dealt with *properly* and *relevantly*; however one mistake of this nature should not ruin the young perpetrator's entire life. Being naïve enough to send provocative pictures of one's own self in the first place is a childish act. Therefore, the punishment for such a crime should reflect the fact that they are still children, who need to be closely monitored by both their parents and the state. Especially because perpetrators like Amanda feel that, "...she has done nothing wrong," the punishment is especially crucial in deterring offenders from committing this crime again. Potential punishments should include performing a significant community service requirement, abiding by state regulated early curfew, installing software on teens' cell phones to closely monitor appropriate activity, suspending a driver's license, etc. The prosecutor, James Davis, argues that he, "'wants to send a message to young people' about sending inappropriate pictures of themselves." Undoubtedly, these pertinent retributions will certainly send a message to teens, who value their earned personal freedoms above almost all else. If their rights of passage are in jeopardy, such as later curfews and driving a car, they are more likely to be accountable for their actions.

It is my firm belief that teens caught in a sexting scandal should receive punishments that are relevant to their lives but not so damaging that their young lives are ruined forever. In Amanda's case, wouldn't it better help her become a law-abiding citizen (who poses no threat to others by sexting again) to have her cell phone monitored and to perform community service? All of Amanda's diligent efforts up to the point that she sent that infamous picture should not be ignored. Even the best of kids make mistakes. In sexting scenarios, our legal system for minors should not run under the "one strike and you're out" mentality.

Works Cited

Prieto, Bianca. "Teens learning there are consequences to "sexting"" *The Seattle Times*. 11 Mar. 2009. Web. 22 Feb. 2010. <http://seattletimes.nwsource.com/html/nationworld/2008845324_sexting12.html>.

"Sex and Tech | The National Campaign." *The National Campaign to Prevent Teen and Unplanned Pregnancy*. Web. 22 Feb. 2010. <http://www.thenationalcampaign.org/sextech/>.

The United States of America. U.S. Census Bureau. The United States Department of Commerce. *Population: Estimates and Projections by Age, Sex, Race/Ethnicity*. 2008. Web. 22 Feb. 2010. <http://www.census.gov/compendia/statab/cats/population/estimates_and_projections_by_age_sex_raceethnicity.html>.

Zetter, Kim. "Child Porn Laws Used Against Kids Who Photograph Themselves." *Wired*. Condé Nast Digital, 15 Jan. 2009. Web. 22 Feb. 2010. <http://www.wired.com/threatlevel/2009/01/kids/>.