

## **B4USEND**

In 2009, The Ohio State Bar Foundation's Fellows Class sponsored a state-wide video contest (B4USeNd) to help teachers, parents, and students understand the dangers of cyberbullying and sexting. The video, "[You Can't Go Back](#)," created and submitted by Heritage Middle School and Hilango Studios in Painseville, Ohio, was selected by the class.

In today's post 2020 highly charged digital world, the potential legal, social, and emotional consequences have, unfortunately, not gone away since the video was first aired. By providing the most updated information, specific instructional activities and power point in an easy-to-use Teacher/Leader Guide, the Foundation is helping to address behaviors that can have devastating results for all concerned.

## **VIDEO DISCUSSION GUIDE**

### **TEACHER/LEADER GUIDE (doc)**

1. FAST FACTS ABOUT SEXTING
2. SEXTING ABCs
3. FAST FACTS ABOUT CYBERBULLYING
4. CYBERBULLYING ABCs
5. INVESTIGATED CASES
6. STOPPING DIGITAL MISUSE
7. SELF-ASSESSMENT QUIZ

8. ADULT HELP

9. INSTRUCTIONAL ACTIVITIES

10. B4USEND POWER POINT

11. RESOURCES

12. APPENDICES

## *You Can't Go Back* - Video Discussion Guide

**Directions:** The *You Can't Go Back* video is short and to the point- just like a text message. Watch it as many times as needed to understand the message completely and then discuss the following questions.

1. The person sending the picture assumes that it is private. Why is that? Your turn: Name a couple of messages/pictures that would be okay to send; name a couple of messages/pictures that you should never send.
2. Why do you think she sent the picture in the first place? What was she hoping to gain by doing so? Your turn: Compile a short list of things to think about before you post or send a text message or picture.
3. How did the bystanders respond? Verbally or non-verbally? Your turn: What would you say or do to help someone who is getting picked on? What can you say or do to the bully (with whom you are friends)?

4. Describe the types of peer pressure this video suggests. What do you think is happening to the kids who both send and receive the picture? Your turn: Talk about appropriate ways of dealing with peer pressure.

5. How do you relate to the girl in the video? Similarities? Differences? What are the emotional consequences of her actions? Your turn: If she would write a letter to an advice columnist, what might she say in that letter?

6. What problems do you see happening in your own school with sexting and cyberbullying? Your turn: List steps kids / teachers/ parents could take to address this.

7. What decisions could be made differently in the video to effect a different outcome?

8. What's your school policy about sexting and cyberbullying? What issues might you encounter outside of school? Your turn: Ask your teacher and/or principal to discuss the policies with you and what you can do at school to protect yourself.

9. What steps can someone take who wants to help? Your turn: Research where someone can get help from different community groups or agencies.

10. What are the legal consequences both for those who send the message and receive the message and who may even send it on to others? Your turn: Ask your teacher or principal to invite your local prosecutor or someone from the Ohio State Bar Foundation to explain the legal consequences to your class.

## FAST FACTS ABOUT SEXTING

As student use and ownership of smartphones has risen dramatically, so, too, has sexting, a risky and potentially illegal behavior. A 2018 report published in *JAMA Pediatrics*, analyzing 39 studies with a total of about 10,300 young men and women under age 18, found that:

- Sexting has become increasingly more common
- Most teens don't report their sexting
- 15% have reported their sexting and 27% report they have received sexts (1 in 7; 1 in 4)
- Sexting is more common as teens age and become more sexually active
- 1 in 8 teens have forwarded a sext without the permission of the original sender
- Studies haven't determined how many teens are pressured or coerced into sexting
- Many teens feel that since friends are doing it, then they should also
- Some teens experience "sextortion" (images, videos, or sexual messages being used as a form of threat or blackmail)
- Boys and girls equally participate in sexting
- Girls worry about being judged harshly for sexting (slut shaming) or for not sexting (being labeled a "prude")
- Boys see sexting as a means to showcase their social status
- Girls feel more levels of distress because of the double standards
- Sexting has been linked to risk-taking behaviors

- A reliable predictor of consensual teen sexting is because a teen wants to flirt, be romantically involved or maintain intimacy with a partner. Some teens consider this as “safe sex.”
- Most students are using personal smartphones rather than computers or tablets to sext

## SEXTING ABCs

**Sexting** is the sending and/or receiving of sexually suggestive text messages or photographs by cell phone or other technology devices.

**Sexual offender** describes a person who has been convicted of a sex crime (laws listed below). If someone 17 or under has committed a sexually-oriented offense, he or she can be registered as a **juvenile sex offender**.

### **Sexting laws**

- *Pandering Obscenity and Pandering Obscenity with a Minor (child pornography)* are the legal charges applied when a person creates, reproduces, advertises, buys, sells, or possesses any obscene material or sexual material involving a minor. Sexting is considered child pornography if materials sent and/or received include anyone under the age of 18 even if the pictures are of themselves.
- *Illegal Use of a Minor in Nudity-Oriented Material* is when a photograph or a created image of a nude minor is transferred (sent and received) without the minor's parents' permission in writing and for a *bona fide* educational or specified purpose.
- *Child Endangerment* is a crime if a minor child is encouraged to be photographed nude or to engage in any sexual activity.
- *Disseminating Matter Harmful to Juveniles* is when materials considered obscene or harmful to juveniles are being shared even if it is a case of a 14-year-old sending nude pics of herself to a boy the same age.

**Legal Consequences** are the court's punishments for breaking sexting laws.

- Community service- picking up trash along a highway or cleaning out police cars are examples
- Fines- Parents and/or you are paying money to right the wrong
- Juvenile jail- getting locked up from 90 days to a year
- Probation- a period of time determined by the courts where a person reports to a probation officer according to a set schedule
- Diversion program- a sentence of rehabilitation in which the offender remedies the behavior for which he or she is arrested, and thus, avoids conviction and a criminal record
- Registration as a juvenile sex offender
  - Tier 1: Required to register once per year for a period of 10 years
  - Tier 2: Required to register every six months for 20 years
  - Tier 3: Required to register every 90 days for life (See appendices for complete information about Ohio offenses and penalties)

**Personal Consequences** are the harmful and hurtful costs to the individual that often plague the person for a long time. Since sexting cannot be erased once in cyber space, the costs can be extremely dramatic.

- Reputation is at risk
- People peg or stereotype the person who sexts
- Person can become the object of gossip, shaming, and harassment
- Control of "sexts" is lost once they are sent and can be used for many different purposes

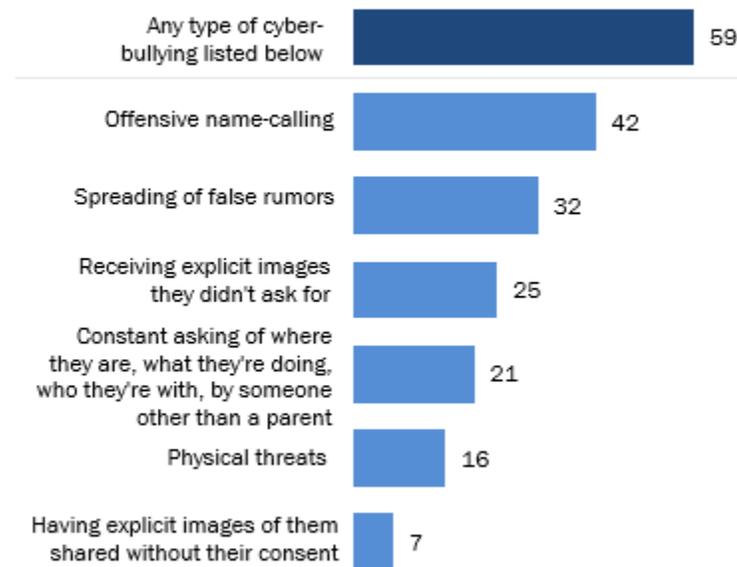
- Images can be shared by others when they have access to the images, when an image is accidentally forwarded to their phone, or when the image can be accessed as a result of a hack
- Photos can be copied, pasted onto the web, archived, and searched seemingly forever...hard to deal with on-going potential abuse
- Others can see the sexts even those who are checking out a person for a job, college acceptance, military service, car loan, apartment rental and much more
- Consensual sexting can cause distrust between two people if one party shares photos without the other's consent
- The sharing of sexts (revenge porn) to embarrass, intimidate or harass is often the motive after a couple breaks up
- Teens are at risk for dating abuse, blackmail or sextortion (threatening harm if certain demands such as other sexual favors and/or money are not met), which are inherently disrespectful and aggressive actions that victimize teens
- Service providers can shut down accounts and report messages to police
- Depression, loss of self-esteem, anxiety, fear and isolation can occur
- Tragedies such as suicide can happen

## FAST FACTS ABOUT CYBER BULLYING

---

### **A majority of teens have been the target of cyberbullying, with name-calling and rumor-spreading being the most common forms of harassment**

*% of U.S. teens who say they have experienced \_\_\_ online or on their cellphone*



Note: Respondents were allowed to select multiple options. Those who did not give an answer or gave other response are not shown.

Source: Survey conducted March 7–April 10, 2018.

"A Majority of Teens Have Experienced Some Form of Cyberbullying"

PEW RESEARCH CENTER

---

## CYBERBULLYING ABCs

Cyberbullying is using digital devices (cellphones, computers, tablets) to harass, torment, humiliate, embarrass, ridicule and be mean to others. It's electronic aggression.

### Cyberbullying tactics

- Posting insults, rumors, gossip or lies about others
- Sending unwanted or intimidating messages, which may include threats
- Sharing personal information online about someone else, usually for malicious intent (doxing)
- Telling others to hurt themselves
- Posting hurtful pictures or videos or creating a hurtful website about someone else
- Spewing hateful comments about anyone's race, religion, ethnicity, sexual orientation or other personal characteristics
- Posing as someone else in order to post or solicit false information about another person
- Using threats or name-calling in online multiplayer games
- Posting unpopular or controversial opinions online with the aim of getting emotional, aggravated reactions (trolling)
- Breaking into other people's accounts, posing as them, and sending messages that will damage their reputation

- Letting others know they are being deliberately excluded from an online group

### Cyberbullying laws

- *Menacing by Stalking* is the law often applied by many states to prosecute people who engage in a pattern of conduct by which a person feels threatened, harassed or suffers mental distress. In Ohio cyberbullies who engage in two or more acts in which the victim feels threatened or encourages others to abuse the victim can be charged under this act.
- *Telecommunications Harassment Law* is another law that applies to cyberbullying. In Ohio, if perpetrators use calls or texting to harass, threaten or relay sexually suggestive messages to victims, they can be charged under this statute.

Legal Consequences are the court's punishments for breaking the Menacing by Stalking law or the Telecommunications Harassment Law.

- Community service- picking up trash along a highway or cleaning out police cars are examples
- Fines- Parents and/or teens paying money to right the wrong
- Juvenile jail- getting locked up from 90 days to a year, for example
- Probation- a period of time determined by the courts where a person reports to a probation officer according to a set schedule
- Diversion program- a sentence of rehabilitation in which the offender remedies the behavior for which he or she is arrested, and thus, avoids conviction and a criminal record.

**Personal Consequences** are the harmful and hurtful costs to the individual that often plague the person for a long time. Unfortunately, cyberbullying can easily get out-of-control for both the person who bullies and the victim.

- Mean gossip, pranks and arguments can create “drama” that is difficult for teens to handle
- Certain groups (ethnic, racial, religious minorities, special needs students, LGBTQ students, social class) tend to be more vulnerable to name-calling and threats
- Online aggressive behavior can be repetitive, shared widely and targeted
- Such aggressive behavior is abusive and meant to dehumanize and isolate the victim
- A battle of words can ensue. The target can retaliate and both aggressor and target can get in trouble, especially at schools where students can be suspended or expelled or reported to the police because of anti-bullying policies
- Service providers can shut down accounts
- Depression, loss of self-esteem, anxiety, fear, frustration and isolation can occur
- Serious stunted growth and emotional well-being can happen to both the aggressor and the victim
- Anonymity does not prevent harmful effects
- Tragedies such as suicide can happen

## INVESTIGATED CASES

Many teens risk sexting and cyberbullying because the chances of getting caught are low, they assume. However, if a case of either is reported to police, an investigation will ensue. The question then becomes whether they will be prosecuted. Prosecutors use their discretion when they decide to charge students with a crime or whether some other punishment will apply. The following are recent cases in Ohio.

### AMELIA-----May 2019

- Teenagers used social media to get a 12-year-old girl with special needs to live stream a haircut so they could laugh at her. They also dared her to stomp on a glass bottle (nine stitches were needed to sew up the wound), threatening they will kill themselves if she didn't. Police are investigating.

### PERRYSBURG-----April 2019

- Teen boys created a Twitter account whose stated goal was "helping out guys and ranking the hottest, best girls at PHS" (Perrysburg High School). Each ranking included height, weight and cutting remarks about each girl's appearance such as "queen of whales." School district officials found out about the account and turned information over to the Perrysburg Police Department where forensics experts will investigate for a digital fingerprint.

#### LEBANON-----April 2018

- After a 16-year-old student on Snapchat was investigated by police for comparing a computer game to the number of people killed in the Parkland Fla. School shooting, the police also found images of his genitals sent to a “known contact” on his phone. He was charged with pandering obscenity and unruly conduct.

#### HAMILTON-----March 2018

- A 13-year-old boy and a 12-year-old girl at a Hamilton middle school were arrested when the girl sent a video of her performing a sex act to the boy, who then shared it with others. Both were placed on probation after having pleaded guilty to a lesser charge.

#### VANDALIA-----January 2018

- A 16-year-old female Vandalia Butler High School student sent photos and a video of herself engaging in sexual acts, and a boy at the high school threatened her into sending him more photos.
- The boy sent the photos to others.
- Receiving and distribution of pornography charges apply as well as “sextortion.”

#### SPRINGFIELD-----January 2017

- A group of Springfield fifth graders took an inappropriate selfie that was sent then to several other students.
- They were charged and will have to complete a court diversion program.

## STOPPING DIGITAL MISUSE

Young people can protect themselves and their futures by employing the following tips:

- Don't respond to messages or images you don't want
- Tell the person to stop sending such messages
- Don't retaliate no matter how mean or obscene a message is
- Don't forward what is sent to you
- Don't contribute to peer group "drama," especially online
- Take a deep breath, stay calm and give yourself time to handle the situation thoughtfully
- Use privacy tools or preferences to block out the bad coming from others
- Don't troll- provoke others to get angry or fight back
- Leave chat rooms or online games when things turn ugly
- Protect yourself by keeping passwords, account IDs or PINS private
- Don't post online any personal information that can be used to track you down or be used against you
- Don't open messages or attachments from strangers
- Gang up on bullies by taking a stand against such behaviors and by supporting the victims
- Report ongoing and unwanted messages to a trusted, knowing adult who can help you shut down the slime coming your way
- Don't post anything you don't want others to see, especially your parents now or your future children later

- Practice zero tolerance by not putting up with anything that makes you feel uncomfortable
- Don't blame yourself if someone is repeatedly cruel to you...that's cyberbullying

## SELF-ASSESSMENT QUIZ

Circle the number if you've done any of these things and answer honestly.

1. You've teased kids, been mean to them, made fun of the way they look or speak
2. You've spread nasty rumors about a kid at school
3. You love to gossip in cyberworld
4. You forward some eye-popping pics of the person everyone loves to hate
5. You use a lot of bad language when you message
6. You've spread nasty rumors, humiliated another kid, and/or posted negative photos about them through emailing, instant messaging, texting, or created a web site with negative posts about them
7. You've impersonated someone else over IM or online
8. You've voted in an online bashing poll of someone else
9. You're thinking of sending a nude pic of yourself to someone you've hooked up with
10. You've forwarded a private text or email without the permission of the other person
11. You've sent rude or scary things to someone, even if you were just joking
12. You've insulted someone in an interactive game room
13. You've used someone else's password for any reason without permission
14. You've signed someone up for something without his permission

If you answered these questions honestly and checked any of these boxes, you have some thinking to do about what you want to be like in the future.

## ADULT HELP

Young people need not suffer digital misuse alone, but adult input must be measured and effective. Overreacting or underreacting is a balancing act. Students don't want the adults to make the situation worse so often they won't seek help from an adult if a trusting relationship doesn't exist. The following are some guidelines to build trust and eventually find solutions, especially if you see changes in their behaviors.

- Let them talk; don't interrupt; give them plenty of space to share their thoughts and feelings; just listen, especially in the beginning
- Take seriously what they are saying, thus developing empathy by seeing their perspective
- Don't be shocked at what you will hear, or you will shut down the line of communication
- Discuss what other participants are doing and what their perspectives might be to flesh out the different perspectives involved
- Involve your child in the solution-seeking process; don't dominate and take over
- Teach your child appropriate online behaviors, which never include retaliation
- Restore self-respect, confidence, and resilience in your child by giving them strategies to stand up to the bully or not, depending on the circumstances
- Work with school authorities to provide a safe environment for your child but do so with discretion and confidentiality
- Seek professional help if necessary
- Save the evidence; report to authorities if the messages are hostile, intimidating and/or threatening your child's safety

- Find a positive outlet for your child not tied to the sexting and/or cyber bullying culture or environment but don't deny them access to their technology, a fear they often have it they report what is going on
- Be patient as quick fixes and fast formulas about relational problems can often do more harm.

## **B4USend INSTRUCTIONAL ACTIVITIES**

You can engage teens with the following activities in a classroom or other youth setting. You can mix and match and link the activities as you see fit. All the activities, however, promote discussion by relating to the resources and information already presented in B4USend.

### **Activity 1: First Responses**

**Directions:** Below are a series of prompts for students to finish by writing down what comes quickly to mind. You can give the students a copy and have them write down their responses or read the prompts aloud and have them write down their initial thoughts. Jot down their answers on the board, discuss their answers, and look for common threads. This could turn into a webbing activity for eventual writing assignments or for other activities in this section.

1. I think “sexting” is...
2. I think “cyberbullying” is...
3. I would or would not (circle one) sext because...
4. I think it is or is not (circle one) OK to post thoughts about others online because...
5. I think kids like to text sexy messages and pics of themselves to others because...

6. I think an argument online is or is not (circle one) OK because...
7. I remember a bullying incident that happened online when...
8. I think kids like to sext because...
9. I think kids like to be tough towards others online because...
10. I think that kids should or should not (choose one) get into trouble for their digital postings because...

### **Activity 2: What Do You Think?**

**Directions:** For each statement below circle the number that most closely reflects your belief and the belief you think is typically held by your peers. Once you are done, discuss your answers in class. After the discussions write a well-developed paragraph about one of your ideas you might now answer differently. In the paragraph explain your change of heart and give examples of what people said that were persuasive.

**1= Strongly agree; 2=Agree; 3= Unsure; 4=Disagree; 5= Strongly disagree**

1. We have free speech in this country, including the right to say whatever we want to online.

My belief                    1      2      3      4      5

Peers                        1      2      3      4      5

2. It is OK to reveal online personal items about myself for others to see.

My belief                    1      2      3      4      5

Peers                        1      2      3      4      5

3. It is OK for me to reveal online personal items I know about others.

My belief                    1      2      3      4      5

Peers                        1      2      3      4      5

4. People don't really get hurt online. Teens are just being teens when they post things about each other.

My belief                    1      2      3      4      5

Peers                        1      2      3      4      5

5. Cyberbullying is a serious problem among teens today.

My belief                    1      2      3      4      5

Peers                        1      2      3      4      5

6. Sexting is just today's way of making out.

My belief                    1      2      3      4      5

Peers 1 2 3 4 5

7. Sexting is harmless fun.

My belief 1 2 3 4 5

Peers 1 2 3 4 5

8. Adults overreact about the problems of sexting and cyber bullying.

My belief 1 2 3 4 5

Peers 1 2 3 4 5

9. Teachers and schools should not get involved with kids' use of the internet and texting, even if what is happening is harmful or illegal.

My belief 1 2 3 4 5

Peers 1 2 3 4 5

10. Sexting and cyber messages are just passing fads most kids will outgrow.

My belief 1 2 3 4 5

Peers 1 2 3 4 5

11. I want more drama in my life. Sexting and cyber messages just make life livelier and more fun.

My belief                    1     2     3     4     5

Peers                        1     2     3     4     5

12. People should just use filters on their accounts if someone else's feed is offensive.

My belief            1   2   3   4   5

Peers                1   2   3   4   5

13. People are just too sensitive and overreact about what others say.

My belief            1   2   3   4   5

Peers                1   2   3   4   5

14. Bullying is just a part of life. Just grow up and deal with it.

My belief            1   2   3   4   5

Peers                1   2   3   4   5

### Activity 3: The Case of Sophie

#### Directions:

1. Break into discussion groups of five or six people.
2. Read the following case study and the possible options as to what to do with Sophie. The group must then reach consensus on only one of the six options (it can't combine two or more or come up with its own).
3. Come up with 2-3 good reasons for the group's choice based on the facts of the case.
4. Share each group decision with the other groups.
5. Analyze the case and its dynamics as it relates to cyberbullying. Ask: Who wins, who loses?

**Background for the case:** Sophie (age 15) transferred to a new high school mid-year. Her parents had divorced, and she chose to live with her mom because her dad was moving in with his new wife and stepchildren. She now was an only child who lived with a single parent working long hours to make ends meet. The transition to a big suburban school from a rural school wasn't easy, especially since she was a quiet kid who thought she didn't measure up socially and economically. Sophie, however, was good-looking and very artistic, though lonely. She just wanted to make a few friends and fit in.

When Ben, a senior in her drawing class, began to pay some attention, Sophie was all in. They began texting and hanging out some on weekends when Ben suggested she

send him a nude pic as “inspiration for his drawing talent.” She laughed him off, but he was relentless. “Don’t be a prude,” he said. “It’s what girls do in this school.”

Girls in that school also, at best, called Sophie a “slut” when Ben shared the pic she sent with his friends. It wasn’t long before everyone in school had her image on their phones. As second semester wore on, Sophie became an object of harassment, especially on social media. One girl texted, “Why don’t you kill yourself already? Make us all happy.” The rumors became even uglier. Her art teacher was aware that something was happening and gave her some extra attention, but her life was hell. She began cutting. She also wrote a hit list (unsigned) on a bathroom wall of girls she was going to take out.

The school investigated and determined that Sophie had penned the list.

**Option A:** Do nothing. Release her to the care of her mother.

**Option B:** Suspend her and insist that she get professional counseling.

**Option C:** Turn her into the police since she made threats against others.

**Option D:** Turn into the police the names on the hit list so the police can investigate potential menacing by stalking charges.

**Option E:** Deal with the incident within the school so the community doesn’t find out.

**Option F:** Have a school-wide assembly on the topic of sexting and cyberbullying.

#### **Activity 4: Pop Quiz Time**

**Directions:** Make copies of the **Fast Facts Sexting and Cyberbullying and Sexting and Cyberbullying** sections of the **Teacher/Leader Guide**. Have each of your students put together a ten-point multiple choice quiz based on what he or she has read. Have each student provide at least three to four options to each question written, making sure that only one of the responses is correct. For example:

What is one reason why kids agree to sext back and forth?

- A. To hide what they are doing from adults
- B. To get romantically involved with another person
- C. To do what kids do nowadays with available technology
- D. To show their independence

Have each student exchange his quiz with someone else in the class so each person has a quiz to take. Discuss the questions and answers referring to the printed materials once everyone is done.

### **Activity 5: Making Connections**

**Directions:** Make copies for your class of the **Legal Consequences and Personal Consequence** for both the **Sexting and Cyberbullying** sections of the **Teacher/Leader Guide**. Copy also the **Investigated Stories** section. Before you have the students read the materials, have them look over the following questions:

1. What connections do you see between the sexting and cyber bullying stories and what you know is happening in your own school?
2. Do you see any links between sexting and cyberbullying and their effects? Explain.
3. How does the impact of sexting and cyberbullying relate to other issues (exploring identity, peer pressure and acceptance, risky behaviors, other teen challenges) kids may encounter? Explain
4. How does the impact of sexting and cyber bullying **not** relate to other issues kids commonly encounter? Explain.

After the students have read the materials, group them in twos. Let them choose one of the above questions to discuss between them. Next, have them write a well-developed paragraph answering the question. Finally, have one of them read the paragraph to the entire class.

### **Activity 6: Bumper Sticker “Speak” – Poster “Philosophy”**

**Directions:** Car bumper stickers or posters hanging up in a classroom or waiting room often convey simple truths in a few words. Usually those words include graphics or some type of artwork. For example, some common bumper stickers are:

Think Globally, Act Locally

Hang Up and Drive

Sorry for Driving so Close in Front of You

If You see a Bomb Technician Running, Try to Keep Up

Be Nice to Your Kids...They'll Choose Your Nursing Home

Some common wall posters are:

If You Don't Have Time to Do It Right, You Must Have Time to Do It Over

Can You Think on Your Own or Do You Need the Media to Think for You?

Be the Change You Wish to See in the World

Everything We Hear is an Opinion...Not a Fact; Everything We See is a  
Perspective...Not the Truth

Pair up with a peer and create your own bumper sticker and/or poster that convey some simple truths about sexting and/or cyber bullying. Share your wisdom with others.

## Activity 7: Stop It

**Directions:** Go over your school's policy on cell phone and computer use as it pertains to sexting and cyberbullying. Discuss whether the policy affects anybody's behavior, especially since the drama of sexting and cyberbullying often begins outside of school only to be continued within a school. In small groups students should design a proposal to stop sexting and cyberbullying. This is to be a zero-tolerance approach. Use the following steps to help devise the proposal.

1. Fact- finding- What is happening at school? How much is happening at school? What is the connection between home and school?
2. Problem-finding- What pitfalls can you anticipate that might prevent your proposal from working? What roadblocks exist?
3. Idea-finding-What are all the possible ideas your team can think of that overcomes and pitfalls and roadblocks?
4. Solution-finding- Which idea or combination of ideas would be most effective and why?

5. Plan of action- How will your solution work? Who is responsible for it? How will it be tested to see if it's working? How do you communicate it to others? How do you get others to accept your proposal?

## Activity 8: Dear Mrs. Web

**Directions:** Advice columns are a staple of newspapers, magazines and the internet such as **Dear Abby on uExpress, Dr.M., Dear Prudence, Dear Amy,** and **Dear Mrs. Web.**

1. Using some of the advice columns as examples, students should discuss the type of letters sent to advice columnists and their responses to those letters.
2. Have students write a “Dear Mrs. Web” letter about sexting or cyberbullying based on stories they already know about or based off the **Investigated Stories** in the **Teacher/Leader Guide.**
3. Using some of the information from **Stopping Digital Misuse**, students should then write a “Dear Mrs. Web” type of response to the letter.
4. Share the letters and responses with each other and discuss the effectiveness of the advice given.

## Activity 9: To Sext or Not to Sext – To Bully or Not to Bully

### Directions:

1. Create a role-play that mimics a sexting event or a cyberbullying event. For example, a few students receive a forwarded sext that has gone viral and talk about what to do with it, or maybe a person is being pressured to join in a chat room to diss another student and confides in a friend about the situation.
2. Have the students act out the situation in front of the class.
3. Respond to the roleplay. Did the “actors” make good decisions about what they should do? What does “good” in these situations mean? What could have happened if they had responded in a more negative way to keep the event going? More positive way?

## Activity 10: Telephone

### Directions:

1. Create a fake rumor around sexting or cyberbullying.
2. Whisper the rumor from one person to another.
3. Have the message go around the entire class.
4. Ask the following questions:
  - a. What was the final take of the rumor?
  - b. Was it even close to what originally was said by the first person?
  - c. How did the message change along its path?
  - d. How does this game relate to what you know about sexting and cyberbullying rumors?
  - e. Does technology change the way messages are transmitted? How so?
  - f. How should people handle gossip?
  - g. How can you protect yourself from vicious gossip?
  - h. How can you protect yourself and others from viral gossip?

## Activity 11: Class Commandments

**Directions:** Maybe you have been a part of a group that creates its own rules of conduct. Maybe in your classroom right now rules of participation or rules about subject matter are posted on a wall for all to see.

1. Write your own individual Ten Commandments concerning sexting and cyberbullying.
2. Begin each commandment with "Thou shall not..."
3. Choose, as a class, ten commandments from the lists each of you generated. Probably some of your ideas will overlap.
4. Prepare a poster to hang on the wall for all to see.
5. Commit to the commandments. Would this be hard for you to do? Why or why not?

## Activity 12: A Jury of Peers

**Directions:** Review the **Menacing by Stalking** and **Telecommunications Law** under **Cyberbullying Descriptions** in the **Teacher/Leader Guide** . Also, review in the guide's appendix the **Standard Penalties** for these offenses. Next, present the class with the following information:

Tisha has received numerous threatening messages online such as, "You're a loser. You think you're cool, but everyone at school hates you. Thought you might want to know not to walk home by yourself. Can't wait to smash your face in." Even though Tisha hasn't been physically hurt, police are able to trace all the messages back to Becca, a girl Tisha has been harassed by for months. Becca readily admits she hates Tisha and has been sending the messages.

As a "jury" of peers, you are responsible for the following three tasks:

1. Should Becca be charged with a crime?
2. If so, should she be charged under the Menacing by Stalking Law and/or the Telecommunications Law?
3. If she is charged, what should be her punishment?

Were your tasks hard to do? Why or why not? What did you learn from this activity?

## Activity 12: Your Choice

**Directions:** As you discuss sexting and cyber bullying, you probably have thought and felt many different things. Maybe you have not always been comfortable expressing some of your thoughts and feelings. Therefore, using any of the methods listed below, create your own personal statement about these issues to share with others.

A letter

A lesson to teach

Advertisement

Block picture story

Bulletin board

Chart

Clay sculpture

Collage

Comic strip

Crossword puzzle

Detailed illustration

Diorama

Drawing

Editorial essay

Fairy Tale

Flip Book

Game

Graph

Interview

Letter to the Editor

Map with Legend

Mobile

Museum Exhibit

Newspaper Story

Pamphlet

Photo Essay

Picture Story for Children

Podcast

Power Point

Puppet Show

Puzzle

Rap

Song

Speech

Webcast

## RESOURCES

The following are additional resources on sexting and cyberbullying to access.

[www.connectsafely.org](http://www.connectsafely.org)

[www.StopBullying.org](http://www.StopBullying.org)

[www.athinline.org](http://www.athinline.org)

[www.ohioattorneygeneral.gov/CyberSafetyToolkit](http://www.ohioattorneygeneral.gov/CyberSafetyToolkit)

[www.cyberbullying.org](http://www.cyberbullying.org)

[www.enough.org](http://www.enough.org)

[www.helpguide.org/articles/abuse/bullying-and-cyberbullying](http://www.helpguide.org/articles/abuse/bullying-and-cyberbullying)

[www.safestates.org/associations/5805/files/educatorsguide.pdf](http://www.safestates.org/associations/5805/files/educatorsguide.pdf)

## Appendix 1 Juvenile Sex Offenders in Ohio

Under Ohio law sexting between juveniles can result in felony charges because the Ohio Revised Code prohibits the pandering of sexually-oriented material involving a minor. The degree of the felony depends on how the nudity-oriented material is used.

- The transferring of material is a second-degree felony
- The consent to photograph a minor in nudity-oriented material is a fourth-degree felony
- The possession or viewing of the material is a fifth-degree felony

Juveniles who are convicted for sending, receiving or sharing sexually-oriented material may also have to register as a juvenile sex offender. The type of registration (Tier I, II, or III) is at the court's discretion. Juvenile courts may also review the registration requirement over time and either reduce the level of registration or terminate the registration requirement.

### Age of Offender:

- Under 14 - No registration as juvenile sexual offender may be made if the juvenile is under the age of 14 at the time he or she committed the offense.
- Fourteen/Fifteen - Juveniles who are 14 or 15 years of age at the time of committing a sexually oriented offense may be classified as a sexually-oriented offender. The decision on whether they must register is left to the discretion of

the court. If a 14 or 15-year-old has more than one sexually oriented offense, then the registration becomes mandatory.

- Sixteen/Seventeen - Juveniles who are 16 or 17 years of age at the time of committing a sexually oriented offense are required to register as a juvenile sexual offender.

#### Level of Registration:

Tier I – Lowest level. Required to register once per year for a period of ten years

Tier II – Middle level. Required to register every six months for twenty years

Tier III – Highest level. Required to register every 90 days for life

#### Community Notification:

Offenders who are classified as Tier III offenders may be subject to community notification, a process by which schools and other locations are informed of the presence of a sex offender in the community. The decision on whether to require community notification in Tier III case is left up to the judge.

#### Collateral Consequences:

Juveniles convicted of sexting can also encounter other consequences. Revocation of college admission, loss of college scholarships or other issues concerning their education and graduation from high school are potential collateral consequences. A conviction may also imperil a teen's future ability to obtain professional licenses or

employment in a variety of public sector jobs.

### Legal Punishments:

Judges can impose different punishments upon teens depending upon the age of the offender, the tier level assigned to the offender, and other considerations deemed important to the court. A few of the punishments are listed below.

- Commit the teen to a detention center
- Commit the teen to the Department of Children Services for an extended period if the offense is serious
- Place the teen on probation
- Assign the teen community service up to 500 hours
- Fine the teen
- Assign the teen to a diversion program

## **Appendix 2 Menacing by stalking/Telecommunications Harassment**

Cyberstalking can be punished in Ohio under two different statutes: Menacing by Stalking or Telecommunications Harassment Law. Essentially both laws detail the acts and punishments involved when a perpetrator abuses, threatens or harasses another person including online. Since many cyberstalking allegations are also sexual in nature, a teen can be charged under these two statutes and as a juvenile sex offender if the victim feels threatened or abused also.

### Menacing by Stalking: Ohio Revised Code 2903.21

(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person. (2) No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation of division (A)(1) of this section. (3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

### Telecommunications Harassment: Ohio Revised Code 2917.2

(A) No person shall knowingly make or cause to be made a telecommunication, or knowingly permit a telecommunication to be made from a telecommunications device under the person's control, to another, if the caller does any of the following:

(1) Makes the telecommunication with purpose to harass, intimidate, or abuse any person at the premises to which the telecommunication is made, whether or not actual communication takes place between the caller and a recipient;

(2) Describes, suggests, requests, or proposes that the caller, the recipient of the telecommunication, or any other person engage in sexual activity, and the recipient or another person at the premises to which the telecommunication is made has requested, in a previous telecommunication or in the immediate telecommunication, that the caller not make a telecommunication to the recipient or to the premises to which the telecommunication is made.

#### Collateral Consequences:

Juveniles convicted of stalking by menacing or telecommunication harassment can also encounter other consequences. Revocation of college admission, loss of college scholarships or other issues concerning their education and graduation from high school are potential collateral consequences. A conviction may also imperil a teen's future ability to obtain professional licenses or employment in a variety of public sector jobs.

#### Legal Consequences: Misdemeanor or Felony

Menacing by Stalking is usually charged as a first-degree misdemeanor. However, there are some circumstances that could qualify the offense as a fourth-degree felony. There are nine such circumstances, which include:

- This is not the first cyberstalking offense for the defendant

- Physical harm was directly threatened
- Trespassing was involved in the offense
- The victim was under the age of 18
- The defendant has a violent history
- The defendant had a deadly weapon
- The defendant had a protection order filed against them at the time
- The alleged victim suffered serious physical harm on their own property at the hands of the defendant
- Prior to the offense, the defendant engaged in behavior that evidenced a threat to themselves or others

### Penalties Assessed

If convicted of a first-degree misdemeanor, a person can receive a potential sentence of up to 6 months in custody and up to a \$1,000 fine. A fourth-degree felony can come with a presumptive sentence of up to eighteen months in custody and/or a maximum fine of \$5,000.

### Investigative Agencies

The Ohio Cyber Crimes Unit of the Bureau of Criminal Investigation is responsible for investigating cyberstalking. When cyberstalking allegations involve an alleged victim(s) from another state, the FBI can also be involved in the investigation. However, Ohio's Crimes Against Children Initiative may also be called in since it has experience investigating online chat, peer-to-peer sharing and other uses of computer technology.

