

## What is sexting?

Sexting (sex and texting) is sex messages and images.

### Connecticut Law

- Does not define “sexting”
- Includes photo or video images but does not include messages
- Includes sending or receiving images using a cell phone, computer or tablet

### Sending or possessing a sext message are both against the law.

It is against the law to:

- Use a cell phone, computer or tablet to send a sexually explicit photo or video of yourself (if you are under 16) to someone who is under 18
- Possess (if you are under 18) a photo or video of someone under 16 engaged in sexual conduct

## Penalties for sexting

### Sexting may be a misdemeanor or a felony.

Penalties depend on the age of the person sending or receiving the message, and how many images that person possesses.

#### Misdemeanor

To qualify for a reduced penalty (misdemeanor), the following must all be true:

- sender must be under age 16
- recipient must be under age 18
- sender must be the subject of image

#### Felony

Possession, sending or receiving images of someone under age 16 engaged in sexual conduct is a felony (child pornography) if:

- recipient is 18 or older
- image is of someone other than sender



## What is child pornography?

Child pornography is photos or video of someone under 16 engaged in sexual conduct.

### First Degree Child Pornography - Class B Felony

Possession of:

- 50 or more images
- 1 or more images of infliction or threat of serious physical injury
- 2 or more video or film frames, that depict
- more than one child engaged in sexual conduct
- more than one act of sexual conduct by one or more children
- Any combination of video or film that shows an act of sexual conduct by one child

### Second Degree Child Pornography –Class C Felony

Possession of:

- 20 – 49 images of child pornography
- 20 or more video or film frames that depict an act of sexual conduct by one child

### Third Degree Child Pornography –Class D Felony

Possession of:

- Under 20 images of child pornography
- Under 20 video or film frames that depict an act of sexual conduct by one child

## Penalties for Child Pornography

### Child pornography is a felony.

#### Under age 18

For someone under 18 convicted in Juvenile Court for possessing child pornography, penalties are same as sexting.

Someone as young as 15 may have his/her case transferred from Juvenile Court to adult criminal court and face same penalties as an adult, including:

- loss of confidentiality
- loss of right to vote, hold certain offices, obtain certain licenses and professional certificates)
- possible incarceration in adult correctional facility
- registry as a sex offender

#### 18 or older

For someone 18 or older or transferred from Juvenile Court to adult criminal court:

Child pornography in First Degree – Class B felony

- 5 - 20 years in prison
- Fine up \$15,000

Child pornography in Second Degree – Class C felony

- 2 - 10 years in prison
- Fine up \$10,000

Child pornography in Third Degree – Class D felony

- 1 - 5 years in prison
- Fine up \$5,000

See exceptions on other side

## Exceptions to Child Pornography Penalties

Someone charged with child pornography may be able to avoid conviction if he/she:

- Possessed fewer than 3 images
- Did not knowingly purchase, procure, solicit or request the images or knowingly take any action to cause the images to come into his/her possession
- Promptly and in good faith, and without keeping or allowing anyone except law enforcement to view or copy the images, took reasonable steps to destroy each image or reported them to law enforcement and gave that agency access to each image
- Possessed an image of a nude person under 16 for a genuine artistic, medical, scientific, educational, religious, governmental or judicial purpose

## Don't Send a Sext Message!

Once an image is sent, it is always online and anyone can find it.

People send it to each other - even if they say they won't.

This affects your future, your family, and your friendships.

It causes bullying and exclusion.

It affects your well-being.

**Don't send a sext!**



## Need Help?

### Information about your legal rights

[speakupteens.org](http://speakupteens.org)  
[cca-ct.org](http://cca-ct.org)

Hartford Office  
860-570-5327

Bridgeport Office  
203-335-0719

### Center for Children's Advocacy

[speakupteens.org](http://speakupteens.org)  
[cca-ct.org](http://cca-ct.org)

This brochure is intended as reference only and should not be interpreted as legal advice. If you need specific information about the law, please call 860-570-5327 or 203-335-0719.

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# Sexting

## is against the law.

## Read this to find out what could happen.