

Bullies circulating nude photos takes toll on girls

January 14, 2011

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Melanie Paradis felt hampered every time she applied for a job, fearing that a stupid act at 15 - she stripped on video, sent it to her boyfriend, it was passed around - - would hold her back. Now 25 she says she wants girls to know the effect it's had on her: "I don't want to live in the shadow of that fear anymore."

VINCE TALOTTA/TORONTO STAR/TORONTO STAR

Picture this: A bunch of 15-year-olds are watching television in the basement, half tuned to a hockey game, half tuned to their cellphones. And then, to their surprise, the image of a nude girl, one of their classmates, appears on one of their phones. What do they do? They send it on.

Thoughtless fun or malicious bullying? Legal or illegal?

Melanie Paradis describes how she was haunted for years after she sent a boy she liked a video in which she stripped out of her school uniform. She was 15. Her video was

exchanged by that boy for a joint. The second boy threatened to pass on the video to others, unless she performed sex acts.

She refused.

“Anything that instills fear in you and prevents you from going about your daily life — in school we'd call it bullying,” says Paradis, now a confident, well-spoken 25-year-old. “It's a crippling sense of self-doubt you carry about that prevents you from living life to the fullest.”

By writing about her experience in the *Toronto Star*, Paradis says she is now stepping out of the “shadow of fear.” When she went to university, she was afraid stories of the video would follow her, so she altered her ambitions. She'd wanted a career in politics, but instead studied planning in graduate school, “where I could spend the rest of my days hidden in a back room at a desk.” When she applied for jobs she feared employers would reject her.

Allyson Pereira, a 21-year-old New Jersey college student, has also felt the sting and shame of being cyberbullied. When she was 16 her ex-boyfriend said they could get back together if she sent him a naked picture. She impulsively sent a photo of herself bare breasted. The taunts, threats and humiliation began the next day at school, where students held up their phones and laughed at her.

Why subject themselves to this?

Paradis says she was an “insecure young girl.”

“I didn't feel I was pretty and that boys would like me. At that age, when someone even hints that they do, you do all kinds of stupid things.”

Pereira sees what she did in the context of teens trying to find themselves. “You want to find a relationship and when you do you start to be intimate in different ways — using technology, it's the new thing people do. . . I didn't even think of what I was doing. I honestly thought I was going to get married to this guy. I look back and laugh because it's the stupidest thing I could have thought.”

She did it to please a boy.

“He was my first boyfriend and I didn't know how a boy was supposed to treat girls.”

Pereira didn't talk about her trials until she learned about two girls who were literally hounded to death: Jesse Logan, 18, from Ohio and Hope Witsell, 13, from Florida

committed suicide after nude pictures they'd sent to boys they liked were sent around their schools.

“It was almost freaky, how similar our stories were. How they were treated in school, the names they were called. When they said they felt hopeless, I knew exactly how they felt and I felt I had to speak out to help anyone else out there.”

She now speaks at local schools and has appeared on an MTV campaign on the dangers that can come with digital dating.

Here in Canada, in addition to bullying, teens who share nude images of minors — anyone under 18 — *could* be charged under child pornography laws. It sounds harsh, given that they are kids themselves, hardly thinking about the consequences.

A Supreme Court ruling in 2001 made an exception to the offence of possessing these images — it's not illegal if they are held by the person depicted or the person who created them for their private use, as long as they show no unlawful activity and are held with the consent of the person who is depicted.

The ruling wasn't made to deal with sexting, as passing on sexually provocative images is called, says Hamish Stewart, a University of Toronto law professor. But that's where it's now being applied.

“This exception may apply where the image is kept only by the two young people involved in making it, but even that is very risky behaviour, because the exception definitely does not apply if the image is shared with anyone else,” says Stewart.

Educators, lawmakers, parents and police in Canada are now grappling with the best way to respond to sexting. So far the approach has been mainly education rather than prosecution. This week, for instance, police, representatives from the Crown attorney's office, safe schools, restorative justice programs and others in Durham region met to discuss ways to integrate school and police response to sexting and other problematic uses of new technology.

“In Canada we don't have a uniform policy,” says Andrea Slane, an associate professor in the legal studies program at the University of Ontario Institute of Technology. “And that's what we are trying to work toward.”

“Basically the Supreme Court has said we don't want to apply child pornography laws in cases where minors are exploring their intimate connections through sexual photography.”

It's a very narrow exception that's removed as soon as the image is circulated outside that intimate partnership. You can't show it to anybody else.”

It's clear, says Slane, that educators and police know teens make dumb decisions. “The trick is coming up with appropriate responses that fit the circumstances.”

“We're not in the business of arresting 15-year-olds sending pictures to each other,” says Toronto police Detective Paul Krawczyk. “But if someone takes that and maliciously sends it around for shame or extortion they could be charged with distribution of child pornography.”

Context is everything. Are the teens sharing the images consensually? Is the sharing done as part of an intimate relationship? Is sharing a form of harassment? Or, do they think passing on nude images is normal — given it seems not to be a problem for reality television stars and celebrities.

If teens think sexting is more common than it really is, they may believe that everyone is doing it, says Jane Tallim, coexecutive director of Media Awareness Network in Ottawa. “So if you demonstrate that it's not as prevalent, if they know that they are not alone, it's easier for youth to stand up.

“We tell children to stop and think. By being passive, by not saying anything and passing these images along, they are contributing to bullying behaviour by continuing to embarrass or harass this person.”

In the United States, police have dealt more harshly than Canadian authorities with teens possessing or transmitting nude photos of other teens. But that is changing. “Thankfully more and more states are saying this is adolescent indiscretion and we cannot charge them with sex crimes. These laws were written for adults preying on minors,” says Sameer Hinduja, associate professor at Florida Atlantic University and co-director of the Cyberbullying Research Center.

But civil court is still an option. “Some jurisdictions that are very conservative come down hard on families citing invasion of privacy, intentional infliction of emotional distress.”

Hinduja will be among the speakers at a conference called The Many Faces of Bullying to be held in Toronto in March. “When we get in front of students we say, ‘please, don't ever take images of yourself in compromising situations.’ ”

In the United States, he tells them, “there could be criminal laws transgressed, law enforcement will always get involved, whether a slap on the wrist or child pornography charges, where you can be labelled as a sex offender and be placed on a sex registry for

the rest of your life. You can't live close to a school or child-care centre and you'll have trouble finding a job.”

Last November, the Houston *Chronicle* ran an editorial urging authorities to pull back from prosecuting teens for transmitting suggestive photos. In Texas, the editorial noted, minors charged with sexting can face felony charges, penalties from two to 10 years in prison and fines up to \$10,000. Prevention and education are more effective than the threat of prison, the paper argued.

Educators praise women like Pereira and Paradis for their courage in talking about mistakes they made as teens. Not that it was easy. As Paradis says, “I fought hard against this. I could let them, the bullies, change me as a person and they'd win, or I could keep the parts of me worth keeping. There isn't anything that hurt more than that.”

Personal stories — especially those where the ending is not extreme, as in the cases of suicide — resonate with teens, says Noni Classen, director of education for the Canadian Centre for Child Protection. “They want to hear stories that are reminders of what can happen and why they should be careful — ‘oh my gosh, I could so seeing this happening.’ It reminds them that they need to pay attention.”