



7521 Main Street, Suite 103
Omaha, Nebraska 68127

(402) 597-3100
www.voicesforchildren.com

BOARD OF DIRECTORS

Eric Johnson
President

Katie Weitz, PhD
Vice President

Lorraine Chang, JD
Secretary

Bruce Meyers
Treasurer

Amy Boesen
Gary Bren
Wes Cole, MBA
Al Davis
Jeremy Fitzpatrick, JD
Aaron Ford, MBA, MSW
Noah Greenwald, JD
Gatsby Gottsch Solheim, JD
Susan Mayberger, MA
Dulce Sherman, MA
John Stalnaker, JD

Aubrey Mancuso, MSW
Executive Director

March 21, 2019

To: Chair Lathrop and Members of the Judiciary Committee
From: Juliet Summers, Policy Coordinator at Voices for Children in Nebraska
Re: **LB 630 – Create the offense of sexual extortion and change elements and penalties for sexual offenses**

Teenagers thrive when we respond to their normal developmental behaviors in age-appropriate ways. Voices for Children in Nebraska supports LB 630, because it contains provisions that would decriminalize mutually consensual teenage sexting without requiring trial.

“Sexting” is a form of sexual expression in which explicit content, such as nude images, are sent in a message. **Studies indicate that about one in four teenagers engage in sexting, which can lead to serious consequences under our criminal law.**¹ Our current law treats consensual teenage sexting presumptively as child pornography, with an affirmative defense that must wait to be proved at trial. This response is contrary to what we know about teenage behavior and sexual exploration. Prosecution of child pornography for a consensual act like sexting implies that the willing sender or receiver is a predator. Required registration as a sex offender under these circumstances could brand a teenager for life. **Frighteningly, severe protocols treating sexting as a crime have led to instances of teenage suicide, due to heavy stigmas and social consequences.**²

Our laws regarding youth and sex should reflect the progression of technological advancement in normal adolescent behavior. The appropriate place for adolescents to learn about safe sexuality is from parents, families and schools, not courtrooms. Unfortunately, the structure of our current law requires schools to report to law enforcement all discovered instances of teenage sexting as child pornography, without regard to expressed consent of the participants. By taking mutually consensual sexting out of the category of child pornography entirely, LB 630 will allow adolescents to recover from questionable choices and move on with their life and future.

For all the foregoing reasons, I would like to thank Senator Morfeld for bringing this bill to modernize Nebraska statute regarding mutually consensual teenage sexting, and this Committee for your time and attention.

¹ Eli Rosenberg. *One in Four Teens are Sexting, a New Study Shows. Relax, Researchers Say, it's Mostly Normal.* Washington Post. Feb 27, 2018. Available at: https://www.washingtonpost.com/news/the-switch/wp/2018/02/27/a-new-study-shows-one-in-four-teens-are-sexting-relax-experts-say-its-mostly-normal/?utm_term=.657a6a2b717b

² David J. Ley, Ph.D. *We Can't Stop Teens from Sexting.* Psychology Today. Jul 5, 2018. Available at: https://www.psychologytoday.com/us/blog/women-who-stray/201807/we-cant-stop-teens-sexting?amp_twitter_impression=true