

SEXTING

The Law and What Teens Should Know

Sexting" involves the sending of nude or sexually suggestive images electronically, whether through text messaging, social media, or email. Sexting has become especially common among teenagers and can easily be used to harass others.

Relevant NC Laws

Sexual Exploitation of a Minor

In North Carolina, it is a felony to create, share, or possess an image of a minor who is engaged in sexual activity. Adults and minors can be charged with this crime. This crime can range from 3rd degree to 1st degree, and depending on the degree teens 16 or 17 can be tried in Adult Court. If you are convicted of sexual exploitation of a minor in Adult Court, you must register as a sex offender. Failure to register is a felony.

Disseminating Harmful Material to a Minor

In North Carolina, it is a crime to send "harmful material" to a minor, which includes any depiction of sexually explicit nudity or sexual activity. This makes it a crime to sext to a minor, even if you don't have images of the minor. It can be a misdemeanor or felony offense, depending on the circumstances.

Examples

- A 16-year-old boyfriend takes a nude selfie of himself and texts it to his 16-year-old girlfriend. The boyfriend can be charged with creating & sharing the image & the girlfriend can be charged with possessing a nude image of a minor. They can still both be charged even if they consented to creating and possessing images.
- A 18-year-old boyfriend takes a nude selfie of himself and texts it to his 17-year-old girlfriend. The boyfriend can be charged with disseminating harmful material to a minor.

**TALK TO TEENS
ABOUT SEXTING.
IT'S NOT WORTH
THE RISK.**

If you or someone you know has been hurt
by sexting or harassment involving
sexting, contact

Outer Banks Hotline's 24/7 Crisis Line
252-473-3366

*This information is
provided for
informational purposes
only and does not
constitute legal advice.*

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SPACE** LGBTQIA

