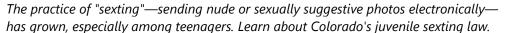
# **COLORADO SEXTING LAWS**

#### **For Teens and Minors**





Colorado is one of the states that has adopted legislation specifically addressing sexting by teenagers younger than 18. The law provides prosecutors a charging option that allows minors to avoid a **felony record** and **sex offender registration**. Felony charges remain an option if the conduct involved goes beyond the juvenile sexting statute.

### **Consensual Exchange of Private Images**

Consensual sexting (or exchange) of private images by a juvenile no longer constitutes a crime but continues to be prohibited under Colorado law. A juvenile who sends a sexually explicit selfie to another person or receives a sexually explicit image of another person commits a civil infraction. The court can require the juvenile to pay a \$50 fine and participate in programming that addresses the risks of sexting.

## **Possessing a Private Image Without Permission**

A juvenile who knowingly possesses, through digital or electronic means, a sexually explicit image of a person without permission commits a petty offense. A juvenile can avoid a violation of this section by taking action within 72 hours to: destroy or delete the image or report the image to law enforcement or a school resource officer.

#### **Posting or Distributing Images Without Permission**

The law makes it a class 2 misdemeanor for a juvenile to:

- post or distribute a private, sexually explicit image of another person, or
- post or send a sexually explicit selfie to a person who did not request the image and who suffered emotional distress

The penalty increases to a class 1 misdemeanor if the sexting involves harassment, a repeat offense, or possession of multiple images depicting multiple individuals. (Colo. Rev. Stat. § 18-7-109 (2019).)

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