





u r cute

MySpace Teen Demonstrates Larger Problem



June 12, 2006

Katherine Lester's parents thought they had no reason to doubt their daughter when she told them she needed a passport for a trip to Canada with friends.

The 16-year-old Gilford, Mich., honor student had never deceived them.

However, Lester really needed the passport to head to Israel's West Bank, one of the most dangerous parts of the world, to meet a 25-year-old man whom she had met on MySpace.com.

Lester apparently flew to the Middle East last Monday. At first, her family had no idea where she had gone, and made a public plea.

"Please come home. Katherine, please. We need you," said her sister, Mary Lester.

Soon the FBI unraveled the mystery. It seemed that Lester had been corresponding for about three months with a man on MySpace.com.

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MySpace Teen



June 23, 2006

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Teen Plans to Marry Man She Met on MySpace

A Michigan teenager who met a man on the Internet and secretly flew to the Middle East to meet him before being captured by the FBI still plans to marry him, she says.

"I love him very much," Katherine Lester told "Good Morning America" in an exclusive television interview. "I'm definitely going to marry him."

Lester, who turned 17 on Wednesday, first met Abdullah Jimzawi, 20, seven months ago on the popular Web site MySpace.com. She said she fell in love with him, and together they devised a plan so the two could be together.

Lester lied to her parents, told them she needed a passport to go to Canada with friends, and then disappeared from her mother's home on June 5. The family was frantic.

"Please come home, Katherine," Mary Lester, Lester's sister, tearfully pleaded to cameras when the teenager disappeared. "Please. We need you."



JUDY BIGGERT

CONGRESSWOMAN

13TH DISTRICT OF ILLINOIS

Deleting Online Predators Act (DOPA)

2006



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The not-so-long arm of the law

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By Julian Sher

Emily Vacher has seen more of the dark side of the Internet than most people. As one of the FBI's star undercover agents who go online posing as teenagers to nab child predators lurking on the Web, she has arrested dozens of men.

But these days, Vacher spends a lot of time in high schools warning teenage girls — and their parents — about the dangers of producing their own porn.

Older men disguise their true identities on sites such as MySpace; they send young girls pictures of themselves or for blackmail.

The National Center for Missing and Exploited Children (NCMEC) is finding that as many as 10% of the photos on the Web are older teens who take compromising pictures of themselves.

RELATED: Internet | Democrats | Illinois | Ohio | Justice Department | Yahoo | YouTube | New Hampshire | Exploited Children | National Center for Missing | Naperville | Republican | John McCain | Friendster | Crimes Against Children Research Center | Xanga | MySpace Web | Two-thirds | Connecticut Legislature | John Wentworth | Richard Blumenthal

This new twist to Web crime should give pause to anyone who takes too much comfort from a flurry of new proposals — from Republican Sen. John McCain to Democrats in the Connecticut Legislature — that promise to crack down on online predators.

Worthy as some of these efforts may be, there is simply no quick legal or technological fix to the social problem that Internet predators have become.

It's 11 p.m. Do you know where your child is on the Web tonight?

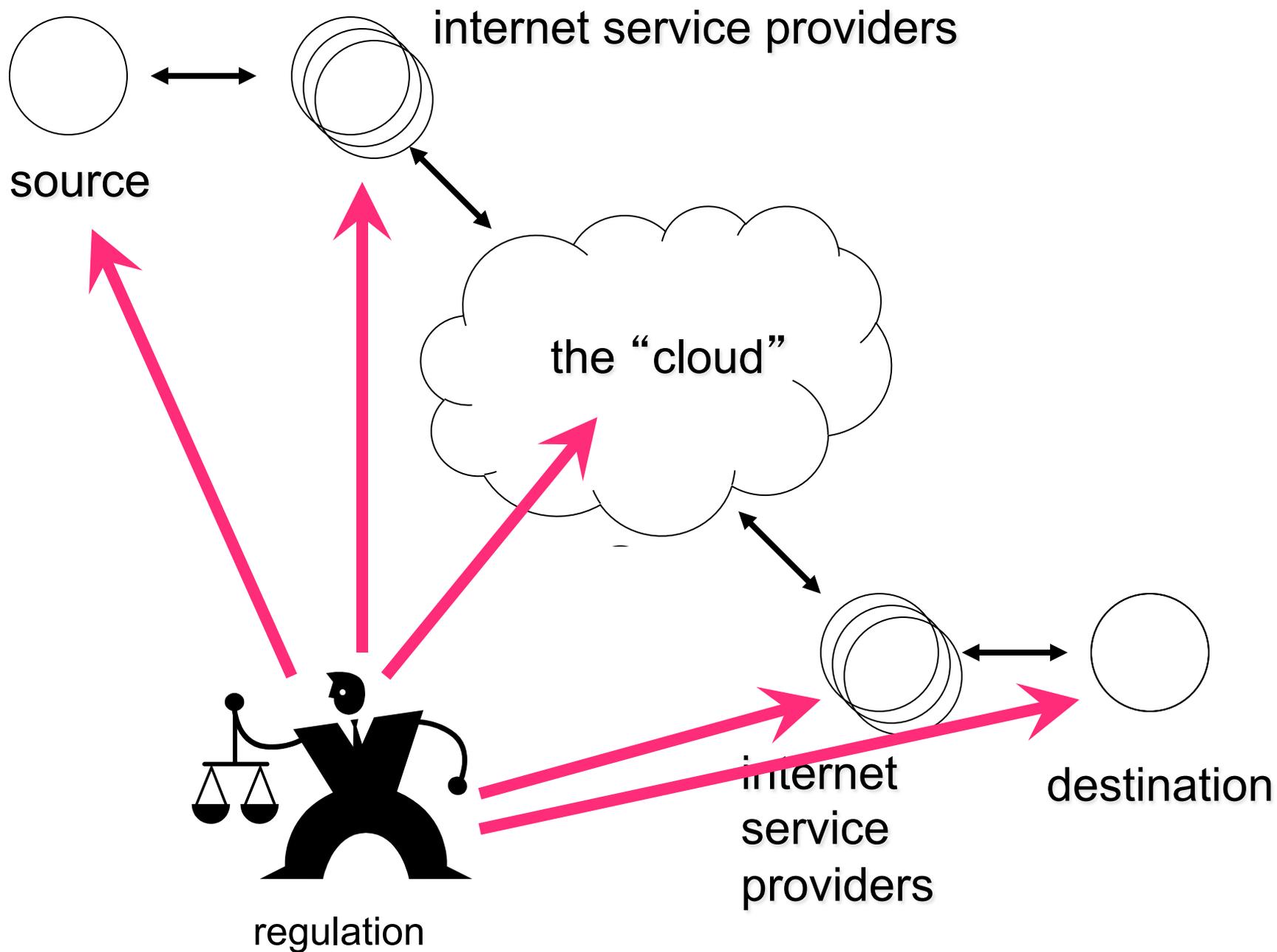


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Regulating speech

How the Net changes attitudes
and assumptions, and creates
new societal tensions
and unintended consequences

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The First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.



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Under penalty of sanctions, members of the university community may not stigmatize or victimize individuals or groups on the basis of race, ethnicity, religion, sex, sexual orientation, creed, national origin, ancestry, age, marital status, or handicap.



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Doe v. University of Michigan

While the Court is sympathetic to the University's obligation to ensure equal educational opportunities for all of its students, such efforts must not be at the expense of free speech.

-- US District Judge Avern Cohn, Sept. 22, 1989

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Miller Test

- Whether the work depicts/describes, in a patently offensive way, sexual conduct specifically defined by applicable state law,
and
- Whether the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest,
and
- Whether the work, taken as a whole, lacks serious scientific, literary, artistic, or political value.

US Supreme Court, *Miller v. California* (1973)

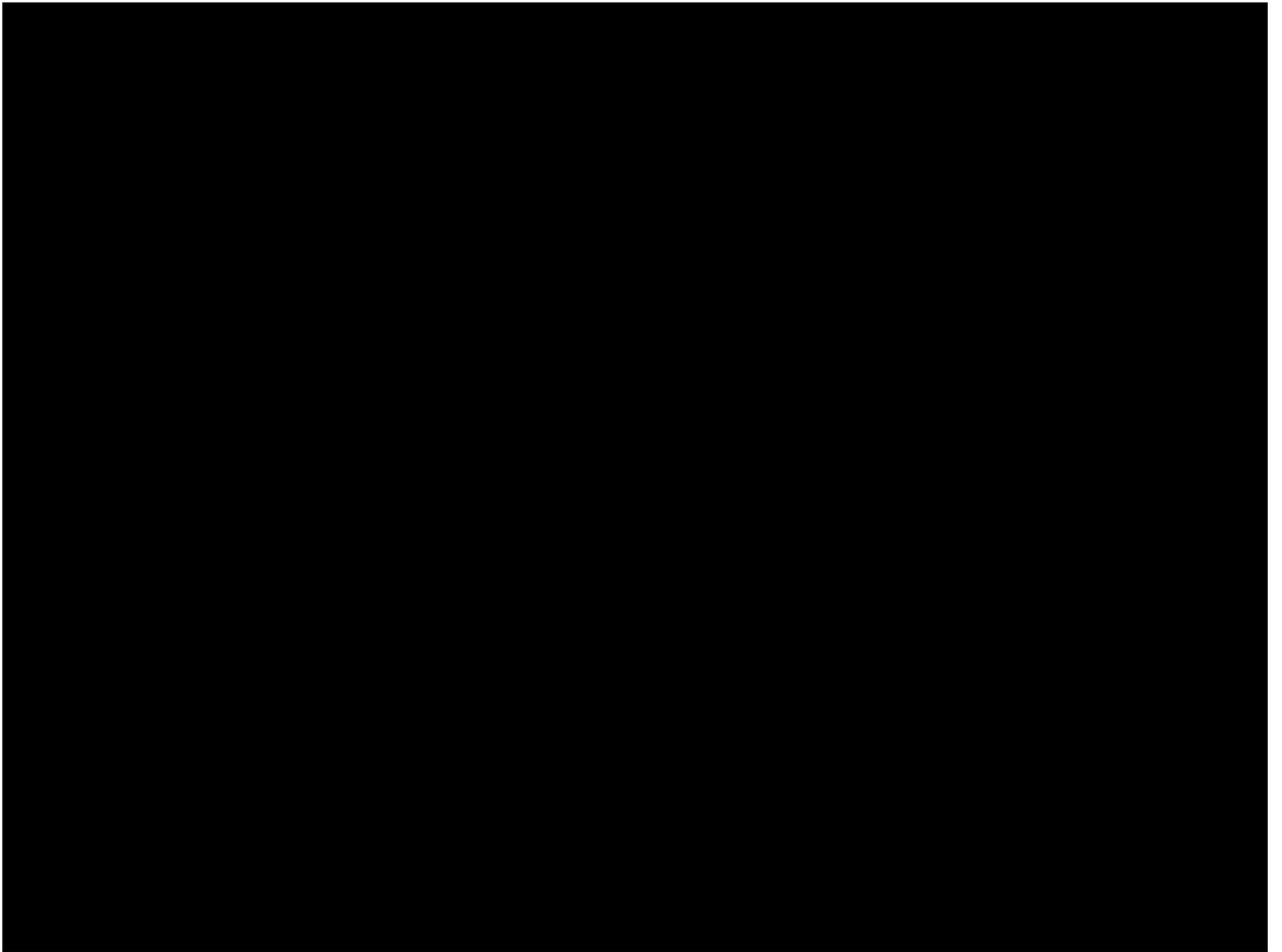
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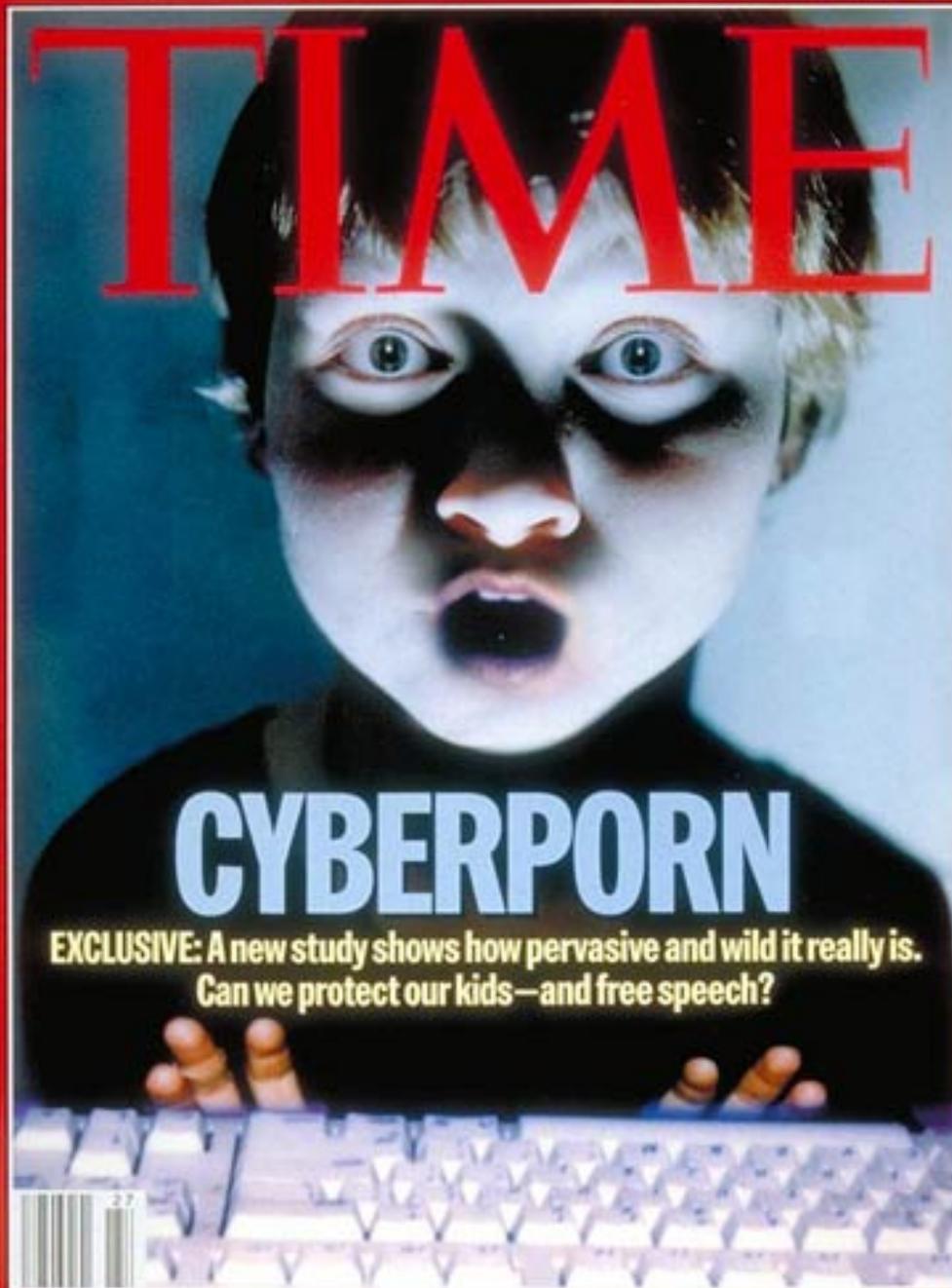
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US Supreme Court, *Miller v. California* (1973)

*The nastiest
place on earth*





July 3, 1995

Marketing Pornography on the Information Superhighway:

A Survey of 917,410 Images, Descriptions, Short Stories, and Animations Downloaded 8.5 Million Times by Consumers in Over 2000 Cities in Forty Countries, Provinces, and Territories Marty Rimm^[*]

I. Overview

A. Pornography

As Americans increasingly computer literate, they are discovering an unusual and exploding repertoire of pornographic imagery on computer networks.^[2] Every time consumers log on, their transactions assist pornographers in compiling databases of information about their buying habits and sexual tastes. The more sophisticated computer pornographers are using these databases to develop mathematical models to determine which images they should try to market aggressively. They are paying close attention to all forms of paraphilia, including pedophilic, bestiality, and urophilic images, believing these markets to be among the most lucrative. They are using the Internet Web to advertise their products and maintaining detailed records of which images are most popular.

In addition to the technical advances in the past few years, however, pornographers have found new channels they offer to penetrate markets throughout the world where pornography has been historically restricted, including China, Saudi Arabia, Malaysia and Turkey.^[3]

Computer pornographers are also moving from a market saturation policy to a market segmentation, or even individualized, marketing phase. Until now, most have saturated customers with tens of thousands of images, reasoning that their customers would inevitably find material that they liked. However, few customers have the

The market leader among "adult" BBS, Amateur Action BBS, ...

83.5% of all images posted on [the net] are pornographic.

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Communications Decency Act (Feb. 1996) “Display provision”

Whoever ...

(1) in interstate or foreign communications knowingly ... uses any interactive computer service to display in a manner available to a person under 18 years of age, any comment, request, suggestion, proposal, image, or other communication that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs, regardless of whether the user of such service placed the call or initiated the communication; or...



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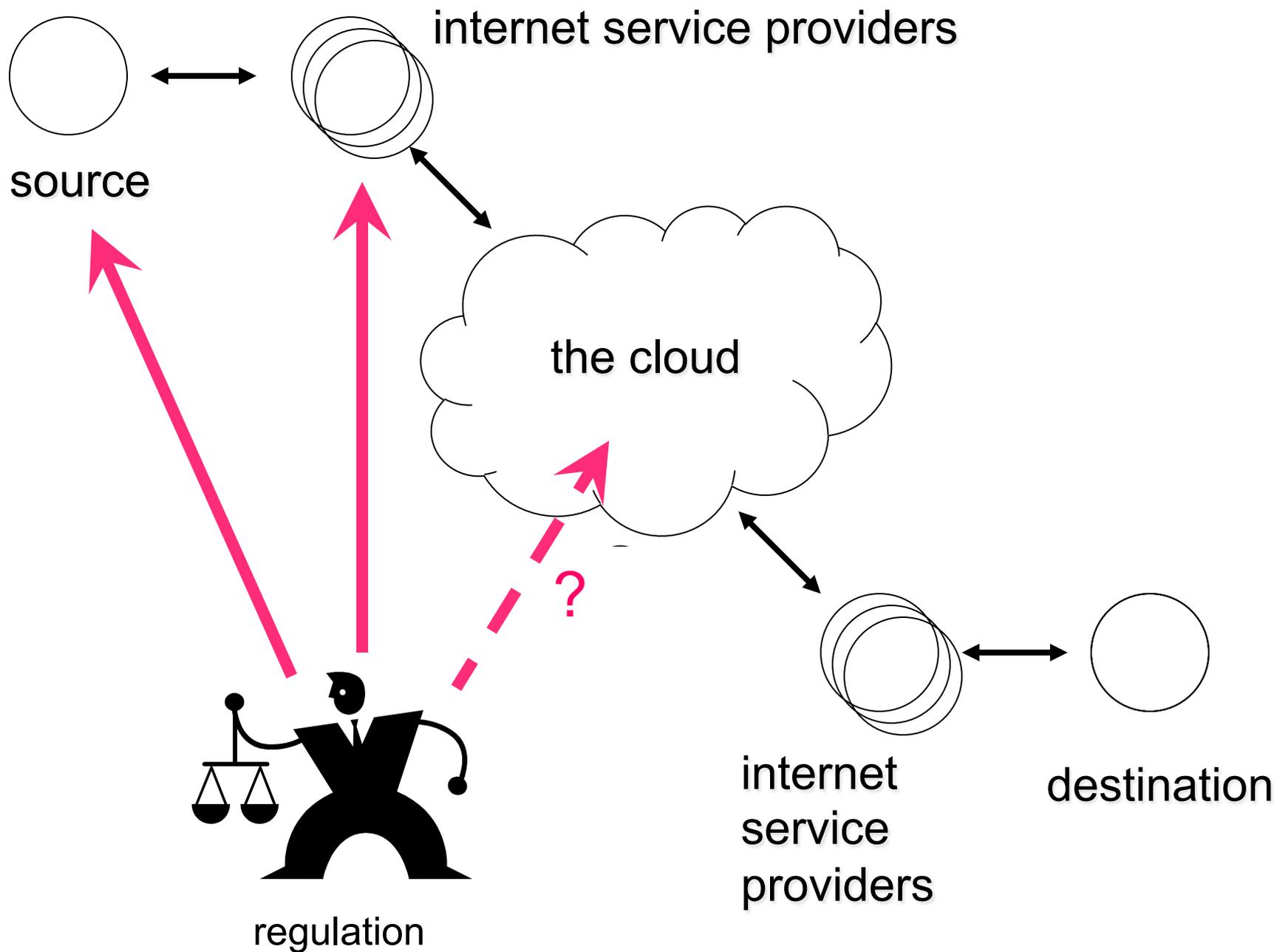


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Communications Decency Act (Feb. 1996) “Display provision”

(2) knowingly permits any telecommunications facility under such person's control to be used for an activity prohibited by paragraph (1) ...

shall be fined under title 18, United States Code, or imprisoned not more than two years, or both.



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Communications Decency Act (Feb. 1996)

- Policy: It is the policy of the United States to ... remove disincentives for the development and utilization of blocking and filtering technologies that empower parents to restrict their children's access to objectionable or inappropriate online material...

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Communications Decency Act (Feb. 1996) (Good Samaritan Provision)

No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.



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Defamation

Statement that is

1. False
2. Communicated to a 3rd party
3. Causes damage

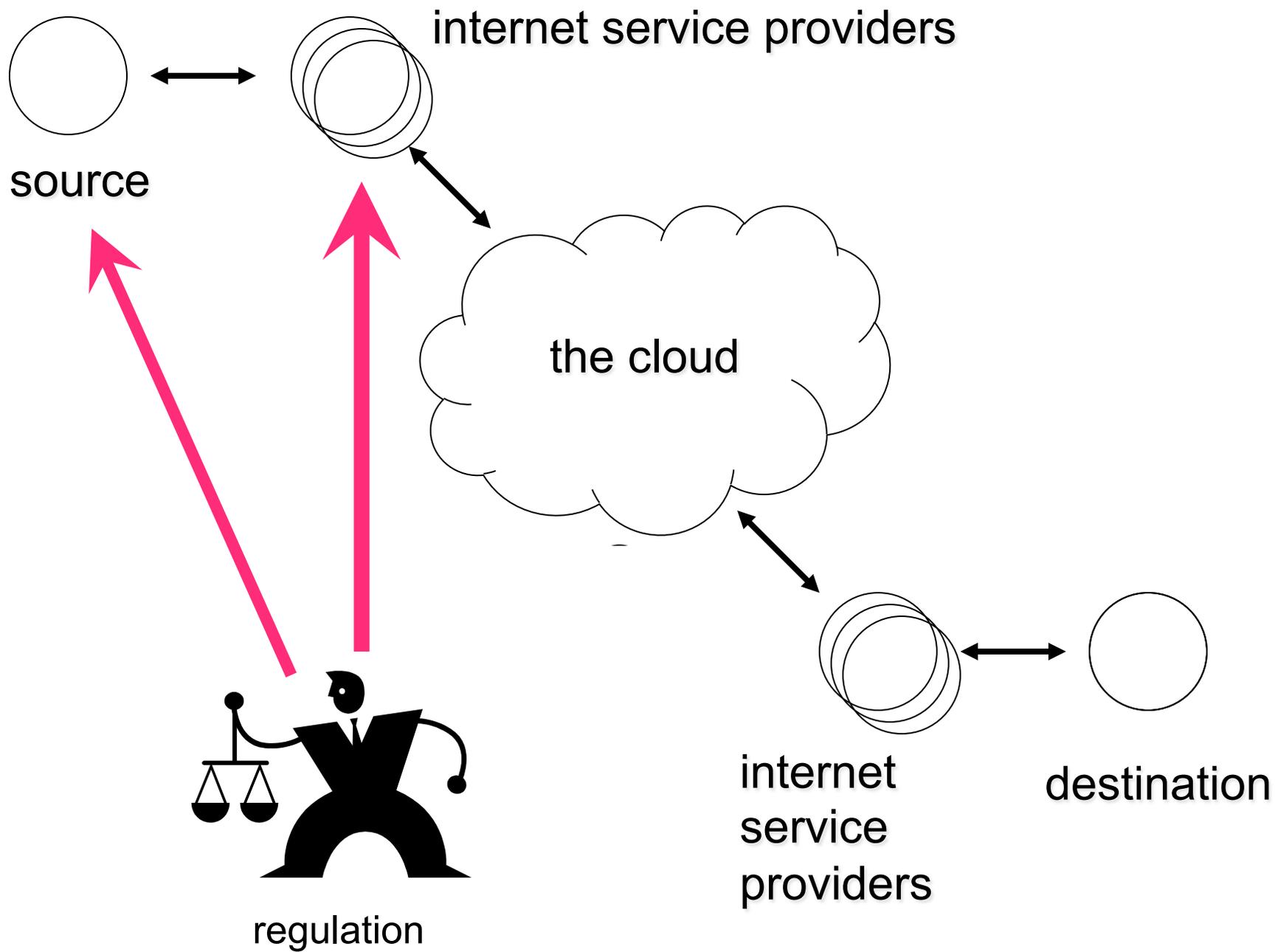
- Slander = oral
- Libel = written



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Cubby v. CompuServe (1991)

“...CompuServe, as a news distributor, may not be held liable if it neither knew nor had reason to know of the allegedly defamatory Rumorville statements ...”



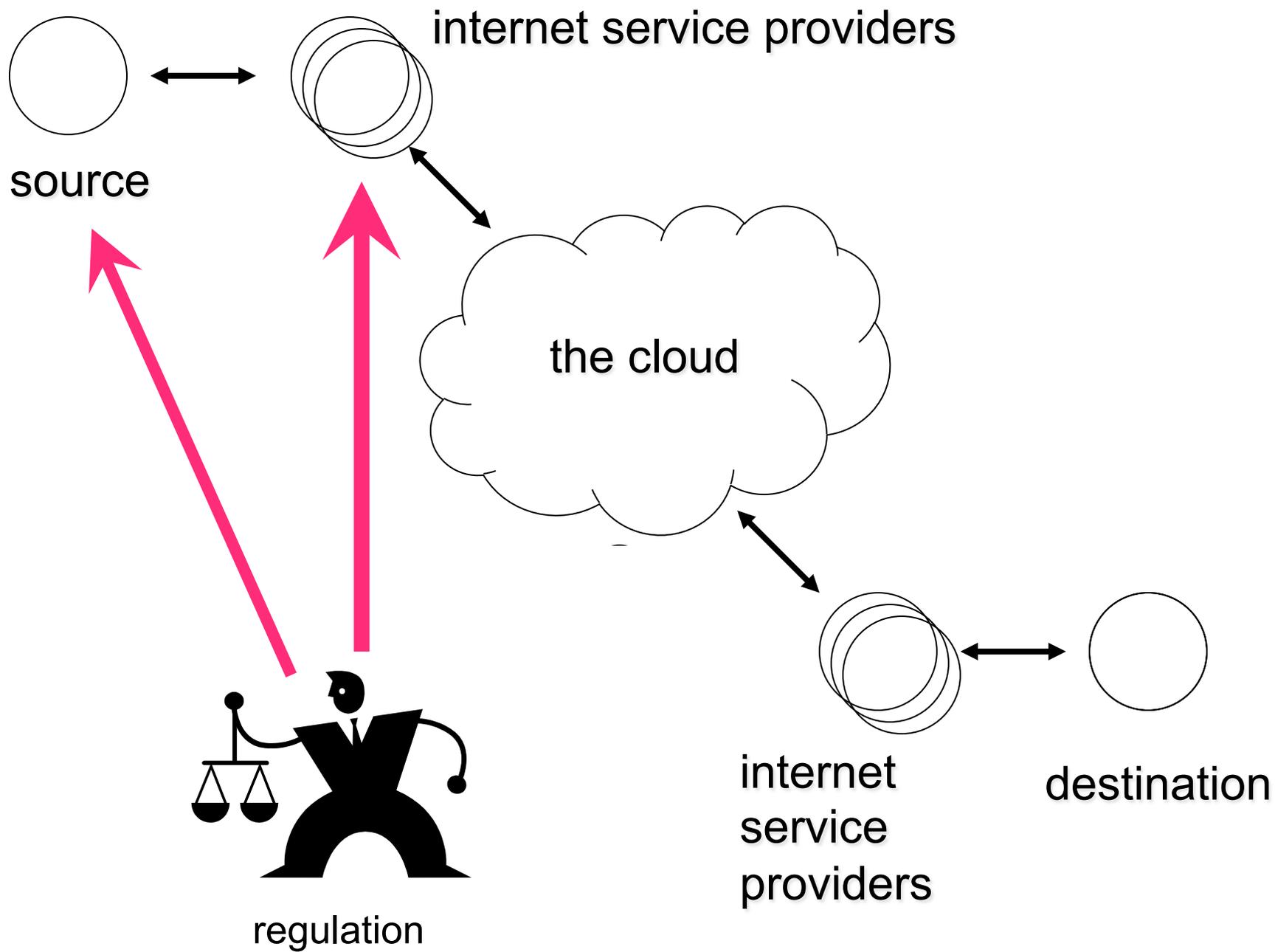
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Stratton-Oakmont v. Prodigy (1995)

PRODIGY has uniquely arrogated to itself the role of determining what is proper for its members to post and read on its bulletin boards.

Based on the forgoing, this Court is compelled to conclude that for the purposes of plaintiffs' claims in this action, PRODIGY is a publisher rather than a distributor.

- New York State Supreme Court



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Communications Decency Act (Feb. 1996)

- Protection for `Good Samaritan' Blocking and Screening of Offensive Material:

No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.

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Reno v ACLU (1997)

In order to deny minors access to potentially harmful speech, the **CDA** effectively **suppresses** a large amount of **speech that adults have a constitutional right to receive and to address to one another.**

Moreover, the "**community standards**" **criterion as applied to the Internet** means that any communication available to a nation wide audience will be judged by the standards of the community most likely to be offended by the message.

- US Supreme Court

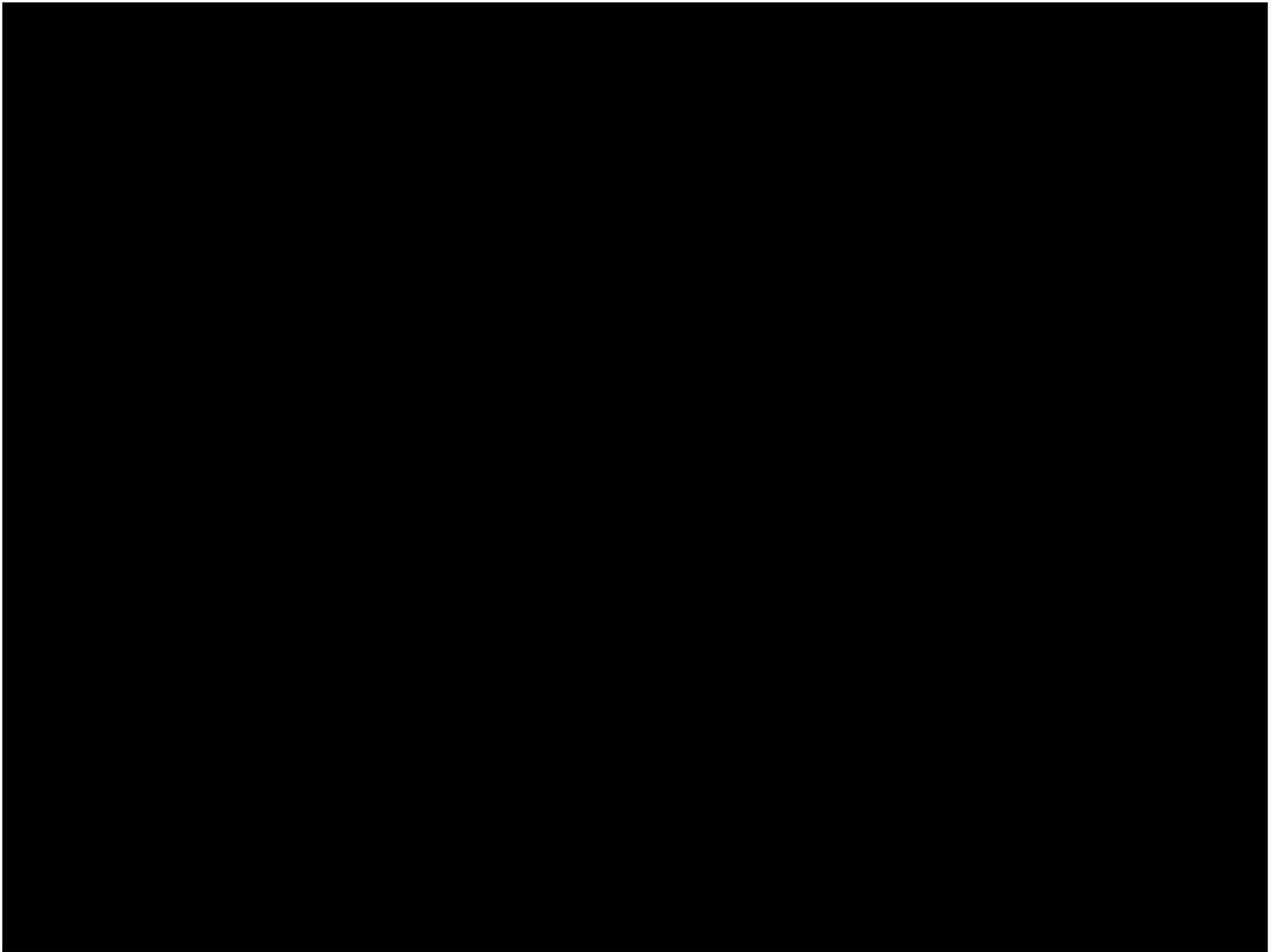


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ACLU v Reno (1996)

... the Internet may fairly be regarded as a never-ending worldwide conversation. The Government may not, through the CDA, interrupt that conversation. As the most participatory form of mass speech yet developed, the Internet deserves the highest protection from governmental intrusion.

-- US District Judge Stewart Dalzell



**Call
Ken**



The remains of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, destroyed by a terrorist truck bomb on April 19, 1995.

David Glass—AP/Wide World Photos

**Call
Ken**

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Communications Decency Act (Feb. 1996)

- Protection for `Good Samaritan' Blocking and Screening of Offensive Material:

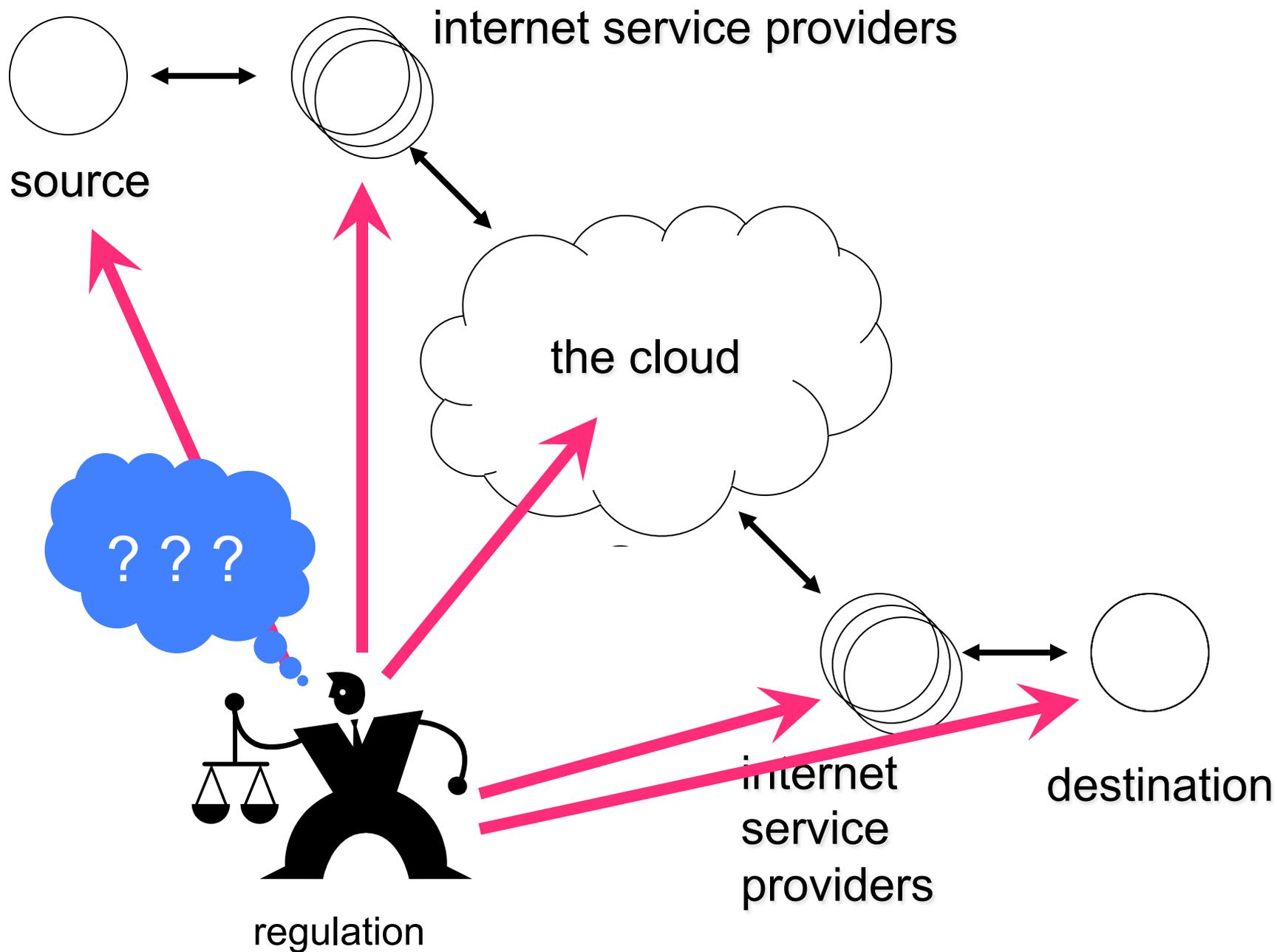
No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.



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Zeran v. AOL (1997)

... [the Good Samaritan provision] precludes courts from entertaining claims that would place a computer service provider in a publisher's role. Thus, **lawsuits seeking to hold a service provider liable for its exercise of a publisher's traditional editorial functions -- such as deciding whether to publish, withdraw, postpone or alter content -- are barred.**



6.805/STS085: Ethics and Law on the Electronic Frontier

- Legal background for regulation of the Internet.
- Fundamentals of copyright law, seminal court cases relating to copyright on the Web, and technologies for copyright control.
- Fourth Amendment Law and electronic surveillance
- Fundamentals of privacy law.
- Technology and regulatory regimes for transparency and accountability.
- Next offering: Spring 2012

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