

# **Geo Listening**

## **Pornographic content advisory**

**Effective Date - 10-29-2013**

Geo Listening will notify school districts when it has discovered child pornography, but will not forward the images to the school administrators. Instead, Geo Listening will offer a description of image in clinical terminology. This will be a standard practice, as Geo Listening has no way of verifying actual age of poster or those in images. It is vital to protect children as we work together to get assistance to those in need.

Possession or distribution of child pornography, even if done unintentionally or accidentally, represents a significant legal risk. Geo Listening is immediately adopting a clear policy for immediate deletion of all images, deemed to be child pornography. Geo Listening will notify schools that it has encountered sexually explicit images of students, but **will not** share those unmodified images with schools prior to deletion.

Further, in some circumstances, depending on the nature of the images, Geo Listening may be required to simultaneously report the images directly to law enforcement authorities.

School administrators and teachers have unique reporting requirements under state and federal law, and a school district's legal counsel may be better equipped to advise educational professionals of their legal responsibilities.

If a school official comes into possession of child pornography, the official should speak with counsel about whether any of the state or federal reporting obligations apply. Cal. Penal Code § 11166. In certain cases, images of child pornography must be reported to local law enforcement and the FBI. Images depicting child abuse may need to be reported to local law enforcement and Child Protective Services.

Generally, a school should follow these broad recommendations:

- (1) Adopt a policy that explicitly prohibits the sending of nude photos and states that mere possession of sexually explicit digital pictures on any device is prohibited regardless of whether the state's child pornography law is violated.
- (2) Make clear that anyone involved in the sending of a pornographic image (sender, receiver, forwarder) will be subject to the school's disciplinary policy unless they delete the image immediately.
- (3) Inform students and their parents that law enforcement may be contacted and the sending and receiving of nude images may be reported as child abuse or neglect.
- (4) Give students notice that their devices may be searched upon reasonable suspicion. State the consequences for sending and receiving nude images.
- (5) Make sure that staff, parents and students are aware of the dangers of sending and receiving nude images.