



# Journal of Health and Medical Sciences

**Simona, Trifu, and Dragoi, Ana Miruna. (2019), From Sexting to Child Pornography. In: *Journal of Health and Medical Sciences*, Vol.2, No.4, 516-523.**

ISSN 2622-7258

DOI: 10.31014/aior.1994.02.04.80

The online version of this article can be found at:

**<https://www.asianinstituteofresearch.org/>**

Published by:  
The Asian Institute of Research

The *Journal of Health and Medical Sciences* is an Open Access publication. It may be read, copied, and distributed free of charge according to the conditions of the Creative Commons Attribution 4.0 International license.

The Asian Institute of Research *Journal of Health and Medical Sciences* is a peer-reviewed International Journal. The journal covers scholarly articles in the fields of Medicine and Public Health, including medicine, surgery, ophthalmology, gynecology and obstetrics, psychiatry, anesthesia, pediatrics, orthopedics, microbiology, pathology and laboratory medicine, medical education, research methodology, forensic medicine, medical ethics, community medicine, public health, community health, behavioral health, health policy, health service, health education, health economics, medical ethics, health protection, environmental health, and equity in health. As the journal is Open Access, it ensures high visibility and the increase of citations for all research articles published. The *Journal of Health and Medical Sciences* aims to facilitate scholarly work on recent theoretical and practical aspects of Health and Medical Sciences.



ASIAN INSTITUTE OF RESEARCH  
Connecting Scholars Worldwide



# From Sexting to Child Pornography

Simona Trifu<sup>1</sup>, Ana Miruna Dragoi<sup>2</sup>

<sup>1</sup> University of Medicine and Pharmacy „Carol Davila,” Bucharest, Romania

<sup>2</sup> Clinical Hospital for Psychiatry “Alex. Obregia”, Bucharest, Romania

Correspondence: Simona Trifu, University of Medicine and Pharmacy, Carol Davila, 37 Dionisie Lupu Str., Bucharest, Romania. Tel: +40731581100. E-mail: simonatrifu@yahoo.com

## Abstract

**Motivation:** Psychological expertise is the test stone before the Court, when hidden motives determine behaviors and actions whose consequences result in criminal acts. Child pornography is a topical topic, such as "sex on the phone" and sexting, with frequent pathology. **Hypothesis:** The clients presented in this paper, accused of child pornography, are pushed to their actions by a conglomerate of socio-cultural reasons that define them. **Objective:** To highlight the context and personality structure of the person concerned, to demonstrate the absence of features in the spectrum of any personality disorder and to underline the propensity of young people towards the area of impulsive satisfaction in the online environment. **Material and methods:** structured interviews with the client, study of legal documents, appeal to specialized literature, issuing opinions on materials considered pornographic, applying deductive hypothetical reasoning to the client's life situation and situation. **Results:** Communication in the virtual environment facilitates rapid regression and access to the nucleus of personality, as well as to the impulsive reservoir, so that more and more young people have early access to erotic pleasures and easily transcend prohibition and barriers, in the Super-Ego line operating at reduced dynamics. Also, the socio-cultural climate stressed by the absence of boundaries made possible the relationship of the two, as well as the emotional involvement of both. **Conclusions:** The society imposes fine nuances and different boundaries when it comes to committing criminal acts, the personality structures of those involved, along with the dynamics of micro-groups and that of the society itself, which dictates the limits.

**Keywords:** Child Pornography, Pollution, Sexting, the Emotional Climate of Micro-Groups, Boundary Crossing

## 1. Introduction

Arguments of Judicial Psychology that justify the evaluation and issue of some ethiopathological assumptions of the current psychopathological manifestations of the clients, by direct reference to the socio-cultural and ethnic environment, as well as to the microclimate of the group of which they belong and to the relational dynamics specific to a community of people, where they have an invested social image, as well as financial power:

- The individual cannot be judged in the absence of the culture of which he is a part, the client's ideation and will being directly related to the education received and the habits of the group of friends, the one in question having to be judged with the same moral standards and under the same conditions. As the others in the membership group;

- Each verbal or non-verbal message of the minor person (including the sent photos, the video clips, the communication in the register of an adolescent female flirt charged with eroticism), as well as of the other members of the entourage / community was a bearer of multiple information, some contradictory or painful, which led to the achievement of a purpose (even if the motivation was not conscious or aware). The girl failed to take into account the client's reaction, which was directly proportional to his sensual-erotic excitement;
- The analysis from the angle of the Judicial Psychology of the content of a gesture/attitude/ decision / (here entering and analyzing the communication in the sexting register shows intentions, motivations, emotional load and particular ideational content. Expressive behavior is the last one that generates profound reactions, within a relationship couple who develop in small communities, dominated by their own norms and principles.

## **2. Methods**

The methods used are specific: anamnesis / clinical interview, case analysis, approach respecting the logic of the deductive argument, explanatory, demonstrative, including from the perspective of the psychodynamic accompaniment (also identified in the non-verbal expression and in the study of the acts and actions of the client after the moment emotional shock when confronted with what happened and the consequences of the facts and throughout the evaluation), including theoretical elements specific to the behavioral analysis. It is worth mentioning a number of five evaluative meetings for each case (multiple psychological tests applied, to highlight the personality structure prior to the psycho-traumatic situation, the level of intellectual and emotional development, as well as the absence of a symptomatic and syndromological complex). Also, the entire file of the clients was studied, with psychological expertise on documents and interpretations of concepts located on the border between the criminal area and the psychopathological area.

## **3. The hypotheses of psychological expertise**

- The acts committed by the clients are in general, a phenomenon isolated in the life history of those concerned, these being produced on an immature adolescent background of the personality, a fund that was enhanced by the socio-economic and cultural microclimate of the environment in which those in the cause goes into existence.
- We emphasize the personality structure of the clients, which we expertly demonstrate to demonstrate the absence of personality traits in the addictive register, the phenomenon of sending messages and storing the photos to which the file refers being one limited to the partner in question and generated by a passion for the qualities its feminine. The chosen psychological tests meticulously investigate deep aspects of the personality, which would concern libidinal type fixations, pathological attachments or attachments to beings or objects, fantasy and reverie life, which will take over the subject to the detriment of a mature social functioning. The psychological expertise has been set out to demonstrate the absence of psychic functioning in this pattern.
- It was tried to exclude any vein of exhibitionist, anti-social and perverse type; the psychological tests were chosen to be of a projective type (so that the one in question cannot be presented in a more favorable or depreciating light), as well as a multi-phase personality inventory. , to highlight the pulsational complex of the subject, its characteristic structure, which excludes a pathology. In other words, the client does not belong to the category of character neurosis, does not fall into disharmony, personality disorders and we do not see a pathology of a perverse fixation type.

## **4. Description of the situations**

Clients, around the age of 30, describe their socio-economic and material situation as being good, during the last six years of their life performing their activity in different jobs, which are their property or are depending on the decision, business that is successful supported by parents at various times. They spent most of their time working, gaining experience, dedicating themselves to clients, being non-conflictual, able to gather around friends and clients, describing the workplace and life with joviality, warmth and passion. One of the clients has a gaming room and sports betting administration, which he deals with, pointing out that, in any kind of control, there have never been any irregularities in his professional activity. Despite the temptations that could lead to a possible addition of mechanical games or sports betting, the one in question was never inclined in this area,

being bought, considering their income and using them for reinvestment. Also, the client consumes alcohol only occasionally, during the parties, with no suspicion of any dependence on alcohol, substances, or gambling.

Most clients say they are afraid of the possible envy they might have aroused about their warm, open, jovial and welcoming nature, non-conflictual, and with their ability to connect friends between people from different socio-economic backgrounds. Most have ideas for business development or professional promotion.

They all come from harmonious families, the parents being made alive, respecting the work and the people they work with. Most consider their father a role model and consider that he owes them for how he formed them. Also, the mother is with them, being emotionally affected by the situation that their son is going through but supporting him both emotionally and concretely in the work within the bar.

Those in question describe the cultural microclimate of the place where they live as follows:

Most of the young men live in rich localities, with young people, between 20 and 30 years, who deal with various businesses, hardworking people, many of them working abroad and later returning to reinvest the money earned in their native places. Thus, the clients belong to groups of six-seventeen young men, friends, who spent most of their time together, developing an atmosphere of masculine joviality and friendship, in which they recounted to each other their future prospects with the local girls.

It is worth mentioning that most young women either leave the country in search of a job, or go to study in Bucharest or in the neighboring localities, so that most of the young men were turning to younger girls, trying to find a partner from the same locality, with whom he has a friendship.

As for the relationships with girls, most of them had, in the past, at least a long-term friendship with a smaller partner. The relations were harmonious, with the agreement of the parents on both sides. In general, the separation occurred not because of the clients, but because the young people left the village. Subsequently, the client states that he tried a friendship with the daughter of the current mayor, a relationship that lasted a short time and ended because of the girl. He fears the possibility of the current mayor being upset, because the relationship between the client and his daughter was not a prospect, multiple stories from interviews highlighting the social-political context in which things are done at the commune level, the client offering a broader perspective on of the phenomenon and reporting a microclimate highlighted by the struggle for political power, financial power, "territorialization". Under these circumstances, the person in question is well seen from a financial point of view, capable of arousing envy and the desire of others to ruin their social image and accumulated welfare.

From this perspective, the client has a solid structure, passing relatively well through the legal situation he faced (the criminal case in this case), recognizing his mistakes, appealing to reason, trying to understand, to delimit the group and pressure group to engage in similar behaviors. It is worth mentioning that all the young men in the group were concerned about underage girls, as well as "sex on the phone" and the whole area of maintaining intimate relationships in the virtual environment (Reichborn-Kjennerud, 2015).

Modern specialized literature opens a whole chapter of erotic experiences in the virtual world, social networks itself being a way of attracting the libidinal impulses of young men towards satisfaction in this register. The communication in the virtual world between the client and the victim was made especially in the evening, when each of them was in his room, the ambience, the darkness, sometimes the musical background and the loneliness, making it easy to pass from the register of desires to reprehensible actions. It is worth mentioning in today's society the predilection of young people towards erotic behaviors satisfied on fantasy, imagery and reverie models, perhaps due to the pressure of time and, sometimes, the concrete lack of space in which to organize their meetings.

Clients describe that they nourished not only a physical attraction (this being physically and sexually mature) towards the girl in question, as well as real feelings, only that they, out of respect and desire not to force things, did not have the courage to go on the facts in the reality register (he stated on several occasions that he did not make love to it, because they did not have the opportunity and he wanted to pass the time for the girl to grow and

to strengthen the friendship). They were eminently convinced that the partner nourished the same desires in the erotic area as himself, and even though some conversations may be considered vulgar, at that time it was an authentic communication, both of which were pleasing to them.

As a specialist, in the last years, I have encountered dozens of cases of young people, even teenagers in the last high school classes and the first high school classes, who use erotic communication in the online environment to overcome their shyness and as a binder of the relationship, from which, in the future, lasting relationships will result. The society has changed and today we see more and more that the way of entering into long-term relationships is one initiated by eroticism and sexuality, then the attachment was born and the communion developed (although in the past societies this was considered reprehensible, the area of sexuality being the last discovered).

We can say with certainty that storing the photos in the mobile phone is only the proof of a passion, of a storm of emotions that the one in question has aroused in the client, this one preserving the conversations exclusively and the photos. We understand the girl's ambivalence, probably from here the various missed acts, which led to finding out the factual situation, from the impatience of a meeting in the online environment. We also consider that the girls, around the age of 14, faced an outlet of their own libidinal impulses, which made them at first be so open to such a relationship, later probably through guilt, fear parents and fear of not doing something wrong. Clients repeatedly claim that the girl's physical beauty and charm in the erotic register were triggers for her libidinal impulses, losing her temper and forgetting her age.

At the moment, we identify the bad opinions, the capacity to live the empathy and to understand the girl's ambivalence towards the ones that happened, she realizes her position by exacerbating her guilt and taking everything on herself, the future clinical risk being that of developing a severe Supra I, by which the person concerned is self-punished, with the possibility of following a depressive reaction or disorders of the neurotic spectrum, regarding the rumination of what happened (he has moments when he says he wants to leave the commune and leave his business, because he is very difficult to continue in that situation). His subjective experiences are from the register of wonder and astonishment, being considered unfair and over-punished, as a kind of "scapegoat" of the group, because someone had to take for example, that such things should not happen again.

There is evidence that each time, the client's family has apologized to the girl's family on several occasions, calling for an understanding of the emotional condition of the two, which is by no means an abuser - an abuser or an active type - passive, but it is an erotic position, in which both partners were caught by the mirage of their own intimate experiences, the virtual world facilitating the translation of borders, forgetting age and the passage to the act of photography, which represents the immortalization of a moment of pleasure, lived in a childlike way by both. (Cleckley, 2015) Customers also report that they were concerned about what happened later with the girl in question from the point of view of her evolution, each gladly declaring that she has good school results, that she meets friends, leading a social life appropriate to his age. In general, they have repeatedly wanted to contact the girl directly to apologize and to reset the relationship from other positions, saying that she did not do so to prevent her from experiencing new emotional upsets. As for themselves, the clients made the decision to conduct psychotherapy sessions, both to understand their mistake and to be able to overcome the traumatic reaction to the created situation.

It is difficult to assume that such subjects with a high impulse control regarding the environment of gambling, sports betting, alcohol and substance use, have an exclusive propensity in the erotic sex register with minors. As a result, what happened is an isolated incident, the product of a moment when the subject's censorship of consciousness decreased, given the conjuncture (the attraction to the eroticism of the girl, the communication in the virtual environment, the slide towards pleasure of reverie type), all being facilitated by the social climate. Cultural group of which each one is a member.

#### 4.1. An example of study of the documents for one case

Analyzing the snapchat conversations between the two, we notice the open discussions, in the same simple register, with few words and object communications, focused on actions, situations, desires and impulses, communications that do not have a genuine pornographic and sexual character by far. , but there are children's messages, carried out in a cultural environment in which the limits are permissive. The injured party expresses his adolescent sensuality, saying in a natural way: "I also do stupid things with you if you want," "Did I say that now if I didn't want to?", "Do you think I had time to do something and I didn't do it?"

In one of the studied conversations it is suggested from the communication that the girl herself would have praised herself in her circle of friends with her relationship with this man, who, in the respective social environment had an invested and valuable image.

Viewed from the perspective of sexology, the messages are not vulgar, but rather in a register of a flirtation imprinted with sexual "spicy," as much as it maintains the atmosphere and the one in question to express to his partner his constant interest for her. One of the photos, though unclear, shows the two in a close-up, even tenderness - they both laugh and seem happy, calm and worry-free - the photo itself suggesting that the client has fully assumed this relationship, as on a mature and serious one, to this also contributing the long friendship between the two families. In another photo, in which the minor is partially undressed and exposes her breasts, from the position of her hand is suggested lasciviousness, not a state of tension or a photo that would have been forced (Burt, 2014).

We consider that today, on the phone of many young people, there are pictures of the partner, in more or less intimate situations. It is to be noted from the search report that only the personal phone contained such photographs. If the issue were to be broadcast, the photos could have been found at least on the memory stick found in the house or on other phones or on the client's laptop. Also, in his phone we keep the existence of 4800 images and 128 films, which indicates that the person in question was negligent in relation to everything he had on the phone and not that he had purposely kept only this kind of photos or movies.

Also, in the studied file, the first communications, and quite a lot, are in a totally non-erotic register, demonstrating that the relationship of the two has taken place on several levels, not just in the sexual erotic one. In some communications, the courage to expose through videos or photos is appealed, which suggests the timidity of both partners and the childish behavior - immature of both, who seem to discover their erotic experiences and tested each other in this register, without being aware that I do something wrong: "Why shouldn't I have it, so dangerous are you that I don't have the courage? (happy emoticons)," "Did I say I don't want to? ", " Crazy ... ". The vulgar words are found in a playground, among other children's attitudes.

The child's father's statement confirms the girl's attraction to the client. The fact that he urged her to delete her messages from the phone, denotes her concern for this. In contrast, the end of the father's statement suggests some parents who have lost the moment to communicate openly with their daughter about her sex life (the father being away for financial reasons), but who, after learning that she has lost her virginity with another partner before the age of 14, takes her directly to the gynecologist to confirm or deny her deflower. We consider that these attitudes of verification instead of a direct communication with the adolescent, together with the verification of the telephone, its confiscation, the multiple questions and the discussion carried out in the presence of the aunt's concubine regarding the private conversations of the adolescent, caused an evil in the soul of the child, in the area of humiliation and humility, greater than erotic communication with the defendant (the aunt communicates to the father what happened to his daughter in the presence of the concubine). On the other hand, the fact that even the 9-year-old primary cousin has a personal phone, access to Instagram and a mother who can control these things, supports the lack of boundaries in the socio-cultural environment in which the events took place (Latvala, 2015).

The client's statement highlights a determined person, who assumes his facts, as well as their consequences, describing the relationships of friendship between families, telling how the minor was initially more concerned in initiating and maintaining this relationship, with the passing of time the client taking the approach seriously,

passing the discussions into a more intimate register and recognizing his erotic starts that he no longer controlled (Kernberg, 2004). He considered the one in question his partner, on the one hand forgetting the age difference, on the other knowing that "rumors circulated that they would still have sex with different men, usually major ", the one in question considering that the age difference would not be an impediment, as long as he had serious thoughts. Acknowledges the physical attraction, regrets the situation and does not understand its distortion in the registry of child pornography and dissemination of materials in this regard, as long as he perceived his girlfriend as "rebellious" and believed that it had an open relationship with his parents, who are aware of the relationship between the two.

Neither the conversations nor the photographs studied suggest sexually explicit behavior, but rather childlike narcissism, the curiosity of pleasure, need for the exhibition. The entire file studied does not claim that it would be pornographic materials obtained with the intention of being used, but rather childish games played in an area of naivety. In fact, it should be noted that the person in question has no criminal record and no other criminal proceedings against him.

The minor herself acknowledges that she was not threatened or blackmailed with posting videos or photographs, was in no way constrained, and acknowledged that she did not maintain sexual relations, although there were comforts that occurred with her acceptance into the defendant's home, where the girl had been invited with the consent of both families to spend the winter holidays together. This invitation itself demonstrates the serious intentions the subject had towards the partner, despite the age difference. We assume implicitly that the girl's parents also acquiesced in this relationship and they anticipated that she could materialize in an intimate register, since they gave their consent for their daughter to spend a night in the man's house (Barnes, 2013).

The second statement given by the victim is a redundant one, totally unaffected, from which it appears that he would prefer not to be in this situation where he is asked so much about adolescent toys, in which he tests his femininity, healthy narcissism and curiosity about his ability to conquer a man considered valuable. Nowhere in all the statements given by it does the release of disgust, displeasure, or obligation arise, but on the contrary, the person in question acknowledges that he has walked in this erotic playground (Butcher, 2014).

From the study of the documents it appears that the girl's father was informed that she is no longer a virgin, before the one in question begins the relationship with the client. It highlights a social environment in which it goes directly to the facts - the girl is brought to gynecological control, criminal complaints are made - emphasizing the humiliating hypostases in which it is put, without being advised on her emotional and erotic needs and the manner in which who could manage them. In other words, the whole created situation is by far not one that defends the child, but one that raises the culmination of adolescent hypostasis and a relationship in which only the age difference should be commented on (Akhtar, 1992).

The concept of danger related to this subject does not prove its importance, the one in question being rather a timid structure, which chose this way of communicating with the child in order to reveal its attraction. Everything had an intimate, bilateral character, the images were not disseminated to third parties or in the public virtual space, the attitude of the defendant was a sincere one, he did not deny the relationship at any moment, assuming his responsibility and regret and asking for his sorry for what happened (Shi, 2012).

The word antisocial used in the grounds of appeal is totally inappropriate regarding the client in this case, the personality and the antisocial behavior assuming: multiple conflicts with the law, mal-adaptive behavior (not the case, the subject owns a business that he controls and which is success), the absence of remorse, the absence of emotional sensitivity, the presence of aggression, irritability (things that never happened), dishonest activities, carelessness towards one's own safety. Also, the term antisocial involves scam, repeated lies, false names, fraud for profit, repeated beatings, indifference to harm, ill-treatment or theft. We do not find any of these elements in the case of the client, which is why we consider the terms "antisocial acts" and "analysis of the degree of social danger" vis-à-vis a citizen with a successful business.

If the child was somehow ridiculed by the entourage, the fact happened because of the media not by the two, but by a poor management of the situation. We cannot speak of "the production and procurement of child

pornography," the terms are extremely far in comparison with a relationship in which the feelings nourished by each other were obvious. The disjunction between the fact that this client is the author of the initiation of the respective photographs and the fact that he kept them on the phone is only a symbolic disjunction, psychologically, different psychological facts or contents cannot be considered, on the contrary, the communication continues for a longer period for a long time only with the girl in question expresses a serious and consistent choice (for all this time the client was not interested in obtaining pictures, films or any other erotic material from other girls and did not have another girlfriend or friend).

## 5. Conclusions

The psychological expertise of both the clients and the documents they presented, confirms the hypotheses and states:

- The person in question has a normotensive personality, located within the wide limits of normality, without revealing an intra-psycho dynamic of pathological type, except for a timidity, a structural sensitivity, which made him more fragile and allowed him to slip. Easier in the register of erotic reveries.
- The prolongation and the excessive accusation of both participants in this communication in the erotic-sexual register expose the girl to look at her own adolescent games in a register of serious facts, which bring public opprobrium, and on the client to develop reactions of the neurotic type under stress. (Shaw, 2012)
- The importance of the socio-cultural climate in which the events took place is not to be neglected:
  - father absent for objective reasons, which appears intermittently as a presence in the daughter's life, moments when she accuses her excessively - leads to gynecological control and makes criminal complaints for adolescent curiosities;
  - the absence of mature women, the majority being away for study or abroad, which gives men in the group options for girls of significantly younger age;
  - the absence of boundaries in the communication of the environment of male friends or adolescent girls, as well
  - absence of limits regarding the control of an adolescent - she is left alone at home with an older man, during the night, was never supervised or caught during his erotic manifestations alone in the room, but his phone is taken by parents and is taken directly to the Police in the same way that she, as a teenager, is taken directly to gynecological control, before being advised in any way.
- We consider that there can be no disjunction between the fact that the person in question requested the photos and kept them, being about the same psychic content, namely the attraction and the desire for the girl, which he looked at seriously. despite the age difference.
- The content of photos and communications on snapchat, although it contains vulgar words, is imprinted with childish eroticism, playground, naivety, flirtatiousness.
- The concepts of antisocial and dangerous have nothing to do with the personality structure of the client nor with what has happened freely agreed between the two.

## References

- Akhtar, S. (1992). *Broken structures: Severe personality disorders and their treatment*. Northvale: NJ, Jason Aronson.
- Barnes, J.C., Boutwell, B.B. (2013). A demonstration of the generalizability of twin-based studies on antisocial behavior. *Behavioral Genetics*, 43, 120-131. doi:10.1007/s10519-012-9580-8.
- Burt, S.A., Klump, K.L. (2014). Prosocial peer affiliation suppresses genetic influences on non-aggressive antisocial behaviors during childhood. *Psychological Medicine*, 44, 821-830. doi:10.1017/S0033291713000974.
- Butcher, J.N., Hooley, J.M. & Mineka, S. (2014). *Abnormal Psychology*. SUA, Pearson Education, Inc.
- Cleckley, H. (2015). *The Mask of Sanity: An Attempt to Clarify Some Issues About the So-called Psychopathic Personality*. Echo Point Books & Media.
- Kernberg, O.F. (2004). *Aggressivity, narcissism and self-destructiveness in the psychotherapeutic relationship: New developments in the psychology and psychotherapy of severe personality disorders*. New Haven: CT, Yale University Press.



- Latvala, A., Kuja-Halkola, R., Langstrom, N. & Lichtenstein, P. (2015). Paternal antisocial behaviour and sons' cognitive ability. *Psychological Science*, 26, 78-88, doi:10.1177/0956797614555726.
- Reichborn-Kjennerud, T., Czajkowski, N., Ystrom, E., Aggen, H., Tambs, K., Neale, M. C., Kendler, K.S. (2015). A longitudinal twin study of borderline and antisocial personality disorder traits in early to middle adulthood. *Psychological Medicine*, 45, 3121-3131, doi:10.1017/S0033291715001117.
- Shaw, D.S., Hyde, L.W. & Brennan, L.M. (2012). Early predictors of boys's antisocial trajectories". *Development and Psychopathology*, 24, 871-888. doi:10.1017/S0954579412000429
- Shi, Z., Bureau, J.F., Easterbrooks, A.M., Zhao, X. & Lyons-Ruth, K. (2012). Childhood maltreatment and prospectively observed quality of early care as predictors of antisocial personality disorder. *Infant Mental Health Journal*, 33, 55-69. doi:10.1002/imhj.20295