

The Legal Challenges of Online Solicitation of Minors in the Digital Age: A Study of Sarah Darer Littman's *Want to go Private?*

Aditi Singh¹, Dr. Alka Singh²

¹Research Scholar, Dr. Ram Manohar Lohiya National Law University

²Assistant Professor (English), Dr. Ram Manohar Lohiya National Law University

Abstract

Technology is changing at a rapid pace, bringing a transformation of the overall social structure, now we live in a global network society. The use of the internet has become a necessary daily activity especially for minors. While it has many positive aspects, the threats of growing cybercrimes and its risk factors involving the children are growing rapidly too. This paper attempts to explore the intersection of online solicitation, legal challenges, and the literary insights through an analysis of Sarah Darer Littman's novel *"Want to go Private?"* (2019). The novel integrates cybercrime into its narrative through the experiences of the character, a teenage girl named Abby and explores the terrifying realities of online solicitation and its impact on young individuals. 14-year-old, young and vulnerable Abby falls prey to a clever online predator who goes by the name Luke. After gradually gaining her trust Luke persuades her into meeting him and then later abducts her. The story revolves around Abby's traumatic experiences, social stigma and efforts and challenges faced by the law enforcement agencies to get hold of the predator. This article digs deeper into the theme of the novel and examines the real-life challenges faced by law enforcement agencies surrounding online solicitation. By analyzing these challenges, the study seeks to propose solutions and suggest potential improvements. As it becomes necessary for the Law enforcement agencies to continuously and quickly adapt to the maneuvers of the online predators. This study also identifies the psychological stress and trauma on children inflicted due to online solicitation and various legal measures designed to support the victim's mental well-being. The aim is to deepen the understanding of online exploitation of minors and laws combating it, including the role of literature in raising awareness regarding these critical issues.

Keywords: Online solicitation, Internet offending, child safety, child protection laws, Sarah Darer Littman, law literature and technology

1. Introduction

Online sexual solicitation occurs when children or adolescents are asked to engage in sexual activities, sexual talk, or to give personal sexual information on the internet (Mitchell, Wolak, & Finkelhor, 2007). Online solicitation describes a range of behaviors by adults aimed at minors with the intention to encourage and persuade them into sharing personal sexual information or engaging in sexual activities. This can include sending explicit messages, images and videos as well as attempting to arrange in person sexual encounters. It is a form of sexual abuse and poses significant risks to children's safety and

wellbeing. Sarah Darer Littman's novel 'Want to go Private?' highlights the danger of online solicitation faced by several young and vulnerable teenagers/minors through the story of the character 'Abby', Abigail Johnston a 'shy girl of above- average intelligence'.

Littman's writings illustrate the danger that lurks online and sympathies with the victims. Through '*Want to go Private*' she gives a sense of reflection to the readers and provides a better understanding of what could happen. Sarah Darer Littman is an award-winning American author and columnist, known majorly for her works surrounding teen issues. She often explores contemporary social issues and challenges faced by teens. Her characters in '*Want to go Private*' demonstrates the realities of today's vicious cyber situations. The internet is vast and continuously evolving, there are numerous websites, social media platforms, online applications, chat rooms where sexual solicitation can happen. In this digital age, children of all ages are active at all kinds of mobile applications and websites, and so are the predators. The predators could approach the children through any online platforms. This ease of access increases the danger of online solicitation at an alarming rate. Protecting the minors from these undesirable consequences has become a challenging endeavor. The novel brings into perspective how the law enforcement agencies face challenges to combat these predators by keeping up with the rapid evolution of technology.

In today's technological society it has become hard to keep up with the younger generation. To protect the children from potential harm parents should be aware of these threats: Illicit activities like online sexual solicitation can take various forms, like Requesting sexually explicit images or videos, illegal online distribution of these as Child Sexual Abuse Material (C.S.A.M), Sexual grooming. There are numerous pedophiles in cyberspace, they wander through the web in search of their potential victims. Children often come across "Pop-Ups" which have sexual messages while playing games or surfing online. These Pop-up windows commonly contain advertisements but may also lead to unauthorized links that direct users to live webcam sessions or chat rooms where predators may manipulate minors to engage in sexually explicit acts and can further exploit children. A private conversation with a stranger gives a sense of confidence and creates thrill which usually does not come while having face-to-face interactions. Despite knowing the potential risk of engaging online with an unknown person the curiosity of children, especially teenagers, attracts troubles of being solicited online by the predators. Recognizing the signs of online sexual solicitation and responding appropriately is crucial. If the child has unfortunately become a target of online solicitation the first step should be reporting to the respective authorities and look after the mental health of the victim. The effects on victims have been shown to include anxiety, post-traumatic stress disorder, depression, and developmental disruption (Dombrowski et al. 2004; Wells and Mitchell 2007). Littman has vividly described Abby's mental conditions from her sickening realization of Luke's reality to the insensitivity and rage of her peers against her. It is necessary to understand the social stigmas surrounding online solicitation and its victims to overcome the legal challenges.

Although online sexual solicitation is immoral and illegal, the number of victims is increasing day by day. While the existing legal framework provides a foundation, there is a pressing need to adapt to emerging technologies that pose novel challenges to online solicitation. Through the literary analysis of the online solicitation and legal challenges surrounding it, this paper will explore given aspects. By briefly introducing the characters 'Abby' and 'Luke' and how she naively gets trapped in the mess of online solicitation. It introduces legal challenges faced by the agencies analyzing the legal description involved in this book. By highlighting these gaps and challenges, the paper seeks to conclude by

proposing potential reforms.believers.” In this article, the notion of “other believers” is understood as a Catholic representation according to Vatican II. The Catholic construction of the religious Other, including the Indian religious Other, at the Vatican II was significant for Catholicism’s self-definition, at a time when the Church struggled to articulate a post-colonial missionary discourse and enter into dialogue with the modern world (*Nostra Aetate*, Part One and Five)

2. Research Objectives

The main objectives of this research is

- To highlight the threat of Online Solicitation through literary analysis of the novel ‘Want to Go Private?’
- To analyze the efforts and challenges faced by the law enforcement agencies in combating Online solicitation.
- To Discuss the need of potential improvements to tackle the predators and save the victims.

3. Research Methodology

The methods used in this research by the author are qualitative and analytical by analyzing the already available materials and critically evaluating the same. The major source of data used in this study is Sarah Darer Littman’s 2019 novel ‘Want to go Private?’. A few chosen references and study-related materials are used as the secondary data.

4. Discussion

The victim and The predator

According to the report of Childlight global index of child sexual exploitation and abuse prevalence, More than 300 million children across the globe are victims of online sexual exploitation and abuse each year. Young and vulnerable children are rapidly becoming victims of online solicitation. Abby, a fourteen years old high school student is a very timid and pensive girl. Abby finds it hard to connect with people around her. She is insecure and introverted and only has a childhood friend named ‘Faith’. Like an average teenager she finds her parents controlling and insensitive. Insecure about the changes high school brings, Abby feels trapped in her own house, disconnected with her friend and only finds solitude with ‘Luke’ or ‘BlueSkyBoi’, whom she met in an online chat room on ChezTeen.com. Her frustrations with her parents and her friends only make her turn to Luke more and more. “Then she betrayed me. Faith’s the one who persuaded me to do something she knew I’d suck at. Faith’s the one who broke a promise. I need to talk and BlueSkyBoi’s willing to listen. I press ENTER” (Littman, 2019, p. 48). Her wariness to her friends propelled her towards Luke. But she did not realize that Luke is not someone he claimed to be. Littman didn’t exaggerate in shaping these characters. Abby is just old enough to understand about online solicitation, but she’s still young enough to become involved in something so heinous without realizing she’s being groomed by a pedophile. She first seems hesitant about sharing her information with Luke but her infatuation towards him made her judgments clouded. “I hesitate for a second before giving him my address. We’ve had so many talks at school about Internet Safety and they always go on and on about never going out any personal details about yourself online, blah,blah, blah. But I’ve been talking to Luke for a while now and I’m pretty sure he’s not some stalker pervert dude” (Littman, 2019, p. 92). Predators often target children who are vulnerable, naive, have low self-esteem or seek validation, and Abby happens to become just the right target for Luke. Luke is a

cunning predator, he approached Abby with an image of ‘Boy next Door’. From the first interaction he started giving admiring remarks only to Abby although Faith was in that chatroom too. He gradually deluded her into believing that her parent’s care and worry towards her academics and personal life are nothing but their distrust towards her. “He treats me like an equal even though I’m just a kid and he’s this grown-up guy, like he actually respects my opinions, which is something my parents would never do”(Littman, 2019, p. 148). He slowly manipulates Abby into thinking that he is the only boon companion she has. Later he invites Abby to join a ‘private’ room with him. He asks for her picture, even illicit ones, he inquires about her parents profession, takes her address for sending her a cell phone (which he also told her to hide from everyone) and later requests her to meet in person to which Abby eventually agrees upon.

“You know I’ve been dying to meet you, Abby. So what if you and I went away on a trip together for a few days? It would..give us a chance to... get to know each other better, and it would teach your parents a lesson about what’s really important. You know teach your dad that he shouldn’t go ballistic on you just do something stupid like getting a D on maths test. And teach your mom that she needs to accept you for who you are, instead of trying to make you into someone you’re not” (Littman, 2019, p. 142-143)

It shows the psyche of the predator. The cyber grooming of children by predators for sexual abuse is a global problem that requires continuous awareness through research and practice (Whittle et al., 2013). Sexual grooming has become a new weapon of online solicitation. In order to gradually gain children's trust and develop emotional bonds with them predators often use it. This could include developing friendship, showing support and attention, and progressively bringing up sexual topics in discussions. Littman has created a very realistic personality of a predator through the character of Luke, he is a charmer, good-humored and a caring boyfriend to Abby but his actions are always cautious. He was a pedophile, in the process of investigation it was known that he had a family rift with his eldest sister, Mary. As she has accused him of doing inappropriate things with his niece. In every conversation with Abby he requests her to keep it a secret as ‘people might not understand’ and even later when Abby’s mom confiscated her laptop due to her bad grades, Luke asks her whether it is because her mom suspects about their relationship. Strategies to trap the child in the abusive relationship may include deception by the adult (e.g., about the abuser’s hobbies or age), showing interest in the victim’s life (e.g., minors’ problems with family or friends), giving material goods to the minor (money, photo sessions, etc.), progressive sexualization of the minor (e.g., through sexual jokes or comments), or explicit aggression (e.g., through blackmail or threats) (Gámez-Guadix, De Santisteban, et al., 2021; Ringenberg et al., 2022). Luke was a chronic predator, and knew how to handle Abby, he was slow with his approach but very persistent. “The grooming process is an insidious seduction, Mr. Johnston,” Agent Saunders says. “And it’s between players of very unequal skills. Here's a grown man and a young, inexperienced girl, who is used to dealing with the boys at school” (Littman, 2019, p.239.). Luke has started grooming Abby from the very initial stage of their conversation and skillfully lured her into a very dangerous situation.

Legal challenges in ‘Want to go Private?’

In today’s digital era, the security of minors has become a major concern. Regular use of various social networking sites by children such as Viber, Tumblr, Pinterest, WhatsApp, Instagram, SnapChat, Facebook, Twitter, Tinder and other unknown sites and applications expose them to online Solicitation. Survey conducted by Pew Research Center in 2018, reported that 95% adolescents are regular users of smart phones throughout the globe and 45% children are online throughout the day on a regular basis.

This rapidly evolving internet landscape challenges the law enforcement agencies in combating the online predators. This chapter aims to analyze the legal challenges in the novel from the given aspects:

Limited knowledge and Resources: The law agencies need to keep pace with the technological advancements to effectively address emerging online threats against minors. Lack of proper trained specialists and fragmented information on developing technologies create stress among the legal framework. With limited tech knowledge law agencies may not know how to recognize threats or use online resources. Due to limited resources and technological limitations officers cannot track Abby's cell phone, as it was switched off and the cell phone companies were unable to track her location. In Abby's absence, Agent Saunders investigates the site with the help of the Computer Analysis and Response Team (C.A.R.T) but they find it 'relatively new' and not easily accessible. In today's technological society it has also become hard for parents to keep up with the younger generation as Abby's parents also seem to be unaware of such sites. They also thought that you can only talk with people on these applications whom you are already familiar with in real life. "Unfortunately, that's where we ran into problems," Agent Saunders explains. "This CheezTeen.com site that Abby's been active on is relatively new- we hadn't even heard of it."

"Neither had I," Mom says. "I knew about Facebook and Myspace and I knew she had an MSN account, but I didn't know anything about this ChezTeen thing. Did you, Lily?" (Littman, 2019, p. 219)

The unspecified information results in the lack of effective reporting. The early stages of the investigation and police reporting must be accurate to ensure the correct direction. Though we see the agents' commitment to find Abby, they appear to have their limitations while facing cyberspace.

Anonymity of the Online Predator: The predators could approach the children through any online platforms such as social media, gaming apps, chat rooms or any unauthorized links. Most social media platforms allow their users to create fake online profiles. Children growing up with access to the internet can easily become a target for potential groomers (Klimek 2019). For initiating contact with the target individual they may create a fake profile or disguise their identity; posing as someone similar to the age of the child to conceal their intentions. When the FBI started investigating Abby's abduction case, they came across the site ChezTeen.com and Abby's Id on it, with the help of her friend Faith who also uses the same platform. They discovered Abby's friendship with Luke, who according to Faith was a little older than her. The law agencies begin their investigation in finding 'Luke'. But later in the investigation they found out that his real name is Edmund Schmidt, age thirty-two, and lives in Boston, Massachusetts with his parents. Using these anonymities on the server they can make as many fake profiles as they want and target several young- innocent childrens. Victim reports estimates that one offender may solicit numerous victims (Briggs, Simon, and Simonsen 2011). While investigating the Agent Saunders reveals to Abby that she was not the only girl 'Edmund' has been talking to. "You weren't the only girl he was chatting with, Abby," Agent Saunders says. "Schmidt had chats going with at least four other girls, from the ages of twelve through fifteen, from all over the country" (Littman, 2019, p.259). These complexities delay the procedure of finding the victims and sometimes it could be too late, which unfortunately happened in Abby's case. Until they found her, she was physically and emotionally abused by the pedophile.

Jurisdictional issues: Jurisdictional issues pose a significant challenge to the legal agencies. 'The borderless nature of the digital realm often leads to difficulties in determining the appropriate legal jurisdiction for prosecuting offenses. Cybercriminals can exploit jurisdictional ambiguities, making it challenging for law enforcement agencies to pursue legal action effectively (Paliwal and Ahmad, 2022).

Littman has pointed out the dismaying reality through this novel. “Even though it’s an English language site, the servers are located outside of the United States, in the Ukraine,” Agent Nisco tells us. So it’s out of our jurisdiction” (Littman, 2019, p. 219). While investigating Abby’s case, they processed her information through National Crime Information Center and National Center for Missing and Exploited Children, which are influential organizations and also got issued an administrative subpoena to access all sites, but one. The one named ‘ChezTeen.com’ that Abby’s been active on, which was out of their jurisdiction. Agent Pantsuit further explains that they have to go through diplomatic channels, which would be a time-consuming process. Complicated jurisdictional issues create challenges in solving the case due to it the law enforcement agencies were unable to take down the illicit videos posted by Luke. “We will make attempts to get these images and video taken off the servers,” Agent Saunders says. “But the problem with most of these child porn sites is that they’re not located in the United states, so we have no jurisdiction” (Littman, 2019, p. 258).

Victim Reluctance and Evidence collection: The ‘predator’ for the society is a ‘soulmate’ for the victim. The predator uses the tactic of ‘Deception’, ‘Manipulation’ and ‘Gaslighting’ on victims. They deceive the victims to develop faith in them, then manipulate them and make them against their friends and family. Then later, gaslight them into believing that the sexual interactions are ‘normal’ and ‘out of love’. ‘Victims are almost exclusively teenagers who go knowingly to meet men whom they know to be considerably older and interested in sex. Most of these victims are drawn into relationships with offenders...because they are looking for romance, sexual adventure or validation (Wolak et al., 2009, p. 8). Abby, regardless of finding Luke’s true identity, was in denial and still wanted to believe in him. She repeatedly requested her parents and Agents to release him. She was reluctant to participate in the investigation at first as she believes nothing wrong has happened to her.

“Agent Saunders keeps trying to get me to talk about him, but I don’t want to talk to her. She doesn’t believe what I say anyway. I told her that Luke didn’t hurt me, that he loves me, but she and mom say I have this stupid Exam anyway because it’s ‘standard procedure’” (Littman, 2019, p. 25).

But when she found out about her illicit pictures and videos which Luke has posted she felt numb with horror. Victims, usually teenagers, could not understand the severity of online solicitation and unintentionally became part of it. The pictures and videos shared by them to their online partners or secretly taken by them could become child pornography, like in Abby’s incident Luke posted her videos on a child porn site. Collecting online evidence that is accepted in court can be difficult because it requires careful handling and frequently raises privacy concerns. The physical evidence found in Abby’s case were of help but the digital evidence were already leaked and were over the child pornsites and pedophile chat rooms. Luke has used her videos for its illegal online distribution as Child Sexual Abuse Material (C.S.A.M).

Privacy Issues and Data Protection: Child sexual exploitation and abuse (CSAM) is a type of sexual exploitation that occurs when a child is sexually assaulted or filmed. This remains the biggest challenge of the legal framework because it threatens the privacy of the child. Once the CSAM of victims is uploaded on the internet, it is almost impossible to be removed completely and continues to circulate online, causing perpetual abuse by re- traumatizing victims each time the content is viewed (U.S. Department of Justice, 2017a; Wortley and Smallbone, 2006). Online solicitation can inflict lifetime psychological stress and trauma on children and their family. These instances have a bad social impact. It can create trust issues and conflicts in relationships, victims may face social stigma, victim blaming that leads to distrust against the society and communities, online solicitation erodes trust in security of

online platforms too. One of the biggest challenges for combating CSAM is the current legislation regarding illegal content of CSA. As long as there are countries that do not have specific laws for prosecuting the possession and distribution of CSAM, perpetrators can find loop-holes to avoid prosecution (Hee-Eun Lee 2020). Only navigating through the web, taking hold of the evidence is not enough. Protecting individual privacy should be the main concern of the legal agencies. Many sex crimes against minors, perhaps the majority, are never reported to law enforcement (Finkelhor, Ormrod, Turner & Hamby, 2005). Mainly, due to social stigma surrounding sexual assaults and negative judgment of peers. Littman has conscientiously described Abby's condition when she returned to her school after the hideous incident. She constantly faced bullying, was victim-blamed and Slut-shamed "I hear snickers and laughter and the half-coughing "slut" and "whore" but I've shrunk so far back within myself that it sounds like it's coming from a great distance" (Littman, 2019, p.278). All majorly due to the inability of the legal agencies in 'completely' taking down her pictures and video.

5. Suggestions

Addressing the legal challenges identified in the novel this paper attempts to provide potential solutions. The legal framework must adapt to address the evolving online threats, establishing a systematic legal framework can save the victims, hold the predators accountable, protect any potential victims and prevent further harm.

- Taking the help of a centralized legal jurisdiction network like Internet & Jurisdiction Policy Network could accelerate the process of investigation. Collaborations of different legal jurisdiction authorities across the globe can fill the gaps of cross-border legal challenges related to online solicitation.
- To prevent online solicitation a specific legal framework should be introduced that would verify the authenticity of the sites and applications.
- Recruiting and training of younger generations as interns in cyber security cells should also be considered as they have knowledge of all latest trends and contemporary networks used by their fellow generation. The legal agencies can exchange the related information.
- For keeping up with the evolving digital network the law enforcement agencies should regularly be given skill training.
- An Annual Data Privacy Awareness Program should be made mandatory in schools, where the local legal agencies discuss the threats of online solicitation and other cyber crimes in-depth. And not only include the students by their parents as well. It is not possible or necessary to put your child in 24-hour surveillance but parents' interventional efforts could save their children from the evil predators.

6. Conclusion

Littman's *Want to go Private?* Captures the harsh reality of online solicitation and internet predators. The author has given a detailed description of Sexual grooming demonstrating its effect on the victim. This novel becomes a medium to understand these circumstances better. Online sexual solicitation can have a very devastating effect on individuals and families and creates a negative impact on society. The increasing cases of online solicitation have demonstrated that there are a lot of complicated legal issues concerning to it, like difficulty in identification of predators, barriers of cross border disputes, illegal online distribution of illicit images as Child Sexual Abuse Material (C.S.A.M) and beefing up of heinous crimes like sexual exploitations. Despite taking advanced measurements, this problem is continuously

increasing. The anonymity of darknet encourages perpetrators to conveniently target and molest the minors. Imparting essential life skills from a young age has become the need of the present. It is important to monitor and counsel your children for healthy internet use. With the use of the same legal implications the situation is unlikely to change in the foreseeable future. To effectively combat this issue, Law enforcement agencies need to stay updated on the latest trends and technologies related to it and have adequate knowledge regarding online sexual solicitation so they can take preventive measures to address this issue. The Internet provides a powerful potential tool for sexual predators. So, Victims and their parents should seek guidance from reputable sources, such as online safety organizations or law enforcement agencies. It's important to recognize and report any instances of sexual solicitation, especially if it involves minors. It's necessary to acknowledge the power of digital media and exercise responsible usage as it develops further. Addressing these challenges and embracing future prospects requires a collaborative approach involving the government, law enforcement agencies, parents, academia, and civil society.

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