

Suit returns Pa. 'sexting' district to spotlight

20 May 2010, By MICHAEL RUBINKAM , Associated Press Writer

(AP) -- A Pennsylvania school district that was at the center of a highly publicized "sexting" case was sued Thursday by a teenager who claims her principal confiscated her cell phone, found nude images she had taken of herself and turned it over to prosecutors.

Tunkhannock Area High School Principal Gregory Ellsworth illegally searched the 17-year-old's phone in January 2009, even though she intended the racy photos to be "seen only herself and, perhaps, her long-time boyfriend," according to the federal lawsuit.

It says the principal gave the phone to George Skumanick Jr., at the time the Wyoming County district attorney, who threatened to file felony child pornography charges against the girl unless she took a class on [sexual violence](#).

"I was absolutely horrified and humiliated to learn that school officials, men in (the) DA's office, and police had seen naked pictures of me," said the plaintiff, now 19 and identified in court documents only by the initials N.N. She graduated in 2009.

"Those pictures were extremely private and not meant for anyone else's eyes. What they did is the equivalent of spying on me through my bedroom window," she said in a statement released by the American Civil Liberties Union of Pennsylvania, which is representing her.

The suit, filed in Scranton, seeks unspecified damages against Ellsworth, the district, the county, prosecutors and a detective. It also seeks the destruction of any images still in the possession of law enforcement.

District Superintendent Michael J. Healey declined to comment Thursday, saying he had not seen the suit. The district's lawyer did not immediately return a phone message, nor did Ellsworth, Skumanick or District Attorney Jeff Mitchell, who is also a defendant.

The district in rural northeastern Pennsylvania was at the center of the nation's first [criminal case](#) involving [sexting](#) - the practice of sending explicit photos via text message - to reach a federal appeals court.

The court ruled in March that prosecutors could not criminally charge a teenage girl who appeared in a photo similar to the one involved in the latest lawsuit.

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