Sexting, Shame and Suicide

A shocking tale of sexual assault in the Digital Age

BY NINA BURLEIGH | September 17, 2013

On the last day of her life, Audrie Pott walked through a crucible of teenage torment. A curvaceous sophomore at Saratoga High School, dressed in the cool-girl's

uniform of a low-cut top and supershort skirt, she looked the same as always, but inside she was quivering with humiliation. In the week since school had started, girls had been giving her looks, and guys had congregated around phones, smirking. On Facebook, messages were pinging into her inbox, each one delivering another gut punch: *"shit went down ahah jk i bet u already got enough ppl talking about it so ill keep it to myself haha. . . ."*

"honestly like really no joke everyone knows. . . ."

"u were one horny mofo."

One Town's War on Gay Teens

An adult monitor handed her a dress-code violation – her skirt was too short – even though all the girls in her class dressed that way and monitors rarely objected. She cut what classes she could, blowing off chemistry for two days in a row, hoping to avoid confrontations with disapproving girlfriends. Then Kathy Atabakhsh, one of her best friends, tore into her on the school quad, accusing her of drinking, of forgetting who she was, of becoming a different person. "She had been, literally, the best person you could meet – always honest and trustworthy," Kathy says, recalling the episode almost a year later. "And I was so upset that she had changed. It was hard for her to hear that from a close friend." She remembers the last words she said to Audrie. "You need to come back to reality," Kathy told her.

At lunchtime, Audrie texted her mom at work: "Mom, please pick me up." Sheila Pott, a mortgage-loan officer, asked why and whether Audrie couldn't wait for her to finish a business meeting. Audrie was insistent, and then stopped answering texts.

When Sheila pulled up in her car later that Monday afternoon on September 10th, 2012, Audrie jumped in but remained silent on the short drive home. Sheila was used to her 15-year-old daughter's moods and stopped pressing her. When they got to their ranch-style home, where they had been living alone together since Sheila had split with her boyfriend the year before, Audrie retreated to her bedroom, with its Audrey Hepburn poster and silk-upholstered window seat. Around 20 minutes passed before Sheila decided to check on her daughter. She walked across the kitchen and down the long carpeted hall to the bathroom door adjoining Audrie's room. The door was locked. Audrie didn't answer. Sheila knocked and knocked again. Something about the silence pushed a panic button inside her. She grabbed the first thing she could find to jimmy the lock – the tiny metal rod at the end of her phone's earplug – and jammed it into the doorknob. Flinging the door open, she confronted a sight now permanently etched in her memory. In the pale-peach bathroom, with its shell-shaped sink, gold fixtures and narrow bathtub, her only child was dangling from a belt attached to the shower head, mascara streaking her face.

Sheila sprinted down the hall, back into the kitchen, grabbed a knife and cut her daughter down, trying to remember how to perform CPR while dialing 911. Paramedics arrived within a few minutes. They restarted Audrie's heart, but it was too late. The brown-eyed girl who loved horses, art and pranks would never breathe on her own again.

There was no note, nothing to explain why her popular and pretty daughter had done it. In the hospital, Sheila began retracing recent events, looking for some clue as to what could have pushed her daughter to take her own life. She thought about Audrie's strange silence on the day after a sleepover the weekend before. And she remembered the green ink she'd noticed around her daughter's cleavage, weird markings that Audrie had refused to explain.

Saratoga High School, with its country-club-worthyquad, Olympic-size swimming pool and plush tennis courts, is one of those affluent California schools American teens recognize from movies and TV. Located in the heart of Silicon Valley, the school is home to high-achieving children of parents working at Apple, eBay, Netflix and other tech corporations headquartered within 50 miles. If the Saratoga Falcons did not regularly field a winning football team, there's consolation in the fact that each graduating class has propelled dozens of kids into Harvard, Yale, Stanford and Berkeley.

The summer before her death, Audrie had started to change, moving away from the kids she'd hung out with since middle school. She had started to drink a little and had dated a slightly older guy. When she drank, the self-consciousness that had afflicted her since junior high melted away. She loosened up. Sometimes, she loosened up a lot.

On Labor Day weekend of the new school year, Audrie's friend, let's call her "Sara" (many of the kids' names in this story have been changed to protect their identities), said her parents were away, leaving their white cottage-style house with its long green lawn in her care. Sara – 15, pretty, slim and blond – and Audrie had become close that

summer and were exploring a new realm of boys, bottles and small parties, preferably at parent-free houses, that the Saratoga kids call "kickbacks."

That Sunday, Sara told her parents that she was going to be sleeping over at Audrie's, and Audrie told her mother that she'd be sleeping over at Sara's. When Sheila drove Audrie to Sara's, she assumed the girls would be spending the evening in their jammies in front of the television, or giggling over ice cream and Facebook. But Sara had already texted around a dozen friends to drop in for her kickback.

Eventually, 11 kids showed up, many of them to sip vodka and Gatorade cocktails. They all belonged to their class's popular clique, the girls dressed as provocatively as possible, even by the loose standards of California high schools. "See-through shorts and thongs pulled up, shorts pulled down," recalls an older girl. "That's what the 'cool girls' wore." The boys they hung out with favored a uniform locally dubbed "swagfag" – snapback hat, PacSun tank tops, knee-length chino shorts and Vans.

A few kids had brought some bottles of liquor – rum stolen from Safeway, vodka bought for them by an adult at a liquor store. They eventually guzzled a bottle of tequila that Sara's parents kept in their own cabinet. The mixer of choice was Gatorade, or downed straight. Audrie drank hardest of all.

When Audrie's old middle-school friends, Kathy, Amanda Le and another girl, arrived around 9 p.m., there was no music, just the sound of sloppy-drunk talk. Audrie was already stumbling and incoherent, taking shots and making out with different boys on the living-room couch. Her friends were appalled. "I never saw, I had just heard about times she had gotten drunk," says Kathy. "She was so different than how I knew her to

be. Because we were sober, we noticed everything that was going on, and they didn't know what they were doing."

Sara seemed so trashed when she greeted them at the door that Kathy doesn't think her classmate even recognized her. "There was stuff all over the tables," Kathy says. "Superdirty. They had food and a whole bunch of crap everywhere. People falling over, walking around. At some point, I was like, 'I feel superuncomfortable, everyone's so trashed and we are just sitting here.' So we left."

Police interviews with the partyers pieced together what allegedly happened next. One of the boys Audrie made out with was so drunk he started crying and screaming. He threw up in the kitchen sink – into which someone had already tossed Audrie's iPhone. Audrie was too blitzed to notice.

Then three boys she'd known since middle school – Bill, Joe and Ron – and one of their friends, Mary, helped her upstairs into a bedroom (the names of these four have been changed because of the boys' status in a juvenile case). Mary appears to have left the room when the boys started pulling off Audrie's clothes and drawing on her with Sharpies. In interviews with police later, they admitted, to varying degrees, coloring half of her face black, then pulling down her bra, taking off her shorts and drawing scribbles, lines and circles on her breasts and nipples. Bill wrote "anal" above her ass with an arrow pointing down.

At some point, Mary returned to find Audrie in her underwear and put a blanket over her, then left the room again. With Audrie still sprawled out on the bed and unresponsive, the boys allegedly fingered her and took pictures on their phones.

When she woke up the next morning, Audrie didn't know how she'd gotten into the bedroom or where her clothes were. Then she looked down and saw drawings all over her body, even near her genital area. She stumbled into the bathroom and ferociously scrubbed away the ink on her face. Since her iPhone was drowned in vomit in the kitchen sink, she had to borrow a friend's phone to call her mother.

"She called me to come get her, and I was surprised because it was earlier than usual," Sheila recalls. In the car and all that day, Audrie was pensive and quiet. They went to lunch at a restaurant and Audrie wouldn't eat. That afternoon, she locked herself in her bathroom for a long time, and then huddled with her computer in her bedroom. At dinnertime, Sheila stood beside her and noticed a green strip of ink on her daughter's cleavage.

"What's that?" she asked. Audrie brushed her off.

Back in her room, Audrie wasn't so nonchalant. She was engaged in a frantic attempt to discover what had happened to her body. She talked to Amanda on the phone and told her friend about waking up stripped and graffitied. Amanda couldn't give her any clues, other than to say she'd seemed very bombed.

Throughout the evening, she became more and more desperate, her agitation and the callousness of her friends evident in Facebook transcripts. At around 5 p.m., Audrie and one of the boys had the following exchange:

AUDRIE: *joe i need to talk to u.*

JOE: *What*

AUDRIE: *one word*

AUDRIE: *marker*

JOE: *What about marker*

AUDRIE: *u know what im talking about.*

JOE: *Fucking Henry*

AUDRIE: *i dont remeber anything about that.*

AUDRIE: *Mary had to tell me everything*

AUDRIE: *i swear to god if u still have those pictures illl killl u*

JOE: *They are deleted and I didn't take them I promise it wasn't me*

JOE: *And I'm sorry about the marker*

Audrie then messaged with another boy who'd been at the party, "Sam." He asked her, "Does he [Joe] still have any photos?"

AUDRIE: *he said no but I think its BS*

SAM: *ur fine. . . . ill make sure nothing goes around*

AUDRIE: *it's gonna get out. Shit always does. Especially with the people who were there.*

She was also on Facebook with "Josh." The news from him was not good.

JOSH: *lol that shit gets around haha everyone knows mostly everything hahaah*

AUDRIE: *oh my god. . . . i fucking hate people.*

That night, Audrie again confronted Joe on Facebook, accusing him of sharing the photos. Audrie wrote that the "whole school knows. . . . Do you know how people view me now? I fucked up and I can't do anything to fix it. . . . One of my best friends hates me. And I now have a reputation I can never get rid of."

Writing to another boy on Facebook, she said, "My life is over. . . . I ruined my life and I don't even remember how."

There have been a number of high-profile cases similar to Audrie Pott's across the U.S. and Canada in recent years. Steubenville, Ohio, spent months in the national headlines last summer after two football players raped a drunk high school girl at a party. In Louisville, Kentucky, in 2011, Savannah Dietrich, 16, got drunk, passed out and woke up to later learn two male acquaintances had stripped and sexually abused her, capturing the action on their phones and then sharing the pictures with pals. Savannah gathered evidence and went to the police herself. The boys confessed and

were initially granted a plea deal that involved the felony charge being expunged from their records before they turned 20. Savannah went public with their names after that, nearly earning herself a contempt-of-court citation because of the juvenile-court privacy regulations, but ultimately influenced the court to rule for the boys to have a misdemeanor on their records for life. The local DA said that penalty was "the most severe" available in Kentucky juvenile court.

In Nova Scotia, Rehtaeh Parsons, 17, was taken off life support and died this April, three days after her mother discovered her hanging in the bathroom of their Halifax home. According to her mother, the teen got drunk at a party in 2011 and was gang-raped by four boys, who snapped a picture of the scene and posted it online. Her mom said Rehtaeh was mercilessly bullied by classmates for the next two years, even after the family moved to a new town to get her away from the abuse. In early August, Canadian authorities charged two 18-year-old boys with disseminating child pornography.

Diane Rosenfeld, director of the Gender Violence Program at Harvard Law School, says such incidents are far more common than just those that wind up in court or involve suicide. Most, she says, don't make the local news or even reach school administrators because the girls are too embarrassed to do anything. Rosenfeld and her students work with girls, sometimes filing civil suits and encouraging them to graduate. Many are too humiliated to stay in school.

Rape stats may be no higher than in years past, but the numbers are as shocking as ever. Every two minutes, a sexual assault happens in the U.S., and nearly 50 percent of the victims are under the age of 18, according to Katherine Hull, a spokeswoman for the Rape, Abuse and Incest National Network: "The demographic of high school- and

college-age women is at highest risk for sexual assault." More than half of the incidents go unreported, advocates say. The ability to record and communicate gang-sex assaults has added a new enhancement to an old and ugly crime against women. From Instagram to Snapchat to texting, young people with raging hormones and low impulse control are passing around what amounts to child pornography. And the bodies most frequently watched and passed around are female.

"It's a perfect storm of technology and hormones," says lawyer Lori Andrews, director of the Institute for Science, Law and Technology in Chicago. "Teen sexting is all a way of magnifying girls' fantasies of being a star of their own movies, and boys locked in a room bragging about sexual conquest."

But as of yet the law provides little protection to the rights of those violated. Section 230 of the Communications Decency Act effectively means that no Internet provider can be forced to take down content for invading a person's privacy or even defaming them. "I could sue The New York Times for invading my privacy or Rolling Stone for defaming me," Andrews says. "But I couldn't sue and get my picture off a website called sluttyseventhgraders.com."

The flip side of this ugly trend is that when gang-rape participants and bystanders record and disseminate pictures of an assault, public outrage is inflamed and cops and prosecutors have evidence they can take to court. This can mean rape victims get more justice than in years past. Arguably, the Steubenville rape would never have been prosecuted without the video. However, since so many of the incidents involve juveniles, punishment is neither swift nor certain.

Prosecutors all over the nation are facing the same social and legal quandary: How do you protect young women from not just sexual assault but the magnification of those assaults via the Internet? How much punishment can they mete out to boys, who in many cases are only a year or two removed from childhood, who seem to think they are committing pranks with phones and passed-out girls, and for whom the ultimate charge – rape – means the end of their lives before they start? Finally, how do you instill in impulse-driven teens of both sexes the knowledge that whatever they record on their phones and send can reach the entire world and stay public forever?

Audrie Pott was born on May 27th, 1997. Her parents split before she was five, and

Larry Pott, an entrepreneur who ran a commerical-security business, married a younger Canadian woman, became a Jehovah's Witness and had three more children. For most of her life, Audrie shuttled between her father's sprawling hillside home and her mother's smaller house. Her father and stepmother, Lisa, thought she was basically a happy kid, but Audrie's friends got earfuls about how she fought with her stepmom. Lisa says she was a disciplinarian who put a tracking app on Audrie's phone and wouldn't let her miss school, whereas her mother was more lenient.

During Audrie's freshman year at Saratoga, she became unhappy in a way that confounded her parents. She began missing school so much that she flunked a class. But Sheila couldn't pry the cause of the academic struggles out of her daughter. It certainly wasn't her intellect – Audrie attended summer school for the class she had failed and got A's. Sheila began to suspect that bullying played a role and called a meeting with Audrie and school officials because she began to worry Saratoga wasn't doing enough to help her daughter. "I asked if they thought she was being bullied,"

says Sheila. "A counselor came in, a young woman, and actually said to Audrie, 'Get a different group of friends.'"

On top of that, for the past few years, Audrie had a particularly tortured relationship with her body. By the time she was 13, she'd sprouted 34DD breasts. Though this won her attention from boys, it also made her morbidly self-conscious. During freshman year, she became obsessed with the shape of her stomach and liked to wear too-small clothes to be more like her friends. "She wanted," says her mother, "to be just like the superskinny Asian girls in her circle."

Her friends knew Audrie had body-image issues. She refused to eat in public. "She wouldn't eat anything for breakfast," says Amanda, one of Audrie's closest friends. "She would eat an orange at lunch and then wait for dinner. If she felt hungry, when no one was looking she would eat. Or I would make her eat."

Looking back on it, her friends think that these problems developed in middle school, during several years of sexually tinged bullying. Most people can recall their own nightmarish junior-high humiliations, but even by those standards, the Redwood Middle School Class of 2011 set a new bar. "This is a mean group of kids," Sheila recalls one teacher telling her. Audrie belonged to the dominant group, but that offered little protection. One boy – who later left school – made a "hot list" of girls and had admitted to dreams about killing Audrie, prompting school administrators to separate him from her.

The boys in her class would ridicule the girls about their bodies, while at the same time pressuring them to expose themselves for the camera. According to friends of Audrie's, sexting was epidemic. By seventh grade, boys were daring girls to send them photos:

"bra or no bra." The girls, not understanding the lasting consequences, more often than not complied. "They want the boys to like them," says Amanda. "And they don't want them to think they're not cool."

"It started without bras," Kathy says. "There were some girls that sent pictures to any guys that asked. They wanted the attention so much that they would do anything for it and they didn't think what the consequences would be." Audrie, another friend said, might have sent one once. Her choice: bra.

According to Audrie's friends, one of the three boys eventually arrested for the assault, Joe, was a leader of the teasing pack in middle school and especially sadistic. "He would pick one person to make fun of for a few weeks, then move on to another," Amanda says. Bill had a reputation as a troublemaker, while Ron was more of a "sweet" guy.

Audrie started her sophomore year at Saratoga High two days after the assault, with the knowledge that photos of her naked and luridly decorated body were circulating around school. She cut chemistry to avoid talking to Kathy. Then Amanda told her she had seen a group of boys huddled around Joe and his phone and assumed they were looking at pictures of Audrie on the night of the party.

Audrie persevered. She missed only one day of school that week and put on a brave face. But her friends noticed cuts on her arm, which she claimed were due to a broken vase on her mother's couch. In math class, one of Audrie's friends teased her about the wounds. "I heard you cut yourself," the girl said loudly. Audrie started to cry.

She went out the following weekend and joined a posse of girls, even stopping in at the home of one of the three boys who had allegedly abused her the weekend before. Audrie kept smiling.

Two days later she hanged herself.

In the wake of Audrie's death, Saratoga police agreed with school administrators to wait until the following week, September 17th, to initiate an investigation to "allow students, friends and staff to mourn and grieve."

But on September 13th, Kathy went to talk to school administrators and describe what she knew about the party at Sara's house and how kids at school had pictures of Audrie. While Audrie's parents were arranging for her funeral, her organs already transplanted, a sheriff's deputy met with a school official who provided a letter summarizing Kathy's statements. No one from the school contacted the family, though.

By the time police arrived to interview students, word had already started to spread through campus and students were sharing rumors about who was getting hauled into an administrative office and why. One of Audrie's friends from middle school was overheard telling another student, "Shut down your Facebooks, cops are looking." Another friend had even acknowledged in a Facebook message to Audrie before she died that he didn't want to discuss it further on Facebook – presumably because there would be a record.

A Pott family member in a nearby town heard the rumors of the police investigation from a student and called Larry the night of Sunday, September 16th, urging him not to

cremate his daughter's body – which was scheduled for the next day – because a crime might have occurred.

On September 14th, the police pulled Bill out of class and interviewed him at school, then criminally cited him with a misdemeanor, handing him over to his father's custody. They interviewed the other two boys and also cited them, but continued their investigation. According to sources, when the police executed a search warrant on the boys, on September 21st, they discovered that Ron's phone was broken and one of Bill's phones had gone missing. The Pott family believes the damaged and missing devices delayed the investigation for up to seven months while the police tried to recover enough evidence to charge the teens with sexual battery and possession of child pornography.

Bill's parents soon took him out of Saratoga High and enrolled him in a school in another city, where he was allowed to play football. Joe and Ron remained at Saratoga.

A year later, it's almost impossible to gauge exactly how far the pictures of Audrie got – and how many people saw them. One senior says that he knew from "casual conversation" that "a clique of friends" had passed around the pictures. A senior connected with the football team would tell a reporter that he was among a number of boys who had looked at a photo of Audrie on Joe's phone. The *Saratoga Falcon* student newspaper reported approximately 10 students saw an image of her defiled body.

Attorneys representing the boys have claimed that their clients had nothing to do with Audrie's suicide and work to portray Audrie as a desperate, troubled young woman. "Much of what has been reported . . . is inaccurate," said a statement jointly issued by the teens' lawyers in April. "Most disturbing is the attempt to link (Audrie's) suicide

to the specific actions of these three boys. We are hopeful that everyone understands that these boys, none of whom have ever been in trouble with the law, are to be regarded as innocent."

Santa Clara County District Attorney Jeffrey Rosen declined to comment on the specifics of Audrie's case. But his office is pushing the California Assembly to write a law making cyberbullying an aggravating element in sexual-assault cases. "This piece of legislation is meant to give us an opening to tell young people in middle school and high school that this is a crime," says Rosen. The law is still in the writing stages, though, and the local legislator hasn't even introduced it.

"What's really changed is that before the Internet you could do something really stupid and maybe someone would take a picture of it, so there's the picture and the film, and you could physically capture that," says Rosen. "You can't capture things on the Internet. What's very clear to me from this Pott case, and other cases around the country, is that for raped or sexually assaulted young girls, it's one thing that people are gossiping about you in school, but when you add images that they can keep forwarding, it really can seem like the whole world knows."

With Saratoga High in communication-lockdown mode because of the threat of a lawsuit, and administrators refusing to speak even to the community, parents are on their own as far as what they are supposed to do or say to their kids. One Saratoga mother of a teen boy and girl, Selena Kellinger, says she's talking to both her kids about the issue.

"When my daughter was in high school, girls were taking pictures of themselves topless, and of course that goes around," says Kellinger. "I had a conversation, a week

before Audrie committed suicide, with my son. I said, 'Please don't send sexts – if you get caught, it's pornography. Delete it. It's not funny.' And a week later, this happened. The boys are just so stupid. They think it's funny writing on a girl's vagina. They don't respect personal-space boundaries."

Adding another layer of tragedy to Audrie Pott's death is that virtually the same thing had happened in the town three years earlier. In 2009, Jill Naber, a freshman at Saratoga's sister school, Los Gatos High School, committed suicide. The popular cheerleader hanged herself after a topless selfie circulated. The photo went viral – apparently shared electronically all the way down to schools in Fresno that played against the Los Gatos teams.

In the aftermath of that tragedy, Los Gatos took steps to address the issue by launching counseling and educational outreach services for the problems teens run into with sexual images and technology. "A lot of what happens on campus starts online the night before," Los Gatos principal Markus Autrey told a local newspaper reporter after Naber's death.

But Saratoga school officials would not make that link, publicly denying that Audrie's suicide had anything to do with events that occurred at the school. Days after the suicide, responding to questions from a *San Jose Mercury News* reporter about rumors of school bullying, principal Paul Robinson said that the rumor was "as far from the truth as it can be." Administrators have since refused to respond to questions, citing the ongoing police investigation.

In the little dry cleaners, boutiques, delis and coffee shops along Saratoga's curving main street, Big Basin Way, and in the mansions up on the purple, piney mountainsides that shade the town long before sunset, two camps formed. There are those who think the boys involved should be severely punished and whose anger has sometimes reached vigilante-threat proportions. On the other side, there are people who think the boys are guilty of a stupid but basically innocent prank and that Audrie's suicide had other causes.

Only one parent of the accused boys returned a call to *Rolling Stone*. He asked that we not name his son and said the story has been wildly misreported. "We are extremely saddened about what happened to Audrie," he says. "But the story that things went viral, that the picture went up on Facebook, it is flat untrue. This was not Steubenville. It was a prank by a few kids, and it's blown out of proportion. Audrie had a lot of other problems in her life, and everybody in Saratoga knows that."

It's a sentiment shared by many parents around town. "These boys are not bad boys!" says the mother of a friend of one of the boys at the party. "They are goofy and silly. If there is a sleepover, one of the boys might put whipped cream on someone's hand. They are not malicious, mean criminals. This is costing their families thousands and thousands of dollars, and we are not all rich."

The students who talked to *Rolling Stone* were – much like the parents – divided into two factions about the boys' relative guilt. Many were eager to protect Saratoga's otherwise sterling reputation. The student-newspaper editor Sam Liu said there is a lot of sympathy for the Potts, but also "tons of rumors" that Audrie had family problems that provoked her suicide.

But recent Saratoga High graduate Jessica Hayes describes a school environment where disrespecting girls is neither rare nor effectively addressed. Hayes recalled two ugly incidents with football players that occurred during her own freshman year. A boy from the team unzipped her sweater in the middle of the quad, exposing her bra. When she kneed him, she was disciplined. Months later, a group of four or five boys surrounded her at a football game and tried to intimidate her into going under the bleachers with them. She punched one boy and ran, and then endured "20 to 30 harassing texts a day" for months. During her freshman year, she ate lunch in her mother's car, rather than with the other students.

"If you feel disrespected, the office staff doesn't do much to help you," Hayes says. "If something does happen, the girls feel you have to deal with it on your own. It would have been so hard for Audrie to go back to school. Half the people have seen her naked, half the people think she's a whore, and judge and bully her. Teachers know. They can't not. They hear about it."

To cope with the shock of Audrie's death, Saratoga students arranged a memorial day on which everyone was supposed to wear teal, Audrie's favorite color. Grief counselors were brought in. An art teacher organized a girls-leadership group to facilitate discussion among girls about self-respect. Then things went quiet. The accused boys kept going to school, whispers died down.

On April 11th, seven months after Audrie's suicide, the Santa Clara County sheriff arrested the three boys on charges of misdemeanor sexual battery, felony possession of child pornography and felony sexual penetration. When they arrested the boys, police seized new phones and other electronic gadgetry their parents had bought to replace what authorities took in the fall. Police found new pictures of other nude teen girls on

some of their phones, prompting them to add on new charges in July. Sources close to the case tell *Rolling Stone* that police discovered one of the boys was trying to make money selling the pictures.

Two of the boys have admitted that the felony charges against them are true, according to sources close to the case, and they are awaiting sentencing – which could range from community service or time in a juvenile-detention center. Their records will be sealed when they turn 18. The third boy may be upgraded to adult court, where the sentence is harsher and a sexual-assault charge would remain on his file for life. California prosecutors are limited by a statute requiring a sexual assault committed by a minor age 14 and over to be "forcible" in order to directly qualify for adult court. A sexual assault on an unconscious victim is not considered forcible.

On April 15th, the Pott family held a press conference announcing they were filing a civil suit against the boys and their families (the parents who own the party house settled in August), and filed an administrative claim against the Los Gatos-Saratoga Union High School District, alleging that administrators were lax in responding to bullying against Audrie – bullying that the school claims was never discussed.

In response to Audrie's death and the arrests, Saratoga's teachers opened discussions with students about the case that had fractured the affluent suburban veneer of the high school. "In every single class, somebody raised their hand and said, 'Well, wasn't she drunk?'" says Hayes. "And 'I thought she was drunk.' And 'She made out with two boys.' 'She was drunk and I'm sure she liked it.'"

Hayes decided some of her fellow students misunderstand rape. "Most people know rape is not OK," she says. "But it is never talked about in class."

Writer Laurie Halse Anderson published an influential book in 1999 called*Speak*, about a high school rape and its effects on a victim. Since then, she has spoken at high schools and middle schools around the U.S., and estimates she has talked to a million kids about rape. "What really strikes me is that, when it comes to recording sexual assaults and wanting to show it off, the young men committing them are not seeing them as crimes, they see them as pranks. And there's no point in pulling a prank unless you share it." Anderson said parents and educators need to talk to younger boys about informed consent. "When I speak to students, I tell boys that if a young woman isn't of age, she isn't capable of giving informed consent, and if she's drunk or high, there's no informed consent. And those cases, if you have sex, you can go to jail. And the jaws drop, because right away, they think of the sex they had at a party last weekend, where everybody was wasted."

Alone in the house she once shared with her only child, Sheila Pott pours herself

another glass of chardonnay and wipes away tears that still well up regularly, eight months after Audrie's death. She gives a tour of Audrie's bedroom, where she hasn't moved a thing. On Audrie's dresser, under an earring tree draped with the sparkly baubles her daughter favored, Sheila has placed a simple, hand-tooled metal rose wrapped in a piece of notebook paper. She found it among the flowers at the memorial. It was from a fellow student who scribbled, "I didn't have time to buy you flowers, so I made you one in shop class." He signed it "Matt P."

In the end, whether the pictures really went "viral" or not is irrelevant. Audrie Pott reasonably believed images of her nearly naked body being fondled and abused without her consent were embedded in phones all over school, and that it was only a matter of time before everyone she knew either saw them or knew what had happened to her body.

"With no assault, with no cyberbullying, Audrie is in art class right now," Larry Pott said at the April news conference, choking back tears. The family divulged some of the Facebook messages their very private daughter sent in her last days, deciding it was better, in the wake of her suicide, to reveal the details of what happened than to hide. The messages show her pleading with Joe to delete the pictures. Among her last words were, "You have no idea what it's like to be a girl."

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