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Privacy in the Internet Age (\$100 million Lawsuit by Mississippi school student for invasion of privacy)

PHILLIPS: Well, we all know the Internet is public, probably the most public thing ever created. And once something's out there, it stays.

Still, though, is there no room for privacy? Even in the age of Facebook, YouTube, Twitter, you may be shocked by an incident that's now become a federal case.

A high school student in Pearl, Mississippi, is told by her cheerleading coach to hand over the password to the private area of her Facebook page. Then the coach allegedly reads and forwards to school officials private messages between the student and the captain of the squad. Allegedly, those officials reprimanded, punished and humiliated the student as a result.

I keep saying "allegedly" because all of this is a subject of a lawsuit, and we're not talking small claims. Mandi Jackson and her parents are suing her school district for \$100 million.

Mandi and her mother Missy join me now live from Jackson, Mississippi.

So, Mandi, tell me how this all came about. Did your cheerleading coach approach you and threaten you? Kind of tell us how it happened.

MANDI JACKSON, SUING SCHOOL DISTRICT: Well, for getting the Facebook password, we're all (INAUDIBLE). And she handed us a pen and a pad and told us to write down our usernames and our passwords for our accounts. I'm not sure that's right.

PHILLIPS: So, she asked you and all the other cheerleaders to do that?

MANDI JACKSON: Yes, ma'am.

PHILLIPS: And why did -- did she give a reason why she was asking for your passwords?

MANDI JACKSON: There was no reason. She didn't give any of us a reason, but we thought that it was for pictures of us drinking or smoking or anything inappropriate on our page.

PHILLIPS: So let me ask you, why did you give her your password? Why didn't you say, "This is my private account, I don't have to give it to you"?

MANDI JACKSON: Well, I was so young at the time and she was an authority figure. So, it was kind of hard for me to say, hey, I'm not giving you my password. And I didn't really know what to do at the time. So it was just so immediately that she asked us for it. You can't really know what to do.

PHILLIPS: So, Missy, what did you think about this when she came home and told you about this?

MISSY JACKSON, MANDI'S MOTHER: Well, once I got beyond reading the e-mail and we got through getting on to her about the content of that, I was livid. To me, my job is a parent, and she needs to do her job as a teacher and let me do my job as a parent.

And I contacted -- I spoke with her. I spoke with the guidance counselor. And I spoke with the Department of Education, is where it started, within the first couple of days of it happening.

PHILLIPS: And so, Mandi, what was in the e-mails? Were you talking about the coach or saying bad things about the coach, and she got paranoid and wanted to see what everybody was saying about her?

MANDI JACKSON: Oh, no. It had nothing to do with the coach. And it was a message between me and another girl, who happened to be a cheerleader. And it was laced with profanity, and that's just about it.

PHILLIPS: So were you talking about her, or what was so bad about the e-mail?

MANDI JACKSON: I was just saying, OK, well, it's time for somebody to step up, stop harassing the girls, and somebody else will step up to her, because she was a senior and I was a freshman at that time.

PHILLIPS: So a lot of you felt that the coach was harassing you?

MANDI JACKSON: Ma'am?

PHILLIPS: So you and some of the other cheerleaders thought that the coach was harassing you? That's what the talk was on e-mail?

MANDI JACKSON: No. It was the girl that I sent the e-mail to that was harassing us.

PHILLIPS: Oh, OK. I see what you're saying. Did anything happen to the other girl, then, that you were having the communication with in this e-mail? Are you the only one that was singled out?

MANDI JACKSON: Yes, I was the only one that was singled out. She didn't have any punishment.

PHILLIPS: So, what happened to you at school? How were you humiliated? How were you ostracized? How did this impact you at school? Tell me what happened.

MANDI JACKSON: Well, it was really depressing, because I lost a lot of good friends. And a lot of people just stopped talking to me because they were taking her side on mostly everything, because the whole story didn't get out of what had happened. So, I got really depressed, and it was really pretty brutal about what the kids and everybody else was saying.

PHILLIPS: And once again, I want to point out that this was private e-mail, this was your private e-mail that was exposed to all these individuals there at school.

And so, Missy, how did this affect, you know, Mandi's daily routine at school, at home? I mean, this must have been pretty tough.

MISSY JACKSON: It was tough. Once the e-mails got spread out, she had some people that were going, you know, "You go, girl," for standing up. But that's not what it was about.

It was a private conversation between two people. There weren't any threats. It was just simply some vulgarity, and we handled that at home, like we are supposed to as the parents.

But she has been through so much depression with it. It's not necessarily anything to do with the cheerleading, other than the fact that that's some of the things that they used on her.

But, you know, it's affected her whole life, it's affected the family's whole life, because we've always been real active in the community and we're not doing that anymore. It's affected the classes that she can take because of these teachers, their husbands, their wives, or whoever else that's working at the school.

PHILLIPS: And we do want to point out that we did reach out to everybody here that's named in the lawsuit. And the Mississippi Cheerleading Academy said, "No comment." And the attorney that's representing all the school district, the defendants, said, "No comment. We're saving our word for court."

So, Mandi and Missy, we will follow up on the case. Obviously, Mandi, high school is a tough time, and it doesn't make it any easier when you've got your teacher and those in authority making things even more difficult for you.

I'm sorry you had to go through that. And we've all sent those e-mails that we probably wish that we didn't write. But, hey, they're private e-mails and it's none of anybody else's business.

MISSY JACKSON: That's right.

PHILLIPS: Missy and Mandi, we'll follow up. We appreciate your story. Stay strong there.

We want to push forward though and talk more about Mandi's case. And you know, how strong is her case? And if not, what does that mean for the rest of social networkers, all of us that are involved with social networking?

Let's check in with Joel Brodsky, criminal defense attorney. He joins me now from Chicago.

And Joel, I'm just looking at the eight counts here in this lawsuit. It's from right to privacy, right to free association, free speech, due process, infliction of emotional distress, cruel and unusual punishment, defamation of character, and civil conspiracy.

What do you think of all those counts? And does Mandi have a case here?

JOEL BRODSKY, CRIMINAL DEFENSE ATTORNEY: Well, she certainly has a case. The factual part of the case that really I think is the strongest is that certainly the teacher should have asked permission from the parents before they go invade the child's private conversations.

But she does have a case for what they call intentional infliction of emotional distress and defamation called public disclosure of private facts. But those are normally state court cases. I don't really see too strong of a federal civil rights case here.

This is really more of a state court, typical defamation and infliction of emotional distress case. There may be strategic reasons they want to be in federal court, but this case may be kicked back to the state courts there.

PHILLIPS: So, could this impact in any way, shape, or form the way we communicate online? And I'm talking about online communications and also social media.

BRODSKY: Well, absolutely. If it's allowed, if it's found that Facebook e-mails, things put on social networking sites that are allowed to be distributed to a chosen few, that by doing that you waive your right to privacy, that, therefore, it can be generally distributed and you have no rights over who they're distributed to, that is going to severely affect social networking sites and people's right to communicate with each other.

PHILLIPS: So, when you heard about this, and you've learned all the details about what happened to Mandi, and if it's proven true that this definitely happened, that the teacher basically said, give me all your passwords and we're going into your personal accounts, and then we're going to completely humiliate you in front of everybody, would you take this case?

BRODSKY: Certainly. I don't see that I would be filing the type of civil rights actions, but certainly I see a very strong, intentional infliction of an emotional distress claim, and a public disclosure of private facts claim.

I don't think it is worth \$100 million. You know, people in wrongful death cases only get a few million. It's not worth \$100 million, which is what they are asking for. But there is a claim here, and it's compensable, absolutely.

PHILLIPS: What do you think should happen to the teacher that came forward and said, give me your password, and then got in there and distributed the e-mails?

BRODSKY: Well, you know, obviously, supervisors of extracurricular activities like football and cheerleading, they always go that extra step. They usually have rules and regulations for their members. And, you know, kids that are in those type of activities have to abide by extra regulations.

But if this teacher -- and it seems to me this teacher went well beyond the bounds of what he or she should have done -- there should be some discipline without question. I mean, just because you have a right to monitor kids, doesn't mean you have the right to humiliate them. It should have been handled a lot better than it was.

PHILLIPS: Joel Brodsky, appreciate your input.

BRODSKY: My pleasure.

PHILLIPS: And if you've ever been on a social networking site or been worried about the privacy of your e-mails, or just been on the Internet, I know you want to weigh in on this developing story. Just log on to CNN.com/Kyra to share your thoughts, or send me a tweet at Twitter.com/KyraCNN. We'd love to read some of your thoughts on the air.