

Testimony before the House Judiciary Committee, January 29, 2015

House Bill No. 2062

Good afternoon Chairman Barker, Vice Chair Macheers, Ranking Minority Member Carmichael and committee members, my name is Alecia Clemmons, f.k.a. Alecia R. Andrews-Crain, I am a Missouri Citizen, Mother, Wife, Sister, and Daughter like many your constituents. I would like to thank you for the opportunity to testify today in support of House Bill No. 2062. I am a survivor of revenge pornography.

A new and dangerous trend of domestic terrorism where intimate photographs or videos are weaponized, posted online, victims are named, addresses and other identifying information is shared, and are linked to professional networks e.g. LinkedIn and personal networks e.g. Facebook to humiliate, blackmail, coerce, and intimidate exes; revenge pornography.

Revenge pornography is a coined term that does not define the actual violation of one's privacy. "A more accurate term is nonconsensual pornography, defined as the distribution of sexually graphic images of individuals without their consent. This includes both images originally obtained without consent (e.g. by using hidden cameras, hacking phones, or recording sexual assaults) as well as images consensually obtained within the context of an intimate relationship. Nonconsensual pornography transforms unwilling individuals into sexual entertainment for strangers. A vengeful ex-partner or opportunistic hacker can upload an explicit image of a victim to a website where thousands of people can view it and hundreds of other websites can share it. In a matter of days, that image can dominate the first several pages of "hits" on the victim's name in a search engine, as well as being emailed or otherwise exhibited to the victim's family, employers, co-workers, and peers." (Exhibit -1; Criminalizing Revenge Pornography, Frequently asked Questions)

During the past twelve months we have seen an increase in enacted legislation criminalizing revenge pornography. As of January 1, 2015 sixteen states have enacted legislation protecting their constituents from this type of terrorism and abuse. (Exhibit -2; States with Revenge Pornography – National Conference of State Legislators) Additionally ten states have pending legislation for the 2015 regular session. (Exhibit -2; States with Revenge Pornography – National Conference of State Legislators) As suicides become more frequent responses to this type of degradation and humiliation constituents turn to legislators pleading for protection and criminalization. Of the sixteen states criminalizing revenge pornography, Illinois has the latest and greatest model taking into consideration all of the various layers involved in criminalizing and prosecuting revenge pornography while protecting First Amendment Rights by recognizing the following; (Exhibit 3 – Illinois model and important considerations for bill drafters & Exhibit 4 – Drafting Legislation).

1. Motive does not matter
2. Selfies are included
3. Strong Punishments
4. Not just nudity
5. Downstream distributors
6. Honors the First Amendment
7. Doxing

A domestic act of terrorism-Revenge Pornography-My story

Finally, I was excited to face the day, it was Friday February the 21st, and it had been a week long full of emotional up's and down's that come from each court appearance. Facing my abuser in court for the renewal of my full order of protection is difficult especially knowing the devious heinous attacks that come leading up to or follow these appearances are launched with the intent to inflict emotional mental

anguish in an attempt to rattle me, cripple me to the point that I surrender my post of self-protection and advocacy or to make me appear emotionally unstable that my truth could not possibly be real, it is all in my mind, fabricated, and my abuser is in fact the victim of a scorned woman out to ruin him regardless of the stacks of evidence that suggest otherwise.

I have managed in the past years to rise above each attack. The attack that was launched seven days after my abuser lost in the trial in which I was granted a renewal of my full order of protection took me to a realm I had never experienced. February 21, 2014 started as any other day in my world would. I woke up had my coffee, read my daily meditations, reviewed my calendar to ensure my route for the day was solid. As a single mother and a self-employed independent insurance agent, our livelihood depends on my ability to be in the field working leads, closing proposals, and acquiring new opportunities.

My two boys left for school. As the server for the agency I am contracted with connected at 7:00 a.m. emails began arriving and I started reviewing those responding to my clients and companies; reputation, perception, ethics, and integrity are important in my industry.

Little did I know lurking in my email was a notification that would alter my life permanently. "Jay Shaft" a name new to me, opening and reading the words that my brain could not comprehend fully until I clicked the link attached and realized the severity of the message sent me into a sheer panic:

----- Original message -----

From: Jay Shaft

Date: 02/21/2014 6:29 AM (GMT-06:00)

To: Alecia Crain

Subject: Someone did something nasty to you on [myex.com](http://www.myex.com)

Someone posted pictures of you!

Thought you should know

A friend

<http://www.myex.com/missouri/harrisonville/alecia-andrews-crain/14648/>

As the link opened the up to the website and I read the horrendous language used to describe me as I scrolled down to see nude pictures of myself exiting my shower. A shower of a home that I shared with my ex-husband, my abuser, I remember that day vividly as I opened the curtain to exit and found him photographing me seven years ago, and the rage that ensued inside me as my privacy was violated. It was not illegal for him to do so. I was told by law enforcement repeatedly there was nothing I could do, their hands were tied we were married and it was a jointly shared residence. Perhaps it would stiffen the stakes and I could gain the protection I desired if I obtained an order of protection one law enforcement officer told me. I began my journey of obtaining a full order of protection to enforce my right to no longer be victim of this marriage to a drug addicted narcissist, his abuse, revenge, and humiliation beginning in 2007. Our divorce was final in 2010 and after the expiration of each full order of protection eventually I had to file for a new order. A process I wish on no one. As it turns out, violations are hard to prosecute and the protection order is only intended to scare the law abiding. Interesting concept, I thought if he was law abiding I would not need an order to draw boundaries.

As I collapsed to the floor sobbing – my head began spinning, racing thoughts of the legalities and how could this have happened, who has seen this, how do I stop our precious boys from finding their mother naked in front of the entire nation online, what do I do, who can help. After a couple of hours sobbing I gathered myself up off the floor and began my pursuit of justice. I would not be shamed into silence. After all, everyone is naked at some point I am reminded by one warrior parent. Unfortunately, I have been here before where I had to advocate for me and the boys. I was determined to fight for the protection the court had promised me just seven days earlier in my renewal hearing.

Another disappointment in life, this is yet another grey area of law. In Missouri, it is not illegal to post nude photographs nor is it illegal to state defaming things about someone online even with an order of

protection. I went to every law enforcement agency that would listen from jurisdiction to jurisdiction because my abuser sent two emails notifying me of the pictures he posted on February 20, 2014, it was not enough that he posted them, and he wanted me to know. He sent an email to my work and personal email address. As it turns out this is the only potential violation and even then I was turned away with little to no hope that I would receive justice from a system designed to protect me.

After a full day of my pursuit of justice and protection that resulted in disappointment after disappointment, I turned to my fellow warrior parents on an online forum, One Mom's Battle, a group of parents-mom and dad's alike fighting to protect their children from the injustice of family court and their narcissistic personality disordered abusers, I have used this forum for advice, venting, camaraderie, and validation that I am not alone. I was amazed at the amount of parents who had already experienced this and the terminology that I never knew existed. One of the warrior parents posted the definition of revenge pornography. Another posted information about a take notice and steps that could be taken. I was outraged to discover that this has in fact been going on for years. I discovered that there were firms and reputation organizations that charged to restore victims. How could anyone be ok with charging to restore a victim? Isn't this what our justice system is for? Restoring victims? Sadly as I already knew due to my battle with family court this would be another piece of our broken system.

I was further angered that the victims had to pay in an excess of thousands of dollars to fight to take down their pictures and even then there was no guarantee that it worked. Further, in a lot of cases just because your pictures came down from one site did not mean that they did not appear posted on another site. There were literally hundreds of these hate sites out there utilized to invoke terror. This was enough information to start my next round of education and defense against this heinous act that is not criminal. I started writing emails and letters to every legislator, prosecutor, and the news media outlets requesting assistance to hold my abuser accountable, amend legislation referencing Missouri HB1203 and asking them to take a stand against revenge pornography. Protect your victims I demanded. Do not hide behind Anti-Slap or the First Amendment. This is not a freedom of speech; this is an act of terror, domestic violence, and cyber sexual assault. This should not be tolerated in our society. Ask yourself how you would feel if one day you woke up to discover your naked body plastered on the internet for the entire world to see; your children, colleagues, neighbors, clients to view?

I began doing interviews with KMBC Channel 9 and Fox 4 news. When the articles were published I was blamed by many, victim blaming is alive and well in our society, and further attacked by my abuser and his family members. May 21, 2014 a video is posted on myex.com of me in the shower. As it turns out the February 2014 posting of images were frozen frames of the video of my taking a shower. Like before the video was doxed and linked to my LinkedIn and Facebook profile. When other women began contacting me that had watched the interviews and advised me that my abuser had done the same to them. Additionally, I received over 100 emails, Facebook messages, phone inquiries, ensued by predatory creeps from the continental United States to overseas in attempt to solicit sex, blackmail me, and reposting of my postings to other sites. I lost revenue as an independent insurance agent as clients fired me, due to the continued harassment I changed my last name, moved my family, and changed my career and direction making half the income I was prior.

Every day I spend hours online contacting victims on various websites alerting them to their posting and offering to assist them with their Digital Millennium Copyright Take Down Notice for free. I have an informational page on Facebook to educate our young people. While I am a 41 year old woman and I have attended therapy to deal with the issues this type of humiliation, shock, and harassment causes many of our young people commit suicide to escape the harassment and pain that follows the posting. Additionally as a Intimate Violence Advocate many victims who have fled their homes and abusers have received threats of revenge pornography as means to coerce or blackmail, if they will only come back to the abuser or drop the restraining order the images won't appear online. I have seen deadlines given for the victim to return to the abuser to avoid the humiliation and pain.

My abuser has held on to these as ammunition. Seven years later the images and video taken without my consent, posted on myex.com without my consent, to punish me for protecting myself, for leaving him because he has not healed from the narcissistic injury, for my right to freedom from domestic violence, to protect our boys from further abuse, and our justice system and government enable abusers to do so. By not criminalizing this heinous act, remaining silent and not taking a stance, our body of government is in fact endorsing this behavior, allowing revenge pornography to remain a domestic terrorist tactic.

Take a stand; protect your citizens, constituents, communities, and children; criminalize revenge pornography, and send a message to those who profit that the State of Kansas and its Legislators will not tolerate any act of terror whether domestic or foreign.

Thank you for your time. Thank you Representative Carlin for sponsoring the proposed legislation.

Respectfully submitted,

Alecia R. Andrews-Clemmons

P.O. Box 985

Harrisonville, MO 64701

P: 816.721.1886

E: arcra12@gmail.com