

House Committee on Judiciary

In Support of HB2080

February 8, 2016

Chairman Barker and Members of the Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a statewide non-profit organization whose membership is made up of the 29 sexual and domestic violence programs serving survivors of domestic violence, sexual assault, and stalking across the state.

Nonconsensual pornography, commonly referred to as revenge porn, is “the distribution of sexually graphic images of individuals without their consent, including images originally obtained without consent as well as images originally obtained with consent, usually within the context of a private or confidential relationship.”¹ Currently in Kansas, dissemination of these nude or sexually explicit images without that person’s consent is not necessarily illegal. Most commonly this occurs when images or film are taken with consent in the context of a relationship and then later shared without consent after the relationship is over, frequently in an attempt to hurt or humiliate the other person. The dissemination of this material is a massive invasion of sexual privacy and can have devastating impacts for its victims. Nonconsensual pornography is not new. Technology, however, has made the dissemination of images faster, easier, and more widespread. With the internet, these images can continue to haunt the victim permanently.

Globally, there are over 3,000 sites dedicated to this material that attract millions of viewers. Websites like myex.com encourages people to “get revenge” on their ex’s by posting nude photos of them alongside their name and other identifying information therefore publicly shaming their ex-partner. Victims may be threatened, sexually harassed or stalked as a result of postings on these websites. According to Cyber Rights survey, 69% of victims had their full name shared with the material and 49% of victims have been harassed or stalked online or in person as a result of a former intimate partner posting on these sites. Former partners send or threaten to send these images to family, peers, and even employers, potentially resulting in a

¹ Danielle Keats Citron & Mary Anne Franks, *Criminalizing Revenge Porn*, 49 Wake Forest L. Rev. 345, 346 (2014).

victim being shunned from the community or fired. In relationships where domestic violence is perpetrated, abusers will often use the threat of the dissemination of explicit photographs or film to prevent their partners from leaving them, filing for orders of protection, or filing for divorce; to obtain custody of children; or to blackmail the victim into submitting to other activities.

House Bill 2080 would provide protection for the many victims whose lives have been affected by this type of blackmail and severe privacy invasion. It would also help to remove a powerful tool domestic violence abusers and former intimate partner stalkers use to shame, humiliate, and control their victims.

Submitted by,



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