

KNOW YOUR RIGHTS

Cyber Sexual Abuse

One in ten women under the age of 30 have experienced either threats to share or the actual sharing of intimate personal photos without their consent. Nonconsensual image sharing, also known as revenge porn, is one place where the digital age and misogyny meet. Our laws are still catching up, but there are ways to fight back against this form of cyber sexual abuse.

What is Revenge Porn?

Nonconsensual pornography or cyber sexual abuse, commonly known as revenge porn, is the act of sharing an intimate photo of another individual without their consent. In other words, posting nude, partially nude, or sexually explicit images of someone without their permission online or forwarding private photos via text would both be considered nonconsensual pornography.

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Nonconsensual Pornography is Illegal

- You have the right to expect private images to remain private. Nonconsensual pornography is never acceptable, and it is not your fault.
- You have a right to stop the abuse and hold the person who shared images without your consent accountable. Almost every state in the U.S. has laws protecting victims of nonconsensual pornography.
- You have a right to demand the images be removed from the internet (though the reality is that this process can be extremely difficult).

New York's Cyber Sexual Abuse Laws

- In **New York City**, it is a criminal and civil offense to disclose or threaten to disclose an intimate image of another person with the intent to cause harm.
- Under New York City's law, this act is punishable by up to one year in jail and a fine of up to \$1,000 in criminal court and could result in financial compensation and a legal mandate that the perpetrator stop the abuse in civil court.
- In **New York State**, it is a criminal and civil offense to disclose an intimate image of another person with the intent to cause harm. Threats to disclose can be addressed civilly.
- This act is punishable by up to one year in jail or three years' probation and a fine of up to \$1,000 in criminal court. In civil court, the victim may be awarded financial compensation, and the perpetrator be legally required to cease their actions.
- New York State is the first state to enable victims to seek a court order to remove content from websites which host or transmit the content.
- New York law can apply if either the victim or the perpetrator is located in the state. Victims have up to 2 years to pursue criminal charges and up to 3 years after an image was shared to bring a case in civil court (or one year from the date of discovery, whichever is later).

What You Can Do If You're a Victim of Revenge Porn

1. Document what is happening in real time. Your first instinct might be to delete all instances of the photos or videos found online, but you would also be deleting critical evidence should you choose to take legal action. Make sure you collect any evidence first, by taking screenshots, turning web pages into PDFs, and downloading any images or videos to a secure location. Be sure to take screenshots of the nonconsensual images or videos and:

- Comments posted online, such as those threatening to post the images/videos, or any referencing the images/videos.
- Search results that lead to the nonconsensual pornography.
- Web pages hosting the images. Make sure the screenshot includes the date, time, and the URL of the website.
- Texts, emails, or other communications related to the images. Make sure the sender's phone number is visible in the communication if possible, which provides stronger proof than just a contact name.

2. Seek help from the experts. Reach out to an experienced advocate or attorney who knows the details of the law and can help you make informed and empowered decisions about your next steps. Consider reaching out to a counselor or therapist, as well. It's important for you to get emotional support and take care of yourself. Check out our Get Help resources for more information. Here are a few things to consider learning about:

- Find out about obtaining an order of protection, which would establish legally binding instructions to the perpetrator to stop the abuse, stay away from you and/or stop communicating with you. This can be pursued in either family or criminal court. Note that criminal proceedings are public – meaning that documents like orders of protection are publicly available and may contain a victim's name.
- Learn about getting your images copyrighted, which can make it easier to regain control of the material and get it taken down from the internet more quickly.
- Reach out to crisis hotlines dedicated to cyber abuse, or call your local domestic violence organization. Many domestic violence advocates are also experienced in supporting victims of nonconsensual pornography, because these victims often face similar dynamics of power and control.
- You may want to call the police or your district attorney to report the abuse. There are sometimes specialized units or specific hotlines for crime victims.

3. Try to get the intimate images removed from the internet. If there are intimate photos or videos of you (real or fake) that have been posted online, you can begin the process of getting the material removed. Consider that Youtube, Twitter, and Facebook all have reporting mechanisms for sexually explicit or inappropriate content.

Get Help

- **SANCTUARY FOR FAMILIES** Connect with services and support. **212.349.6009**
- **CYBER CIVIL RIGHTS INITIATIVE CRISIS HOTLINE** Get info, support, referrals and non-legal advice. 24/7. **844.878.2274**
- **CYBER CIVIL RIGHTS LEGAL PROJECT** Get legal representation. **www.CyberRightsProject.com**