

'Revenge porn' should be a crime in U.S.

By Danielle Keats Citron, Special to CNN

🕒 Updated 3:49 PM ET, Thu January 16, 2014

LIVE



Trump addresses the conflict in Syria. Watch CNN



● LIVE TV

Victim of revenge porn: It has to stop 03:46

Story highlights

Danielle Citron: "Jane's" ex posted nude photo on revenge porn site with contact info

Citron: Women harassed, lose jobs, stalked as photos posted without permission go viral

Citron: Nonconsensual disclosure of naked images needs to be criminalized

A new law in Israel makes it a sex crime to post sexual pictures or videos to the internet without the consent of the person featured in them. We need to follow that example.

Revenge porn can ruin a person's life. A single post can go viral. For example, in the United States, "Jane" allowed her ex-boyfriend to take her naked photograph because, he assured her, it would be for his eyes only. After their breakup, the man betrayed her trust.

On the revenge porn site UGotPosted, he uploaded her naked photo and contact information. Jane received calls, e-mails, and Facebook friend requests from hundreds of strangers, many of whom wanted sex.

After the site refused to take down the post and the anonymous calls and e-mails intensified, she turned to law enforcement. According to the officers, nothing could be done because her ex had not engaged in a harassing "course of conduct," as required by criminal harassment law, and because he had not explicitly solicited others to stalk her.

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).



Danielle Keats Citron

fully in our networked age.

[The professional costs of revenge porn are steep.](#) Because searches of victims' names display their naked images, they lose their jobs. Schools have fired teachers whose naked photos appeared on revenge porn sites. A

LIVE



Trump addresses the conflict in Syria. Watch CNN

● LIVE TV

applicants include concerns about their lifestyle, inappropriate online comments, and undesirable photographs, videos, and information about them.



Related Video: Making 'revenge porn' illegal 03:58



someone's naked images should be criminalized as well.

Only California and New Jersey have laws against turning people into objects of pornography without their permission -- although a huge loophole in California allows the posting of "selfie" images and only applies to photos posted by the photographer.

Revenge porn and its ilk raise the risk of offline stalking and physical attack. Fear can be profound. [Victims don't feel safe leaving their homes.](#) Jane, who is a nurse, did not go to work for days. As many victims have told me, they struggle especially with anxiety, and some suffer panic attacks. Revenge porn victims withdraw from online engagement, shutting down their social media profiles and blogs to prevent strangers from finding them online. They cannot participate

Recruiters don't contact victims to see if they posted nude photos of themselves or if someone else did in violation of their trust. The simple but regrettable truth is that after consulting search results, employers don't call revenge porn victims to schedule an interview or to extend offers. It's just seen as good business to avoid hiring people whose search results would reflect poorly on them.

Revenge porn is a harmful form of bigotry and sexual harassment. It exposes victims' sexuality in humiliating ways. Their naked photos appear on slut shaming sites. Once their naked images are exposed, anonymous strangers send e-mail messages that threaten rape. Some have said: "First I will rape you, then I'll kill you." Victims [internalize](#) these frightening and demeaning messages.

New Jersey is the only state to make it a felony to disclose a person's nude or partially nude images without that person's consent. In California, it's a misdemeanor. [The New Jersey statute is a helpful model](#) for states that are considering proposals to criminalize revenge porn. Congress should amend the federal cyberstalking law, 18 U.S.C. § 2261A, to cover the use of any interactive computer service to produce or disclose a sexually graphic visual depiction of an individual without that individual's consent.

What about First Amendment objections to legislative proposals to criminalize revenge porn? A narrowly crafted

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).

Related Video: Women sue revenge porn website 01:34



less rigorous for purely private matters because the threat of liability [would not risk chilling the meaningful exchange of ideas](#).

Listeners and speakers have no legitimate interest in nude photos or sex tapes published without the subjects' permission. That online users can claim a prurient interest in viewing sexual images does not transform them into a matter of legitimate public concern. Nonconsensual pornography lacks First Amendment value as a historical matter, and could be understood as categorically unprotected as obscenity. Although the Court's obscenity doctrine has developed along different lines with distinct justifications, nonconsensual pornography can be seen as part of [obscenity's long tradition of proscription](#).

Criminalizing revenge porn is a crucial step in protecting victims from real and profound harms to their physical, emotional, and financial health and safety. It would deter

Related Video: 'Revenge porn' site

LIVE



Trump addresses the conflict in Syria. Watch CNN

CNN

● LIVE TV

and terrorizing individuals is an acceptable practice. [We need a cyber civil rights agenda](#) to combat bigoted online abuse. The criminalization of nonconsensual disclosure of someone's naked images is an important part of that agenda.

Follow us on [Twitter @CNNOpinion](#).

Join us on [Facebook/CNNOpinion](#).

PAID CONTENT



Assisted Living In Boston Is Surprisingly Luxurious.



[Photos] This Is The Worst College In Massachusetts

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).



[Photos] Man Nearly Returns Shelter Dog, Then Sees A Note

Sponsored: giveitlove

The Common Signs of Psoriatic Arthritis

Sponsored: Yahoo Search

LIVE



Trump addresses the conflict in Syria. Watch CNN

CNN

● LIVE TV

Senior Citizens May Be Surprised by Dental Implant Pricing for 2019

Sponsored: Dental Implants |
Sponsored Listings

Best Automatic Cat and Dog Feeder with Access Control

Sponsored: PortionPro Rx

Earthwise Sweepit Lawn Sweeper - 21in.W, Model# LSW70021

Sponsored: Northern Tool +
Equipment

Top 7 Challenges Facing California Employers

Sponsored: Xperthr

The Unusual Link Between Eggs And Diabetes (Watch)

Sponsored: diabetes-relief.club

[Gallery] Each State Hilariously Depicted By One Stereotypical Photo

Sponsored: Daily Choices

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).



CNN Underscored

Underscored

12 essential skin care questions, answered by

Health

What tattoos really do to our bodies' immune systems

LIVE

Trump addresses the conflict in Syria. Watch CNN



● LIVE TV

CNN Underscored

U.S.

5 things to know for October 15: Syria, Fort Worth shooting...

Underscored

If you love DIY home and beauty projects, this retailer has all



CNN Underscored

Great Big Story

Underscored

Rest easy with the mattress company that's earning rave reviews

Great Big Story

You Need These Shark Supplies Right Now

Style

Portraits explore the lives of LGBTQ African migrants

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).



CNN Underscored

Health

Three STDs reach all-time highs in US, CDC report says

Underscored

14 pumpkin spice goodies to help you kick-start fall

Entertainment Videos

'Jackie Brown' star Robert Forster dies at 78 after brain cancer battle

LIVE



Trump addresses the conflict in Syria. Watch CNN



● LIVE TV

Massachusetts Seniors On Medicare Are Getting a Big Pay

Sponsored: Comparisons.org

[Gallery] World's First Surviving Septuplets Look At Them 20

Sponsored: History A2Z

[Pics] Funny Wedding Gowns You Simply Would Never Dare To

Play This For 1 Minute & See Why Everyone is Addicted

Sponsored: Vikings: War of Clans

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).

[Photos] Wife Reads Out Her Husband's Affair Texts Instead of Her Vows During Ceremony

Sponsored: Noteabley

[Pics] 'Giraffe Woman' Elongating Her Neck With Rings Removes Them 5 Years Later

Sponsored: Money Versed

Fall Foods That Reduce RA Inflammation

Sponsored: HealthCentral

LIVE

Trump addresses the conflict in Syria. Watch CNN

×



● LIVE TV

≡

Sponsored: Topix Parenthood

Cost Assisted Living Facility

Sponsored: Yahoo! Search

Sponsored: Gadgets Post

Paid Content

- 19 Famous Married Couples Who Were High School Sweethearts *Parentsdomes Galleries*
- A Sneak Peak at 2020's Newest Cars *Investing.com*
- [Pics] The Scene That Ended 'Bewitched' For Good *History 101*
- The 2019 Cadillac Line Up Is Incredible. See Why Cars | *Sponsored Listings*

More from CNN

- Keep your business safe in the digital world with this... *CNN Underscored*
- Columbus Day sales 2019: Your A-Z guide to the best deals *CNN Underscored*
- The NFL's Biggest Early-Season Surprises
- An 8-year-old girl wasn't allowed to take her school picture...

Recommended by |

Powered by Livefyre

Search CNN...

Q

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).

World

Politics

Business

Opinion

Health

Entertainment

Tech

Style

LIVE



Trump addresses the conflict in Syria. Watch CNN



LIVE TV



Coupons

More



FOLLOW CNN



- Terms of Use
- Privacy Policy
- Accessibility & CC
- AdChoices
- About Us
- CNN Studio Tours
- CNN Store
- Newsletters
- Transcripts
- License Footage
- CNN Newsource
- Sitemap

© 2019 Cable News Network. Turner Broadcasting System, Inc. All Rights Reserved.
CNN Sans ™ & © 2016 Cable News Network.

By using this site, you agree to our updated [Privacy Policy](#) and our [Terms of Use](#).