

The Commission on
Women, Children, Seniors, Equity & Opportunity

CWCSEO

Connecticut General Assembly

**TESTIMONY OF THE COMMISSION ON WOMEN, CHILDREN, SENIORS, EQUITY AND OPPORTUNITY
SUBMITTED TO THE JUDICIARY COMMITTEE
FEBRUARY 21, 2020**

***H.B. No. 5056 (RAISED) AN ACT CONCERNING THE UNLAWFUL
DISSEMINATION OF INTIMATE IMAGES.**

Senator Winfield, Representative Stafstrom, Ranking and other distinguished members of the Judiciary Committee; my name is Steven Hernández, Executive Director of the Commission on Women, Children, Seniors, Equity and Opportunity ("The Commission"). Thank you for the opportunity to testify before you today.

The Commission wishes to submit testimony in support of the following bills:

**1. Raised H.B. No. 5056 AN ACT CONCERNING THE UNLAWFUL
DISSEMINATION OF INTIMATE IMAGES.**

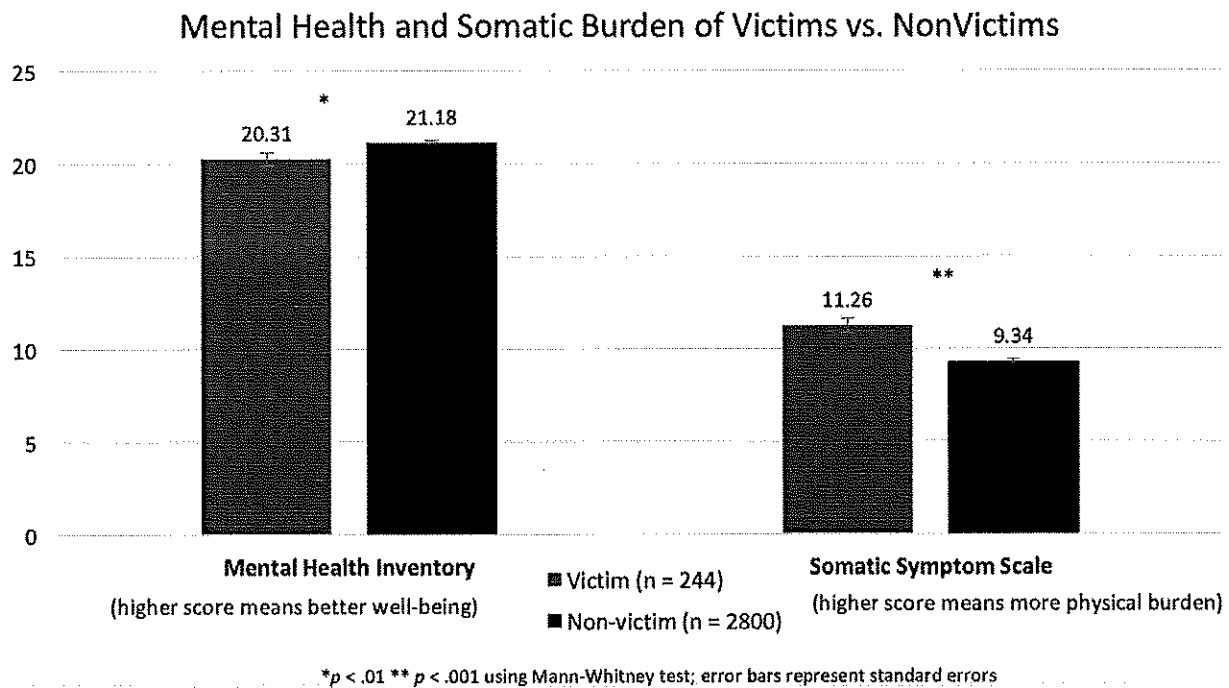
The Commission supports H.B. No. 5056, which would elevate the penalty for dissemination of intimate images when those images are shared with multiple people through electronic means. The purpose of raised H.B. 5056 is to ensure that no intimate images are shared with anyone without the awareness of the person in the image. Under this bill, the punishment for sharing such images to a person by any means is a class A misdemeanor and sharing such images with more than one person through certain electronic means is a class D felony.

In 2017, a study was released that revealed that about 1 in 25 Americans, totaling about 10 million, had someone threaten to post and/or post sexually explicit images of them without their consent. 12.8% of all participants (about 3,000 total) reported having been victims of or having been threatened with nonconsensual pornography (or NCP), and 8% of participants reported having been victims.¹ The study also showed that women were significantly more likely to be victims of or be threatened with NCP—about 1.7 times as likely

¹ Source: <https://www.cybercivilrights.org/wp-content/uploads/2017/06/CCRI-2017-Research-Report.pdf>

than men-- 15.8% of all women reported having victimized or threatened, versus the 9.3% of men, across all age groups. Moreover, men were twice as likely to report having been perpetrators than women, with 7.4% of men reporting perpetration versus 3.4% of women.² Finally, the numbers showed that women under 30, minorities, and members of the LGBTQ community are much more likely to be threatened with NCP than heterosexual men. Overall, research indicates that 17% of lesbian, gay, and bisexual Americans have been threatened or victimized by revenge porn.

Victims of NCP suffer from negative health outcomes. The previously mentioned study showed that those who reported having their sexually-explicit image(s) shared without consent had significantly worse mental health outcomes and higher levels of physiological problems (i.e. somatic symptoms) than non-victims. The below chart is measured by the Mental Health Inventory 5-item Scale (MHI-5; Berwick et al., 1991) and the Somatic Symptom Scale-8 (SSS-8; Gierk et al., 2015), respectively, and indicates the rates at which victims suffer over non-victims.



Nonconsensual pornography has negative and very long-lasting effects on its victims. One woman shared a story of a nude photo that resurfaced after

² Of the 159 individuals who reported having perpetrated NCP by sharing images (5.2% of the entire sample, 159/3044), the most commonly chosen prohibitive factor participants chose in response to the question “What might have stopped you from sharing the image(s)?” was if they knew they had to register as a sex offender (with 60% of all perpetrators selecting this reason).

years, when she was married. The image cost the family thousands to issue copyright takedown requests, as well as strife in their marriage. There are examples of victims spending upwards of \$30,000 in an effort to remove their images from the internet and seek justice. For those without the means, suffering may last even longer. The exploitation of nude images and videos can lead to emotional distress, physical and mental trauma, harassment, stalking, relocation, unemployment, physical partner violence, and suicide.

In order to keep Connecticut's residents safe from experiencing the distribution of private images of themselves, it's imperative that those who share those images beyond the intended scope are adequately dealt with.