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**House Government Oversight Committee
Proponent Testimony for H.B. 367
May 21, 2024**

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Chair Peterson, Vice Chair Thomas, Ranking Member Humphrey, and members of the House Government Oversight Committee:

The Ohio Domestic Violence Network (ODVN) is Ohio's federally designated domestic violence coalition, representing 76 local domestic violence organizations throughout the state. In calendar year 2023, ODVN programs sheltered 9,707 survivors, including 3,743 children, and provided 98,143 survivors and their children with housing, legal advocacy, and other supportive services.¹

ODVN appreciates the opportunity to provide proponent testimony for H.B. 367, which would update Ohio's Right of Publicity law, protecting a person's name, image, and likeness rights. Ohio would join several other states, such as Illinois, Texas, Washington, and California, who have updated their laws in some way to allow victims to pursue civil actions against anyone who uses their identifiable images without their consent.²

Current law requires the falsified image to be used for a commercial purpose in order for someone victimized to have a cause of action. H.B. 367 removes the requirement of having a "commercial purpose", allowing victims of gender-based violence an avenue to redress the harm caused. The total number of deepfake videos online in 2023 is **95,820**, representing a **550%** increase over 2019. Deepfake pornography makes up **98%** of all deepfake videos online **99%** of the individuals targeted in deepfake pornography are women. It now takes less than **25 minutes** and costs **\$0** to create a 60-second deepfake pornographic video of anyone using just one clear face image.³

¹ Available from https://www.odvn.org/wp-content/uploads/2024/04/ODVN_FactSheet_April2024.pdf

² Norden, L. (2023). States Take the Lead on Regulating Artificial Intelligence. Available from <https://www.brennancenter.org/our-work/research-reports/states-take-lead-regulating-artificial-intelligence>

³ 2023 State of Deepfakes. Available from <https://www.homesecurityheroes.com/state-of-deepfakes/assets/pdf/state-of-deepfake-infographic-2023.pdf>



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Deepfake technology has emerged as a significant tool for abuse in the context of intimate partner violence, exacerbating the already pervasive issue of technology-facilitated abuse. This form of digital manipulation, which creates realistic but false videos and images, is increasingly being used by perpetrators to control, intimidate, and harass their victims, undermining the victim's autonomy and dignity.⁴

Even when the images themselves are not real, the harm they can cause is. A single fake video can dominate search engine results for the victim's name, leading to severe personal and professional repercussions. These manipulated images can be widely disseminated to family, employers, and peers, leading to job loss, expulsion from educational institutions, mental health issues, and even suicide.⁵

On behalf of the Ohio Domestic Violence Network and our 76 member programs, we would like to thank Representative Mathews and Representative Hillyer for highlighting the urgent need for updated legal frameworks to support victims of this form of technology abuse. With the swift passage of H.B. 367, Ohio will be better equipped to protect and support those affected by deepfake-related intimate partner violence.

⁴ Lucas, K. T. (2022). Deepfakes and Domestic Violence: Perpetrating Intimate Partner Abuse Using Video Technology. *Victims & Offenders*, 17(5), 647–659. <https://doi.org/10.1080/15564886.2022.2036656>

⁵ Rousay, Victoria. 2023. Sexual Deepfakes and Image-Based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms. Available from <https://dash.harvard.edu/handle/1/37374909>