



**Proponent testimony submitted to the
Ohio Senate Judiciary Committee
Senate Bill 251
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Ohio Alliance to End Sexual Violence
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Chair Bacon, Vice Chair Dolan, Ranking Member Thomas, and Members of the Senate Judiciary Committee, thank you for the opportunity to provide testimony in support of Senate Bill 251. As Ohio's statewide coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence.

Through this written testimony, OAESV wishes to express its strong support of Senate Bill 251, which, if passed, will prohibit nonconsensual distribution of private sexual images with the intent to harm the person displayed in the image. As this committee is aware, Senate Bill 251 would classify a first offense as a third degree misdemeanor, a second offense as a second degree misdemeanor, and third and subsequent offenses as first degree misdemeanors. In addition, the bill would require a convicted offender to forfeit all property acquired in connection to the dissemination.

Commonly referred to as "revenge porn," the nonconsensual dissemination of private sexual images has increased in practice and has devastating consequences for the persons impacted. Though revenge porn impacts all genders, women are largely targeted in situations of domestic violence, cyber-sexual assault, and coercion. In many situations, the images are shared in trusted relationships that later fail, and the former romantic partner either threatens to share the images to gain access to further sexual activity or continue the relationship, or shares the images as an act of revenge or abuse. In more egregious cases, images are obtained without the victim's initial consent, and used for the same or other nefarious means.

Revenge porn has allowed individuals to use technology to keep their partners in unhealthy and/or abusive relationships, force continued sexual activity, and destroy the careers and lives of persons all over Ohio. Without action prohibiting this behavior and protecting its victims, bad actors in Ohio may continue serious abuses unchecked. Worse, revenge porn often turns a profit for the offender, meaning that while the victim loses financial stability, the offender gains resources.

The sharing of private sexual images has had hugely negative impacts on the employment stability and educational access of victims, as shared images often shed a negative light on the perceived integrity of the image subjects. This legislation takes aim at the negative impact on victims of nonconsensual dissemination of private sexual images by specifically prohibiting institutions from acting against the victim due to an occurrence of revenge porn. No victim of revenge porn should suffer career setbacks, limits to financial security, or other life-altering conditions because another person violated their privacy with the purpose to harm them. Accordingly, OAESV is extremely supportive of this legislation's approach to prohibiting employers, licensing authorities, and educational institutions from taking certain adverse actions based on the unlawful dissemination of private sexual images. Similarly, OAESV believes that the bill's required employment accommodations, which align with numerous Title VII and Ohio Chapter 4112 employment harassment protections, are necessary to guaranteeing that victims are able to engage the protections provided by S.B. 251.

As damage from revenge porn can proliferate rapidly, OAESV also heavily supports the bill's creation of civil actions by a victim against offenders and employers that do not follow the bill's guidelines. The allowance of civil litigation will allow the victim an avenue to pursue damages for costs associated and lost income. Further, punitive damages are an extremely effective tool in deterring revenge porn actors in the future.

OAESV fully and wholeheartedly supports S.B. 251. It is time for Ohio to address revenge porn and its impact proportionate to the damage it causes. Thank you for the opportunity to provide written testimony. I am available to answer any questions by email at ccrary@oaesv.org or by phone at 216-317-1828.