

Informational Report

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March 28, 2020

INTRODUCTION

This report covers the topic of revenge porn, also known as sextortion, image-based sexual abuse, nonconsensual pornography, and cyberrape.

DEFINITION OF REVENGE PORN

Revenge porn is defined in a myriad of ways. Minc.com describes revenge porn as, “[the] publishing of intimate photos without the consent or permission of the photograph’s subjects. Revenge porn is actually a misnomer, as most times, there is no revenge or extortion motive at all – just ill-will and maliciousness...” (2017).

Mashable.com describes revenge porn as an act that “involves the distribution of sexually explicit images or videos, without consent of the individuals depicted.” Hall and Hearn define it as “making public sexually explicit (consensual and non-consensual) images and videos of others” (1, 2017).

The Cyber Civil Rights Initiative defines the crime as, “a growing form of digital sexual violence defined as the distribution of sexually graphic images of individuals without their consent” and that it includes “...images obtained without consent (e.g., hidden recordings) as well as images obtained and intended for a private or confidential relationship and later distributed beyond that relationship” (2017).

The term “revenge porn” has been challenged by several scholars, as well as by survivors. Goldberg (2020) states, “It’s not actually about revenge, or about porn.” Some agree that the term is misleading, because not all perpetrators are seeking revenge on the survivors (Franks, 2016). Franks also argues for the term “nonconsensual pornography” instead of “revenge porn.” Franks states, “A more accurate term is nonconsensual pornography, defined as the distribution of private, sexually explicit material without consent” (2016). She says that this is a more accurate term because, “While a number of cases do involve bitter exes whose express purpose is to harm or harass their former partners, many perpetrators don’t know their victims at all” (2016).

However, others dispute the use of the term “pornography” in the definition at all. Rebekah Wells, survivor and founder of Women Against Cyberrape, states, “...using these terms is like calling rape ‘involuntary sex.’ It simply doesn’t reflect the emotional, psychological and physical costs. Revenge porn is cyberrape, and we should call it as such” (2019).

MOTIVATIONS OF PERPETRATORS

The name “revenge porn” implies that perpetrators are always ex-partners of those pictured, but Hall and Hearn (2017) note that the actual perpetrators also include current romantic partners, friends, ex-friends, other people known to the person pictured, total strangers, and hackers (19). These researchers note many different types of motivations, besides that of revenge, including: apathy, bragging, cheating, exposure, humiliation, recognition, regret, reminiscing, sharing, and trolling (19). They also note that “Other examples include people seeking revenge for their friends, posting images of someone interested in one’s current partner, someone finding images and sharing them and friends sharing explicit images for entertainment” (19, 2017).

STATISTICS

According to the Center for Innovative Public Health Research, one in twenty-five Americans has been a victim of revenge porn. Lenhart and associates (2016) conducted this research, stating through their methods, they found that “4% of all participants, or about 1 of every 25, had someone threaten to post and/or post sexually-explicit images of them without their consent.” Additionally, one in ten young women has been threatened by revenge porn. Young women, in this case, are defined as being ages thirty or younger.

Cyberrape tends to affect marginalized groups. Lenhart et al state, “Men and women are equally likely to face harassment, but women experience a wider variety of online abuse, including more serious violations. Young people and sexual minorities are also more likely to experience online harassment or abuse—and more likely to be affected by it” (2016). 1 in 17 GSRM (Gender Sexual Romantic Minority) internet users have been affected by revenge porn (Tompkins).

The Cyber Civil Rights Initiative conducted a national survey in 2017 to research the threat and perpetration of revenge porn. Findings include:

- 1 in 8 social media users have been targets of cyberrape.
- 15.8% of all women surveyed have been either threatened with or targeted by cyberrape.
- 1 in 20 social media users have been perpetrators of cyberrape.

Hall and Hearn report that 90% of the total survivors of cyberrape are women (19, 2017). *Business Insider* reports that nearly 10 million Americans have been the target of revenge porn (2016).

CASES

There are multiple cases of revenge porn. This report will cover a select few of them.

The first of these is what is colloquially known as “The Fappening,” which occurred in 2014. Hall and Hearn (2017) note that this event was “the non-consensual disclosure of nude and sexually explicit photos of around 100 female celebrity A-listers [which] appeared on the online image-based bulletin board 4chan, many of which were pay-per-view” (1). These celebrities included, but are not limited to, Jennifer Lawrence, Scarlett Johansson, Kirsten Dunst, Kim Kardashian, Vanessa Hudgens, Ariana Grande, and Rihanna (Hall and Hearn, 2017).

Another infamous case of cyberrape occurred when Congresswoman Katie Hill’s intimate images were allegedly leaked by her estranged husband in 2019 (Moscatello, 2020). Conservative blog Red State was the first outlet to publish these photos of Hill and a junior staffer, causing them to be distributed widely, eventually reaching publication by British tabloid *Daily Mail* (Moscatello, 2020). Hill was ultimately forced to step down from Congress, stating, “I am leaving, but we have men who have been credibly accused of intentional acts of sexual violence and remain in boardrooms, on the Supreme Court, in this very body, and, worst of all, in the Oval Office” (Read, 2019).

Another case of lesser fame took place in Montana. Montana does not currently have a law concerning revenge porn. In this case, a young woman was having sex at a party when her friend walked into the room and started recording her. He then sent the video via Snapchat to everyone at the party. The friend was charged with “surreptitious visual observation or recordation,” which makes it illegal to purposely film someone in a private home using an electronic device without the occupant’s knowledge. (Tompkins). He was determined to be within his rights to distribute the images via Snapchat.

WEBSITES

Revenge porn usually spreads through social media sites and applications, such as Snapchat, Twitter, Instagram, Facebook, and Tumblr, but there are also websites specifically devoted to trafficking these images.

Hunter Moore is the creator and perpetrator of one of these websites. Before it was taken down, this site was called IsAnyoneUp (Morris, 2012). Moore collected intimate photos from visitors to his site, and posted them along with the target’s name, address, and career information. This ensured that anyone who performed an internet search of a person who appeared on the site would come across the leaked images. When asked about his actions, Moore has stated, “I don’t know how you can point your finger at me; you took the picture,” and “Somebody was gonna monetize this, and I was the person to do it” (Morris, 2012).

Kevin Bollaert is another perpetrator of a sextortion website, UGotPosted.com. Bollaert is known to have distributed 10,170 intimate images without the consent of those pictured. In conjunction with this site, he also ran ChangeMyReputation.com, which charged the people in the images a fee of up to \$350 to have them removed. The images were primarily of women (Contrera, 2015). He was eventually charged with 21 counts of identity theft and six counts of extortion, and is currently serving an eighteen-year sentence in prison (Contrera, 2015).

STATE LAWS

Forty-six of the fifty United States have laws punishing those who distribute revenge pornography. Zero of these states have laws punishing those who participate in the viewing or possession of revenge pornography.

Alabama Senator Kay Ivey passed new laws regarding sex crimes in 2017. One of these laws targeted revenge porn, or “nonconsensual pornography.” In May of 2018, a man in Citronelle, Alabama, was charged under the new law. He faces up to a year in prison for distributing photos of his ex-girlfriend (Staff).

Montana is one of the more recent states to pass legislation criminalizing revenge porn. The remaining four states that do not have legislation criminalizing cyberrape are Massachusetts, Mississippi, South Carolina, and Wyoming (Goldberg, 2020).

CONSEQUENCES

There are a wide range of consequences for those who are victims of revenge porn. According to minc.com, these include but are not limited to:

- Frayed and destroyed social relationships
- Loss of friends
- Loss of a job
- Loss of future employment opportunities
- Failure to be considered for a promotion
- Community ostracization
- Loss of funding
- Loss of customers or other business
- Business shutdown

In addition to these social and career-related consequences, there are also health consequences. These include:

- Anxiety
- Depression
- Low self-esteem
- Insomnia
- Physical illness
- Paranoia
- Physical harm caused by third parties
- Death
- Suicide (Minc.com)

Lenhart and associates note that 65% of cyberrape survivors have used protective strategies in the aftermath of their experiences (2016). These include changing contact information, including email addresses and phone numbers; creating new social media profiles under different names; asked a social contact for help; gotten a restraining order; gotten help from a domestic violence service; reported the criminal behavior; and stopped using social media, the internet, and/or cell phones (2016).

A large amount of the blame in revenge pornography falls on the victim, and not the perpetrator. Velez (2019) states that society expects for “women who record sexually explicit images (or who allow their recording) must assume that those images will be circulated across hundreds of Web sites and, given the nature of both the Internet and the protections of free speech, that they will have no legal option but to accept this fate” (453).

CONCLUSION

RESOURCES

https://www.huffpost.com/entry/how-to-defeat-revenge-porn_b_7624900?guccounter=1

CCRI 2017 Report

<https://www.nytimes.com/2019/08/04/opinion/revenge-porn-privacy.html>

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