

Know Your Rights: Unlawful Dissemination or Publication of an Intimate Image – AKA Revenge Porn

Also known as “revenge porn” and “cyber sexual abuse”. This is the act of someone sharing a nude, partially nude, or sexually explicit image(s) or video(s) of someone without their permission. This sharing can occur through the internet, via text message, or in print. In New York State, it is a criminal and civil offense to disclose an intimate image of another person with the intent to cause harm.

Under New York Law, no one can share intimate image(s) or video(s) of you without your consent. You have a right to hold this person accountable for sharing this private information. Any of these actions may result in criminal or civil penalties. Please contact an advocate or lawyer if you experienced the following:



Someone shares or threatens to share intimate image(s) or video(s) to harm your emotional, financial, or physical welfare;



You can identify yourself directly in the intimate image(s) or video(s) or from conversation surrounding the sharing of these image(s) or videos(s);



Someone shares the intimate image(s) or video(s) knowing that they were meant to be private or without your permission.

What to do if this is happening to you:

1

DOCUMENT EVERYTHING AND COLLECT EVIDENCE

Take screenshots of the any conversations before and after the image(s) or video(s) were sent. Take a screenshot of search results that lead to the image(s) or video(s). Take a photo of any post or publication of the image(s) or videos(s) on the internet or in print. In the screenshot or photo please make sure any username, profile, phone number, date, and time are visible. This will all be helpful evidence that will assist you if you wish to file charges.

2

SEEK LEGAL ASSISTANCE

Reach out to a lawyer or advocate to assist you with your options whether that is in Criminal Court or Family Court. Seek out counseling or therapy services to support you through this process. You may choose to go to the police to report the abuse. This may initiate an investigation and/or a criminal court action against the abuser.

3

REMOVE IMAGES

Once evidence is collected and saved, you can work on getting any image(s) or video(s) taken down. Most social media sites have reporting mechanisms for sexually explicit or inappropriate content.



You may also have the option of going to your local Family Court and filing a family offense petition against the abuser. The family offense petition informs the Court of the allegations of abuse and requests that the Court provide you with an Order of Protection against the abuser. The Order of Protection would order the abuser to stop the abuse, stay away from you, and stop communicating with you, among other things.