

**U.S. Senate Committee on Commerce, Science, and Transportation
Field Hearing:**

“Take It Down: Ending Big Tech’s Complicity In Revenge Porn”

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Testimony of Mr. Stefan Turkheimer

My name is Stefan Turkheimer, and I am vice president of public policy for RAINN. RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotline (800.656.HOPE, online.rainn.org y rainn.org/es) in partnership with more than 1,000 local sexual assault service providers across the country. Over 4.5 million survivors and their families have been helped by the Hotline. We also operate about 30 hotlines for partners, including the DoD Safe Helpline for the Department of Defense. RAINN also carries out programs to prevent sexual violence, educate the public, ensure that perpetrators are brought to justice, and help organizations and companies improve their approach to prevention and response.

Thank you for the opportunity to testify today on the critical issue of the distribution of non-consensual intimate images, often referred to as “deep fakes”, "revenge porn", or "non-consensual pornography." My testimony will outline why it is imperative for the United States to outlaw the creation and distribution of these images, and provide survivors with a means to remove these images from the internet and stop the cycle of harm.

Image Based Sexual Violence

Non-consensual intimate images constitute a severe violation of an individual's right to privacy. These images are typically shared with the understanding that they will remain private. Knowingly distributing them without consent is an egregious invasion of personal privacy that

demands legal intervention. When they are created by an app, it just underlines the lack of consent. The effects are often the same.

Emotional and Psychological Harm

The victims of non-consensual intimate image distribution often endure significant emotional and psychological distress. This includes feelings of shame, guilt, anxiety, and depression. In severe cases, the distress can lead to self-harm or even suicide. The emotional toll on victims underscores the need for robust legal protections.

Reputation and Social Consequences

The distribution of intimate images without consent can irreparably damage an individual's reputation, affecting both their personal and professional lives. Victims may face stigma, discrimination, and ostracism from their communities, workplaces, and social circles. The social consequences can be devastating and long-lasting.

Consent and Autonomy

Sharing intimate images without consent fundamentally undermines an individual's autonomy over their own body and personal information. Consent is a cornerstone of all interactions, especially those involving intimate or private matters. Outlawing non-consensual intimate images reinforces the importance of consent and personal autonomy.

Deterrence of Malicious Behavior

Criminalizing the distribution of non-consensual intimate images serves as a deterrent against malicious behavior. It sends a clear message that such actions are unacceptable and punishable by law, potentially preventing future incidents and protecting individuals from similar harm.

Lack of Big Tech Support

Intimate images have been around forever. Deep fakes are new. It's the easy creation and distribution of these images that has created the real problem. We are standing on the precipice of proliferation of these images. We know how harmful they can be. But right now, there is nothing requiring the tech companies to fix the problems they facilitate. Last week I told the story of a federal prosecution for identity theft. A woman had been in a brief relationship with a Navy captain and shared images of herself in the context of that relationship. After the relationship ended, he created a Facebook profile of her, and friended all of her friends and new coworkers, members of her softball team, people at her gym, and shared those photos and more with them. There was enough evidence for a Federal Prosecutor to bring the case and for the jury to convict this person of identity theft, but Facebook, who was asked 400 times to take down the photos, would not because they believed the fake profile was more real than the actual person. They simply aren't going to fix the problem themselves.

They need this bill. Survivors need this bill. We need this bill.

Having legal recourse provides victims with a means to seek justice and hold perpetrators accountable. It also validates the experiences of victims, acknowledging the wrong done to them and offering a pathway to closure and recovery.

I said earlier that RAINN runs the National Sexual Assault Hotline, where so many have found help. I reached out to them to gather some stories about NCII, and I was struck by how often it overlapped with contact offenses. This is not just a crime of the internet, it often flows from or leads to direct physical, in-person abuse.

In many instances, technology-facilitated abuse overlapped with contact offenses. This technology-facilitated abuse occurred at different points during the continuum/timeline of the abuse.

- **Technology as a tool to facilitate contact offense:** *“The visitor was groomed by a much older man online. They said that they were in an online relationship at 13-14 with a predator and didn't know he was older.”*
- **Technology used during abuse:** *“Foster dad filmed himself hurting the visitor and also took photos of them.”*
- **Technology used to maintain abuse:** *“The visitor states that their mother has threatened to share explicit photographs of them if they tell anyone that she has been allowing men to have sex with the visitor for money.”*

Technology facilitated abuse occurring after contact offenses:
“The user was raped 3 years ago by someone who is now stalking them online.”

Thank you Senator Cruz, for advocating for survivors, and giving them a way to take back control of their own bodies.

Thank you for your time and attention. I look forward to answering any questions you may have.