



NEW YORK STATE SENATOR

Michael Gianaris

## Senate Deputy Leader Gianaris, Senate Majority Protect New Yorkers from “Revenge Porn”

MICHAEL GIANARIS February 28, 2019

| ISSUE: **CRIMINALIZING REVENGE PORN, REVENGE PORN, DATING VIOLENCE, TEEN DATING VIOLENCE AWARENESS MONTH**



ALBANY, N.Y. – Senate Deputy Leader Michael Gianaris and the New York State Senate Democratic Majority passed legislation (S.1719-C) establishing the crime of unlawful dissemination or publication of an intimate image and creates a private right of action for such crime. The legislation, sponsored by Senator Monica Martinez, makes New York the 42nd state to criminalize the dissemination of an intimate image with the intent to cause

harm to another individual.

**Senate Deputy Majority Leader Michael Gianaris** said, “The distribution of explicit images without one’s consent is offensive and ought to be illegal. I am pleased the New New York Senate is standing up for victims of this repulsive act.”

The “Revenge Porn” bill passed by the Senate Majority establishes:

- The criminal act of unlawful dissemination or publication of an intimate image when done with the intent to cause harm to the emotional, financial, or physical welfare of another person when the image was taken with a reasonable expectation that the image would remain private.
- The unlawful dissemination or publication of an intimate image is a Class A misdemeanor.
- Amends the Civil Rights Law to allow victims of “revenge porn” to seek civil recourse for the damages and victims will have a choice whether to pursue a criminal or civil case, or both.
- Exempts images shared during lawful and common practices of law enforcement, legal proceedings or medical treatment, and those involving voluntary exposure in a commercial setting.