

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H.105 Name of Bill: An act relating to the disclosure of sexually explicit images without consent

Agency/Dept: VT State Police Author of Bill Review: Peter Garivaltis

Date of Bill Review: May 13, 2015 Related Bills and Key Players: _____

Status of Bill: (check one)

Upon Introduction As passed by 1st body As passed by both bodies

Recommended Position:

Support Oppose Remain Neutral Support with modifications identified in # 8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*
The bill is intended to discourage the display or disclosure of sexually explicit images without the subject's consent.
2. **Is there a need for this bill?** *Please explain why or why not.*
Yes. Technology has facilitated the rapid proliferation of any distributed sexually explicit or personal material. This is an increasing problem seen by law enforcement. Victims, up until this point, have had to accept that there was little recourse for having their image shared without their permission.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?**
None anticipated
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**
None anticipated
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*
None anticipated. This is an amendment to an existing law that effectively modernizes what is already on the books.
6. **Other Stakeholders:**
 - 6.1 **Who else is likely to support the proposal and why?**
I would expect this proposal to have wide support. The issue is an invasion of privacy and/or a violation of trust. Most people can relate to that.
 - 6.2 **Who else is likely to oppose the proposal and why?**
I would not expect opposition.
7. **Rationale for recommendation:** *Justify recommendation stated above.*
There is a growing trend with the sharing of sexually explicit photos whether they were acquired with or without permission. Intimate and sexually explicit images acquired without permission is clearly an extreme violation of privacy. Sexually explicit images acquired with permission and shared without permission is also an extreme violation of privacy. These violations can damage a victim both

psychologically, and socially.

8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

9. **Gubernatorial appointments to board or commission?**

Secretary/Commissioner has reviewed this document

A handwritten signature in black ink that reads "Francis J. Aumand" with a stylized flourish at the end.

Date: 5/19/15