



Unlawful Distribution of Private Images

On March 11th, 2016 Governor Ducey signed into law HB 2001 which creates the crime of unlawful distribution of private images. This crime, which is commonly known as non-consensual pornography or “revenge porn” is the distribution of sexually graphic images of individuals without their consent.¹

Non-Consensual Pornography

- Private images are often shared within a consensual relationship, with the reasonable expectation that these private images will not be distributed to others.
- Abusive partners may threaten to distribute these images, further trapping a victim in an abusive relationship.
- Distribution of these images can cause irreparable harm to an individual’s future employment and educational opportunities.²

Prevalence

- 13% of adults have had their personal content leaked online without their permission.³
- 1 in 10 ex-partners have threatened to distribute intimate images of a former partner online.⁴
- Those who threatened to distribute intimate images carried out the threat 60% of the time.⁵

Arizona’s New Law – ARS § 13-1425 Unlawful Distribution of Private Images

- Under this law it is unlawful for a person to intentionally disclose an image of another person who is identifiable and depicted in a state of nudity or engaged in specific activities.
- The image or images must be disclosed with the intent to harm, harass, intimidate, threaten or coerce the depicted person.
- A violation of this crime is a class 5 felony.
- It is considered a class 4 felony if the image is disclosed by electronic means.
- It is a class 1 misdemeanor if a person threatens to disclose but does not disclose an image that would be a crime under this law.
- This crime is classified as both a sex crime and is designated as a domestic violence crime under ARS § 13-3601.

The law is effective as of March 11th, 2016

¹ Franks, M.A. (2013). *Combating Non-Consensual Pornography*.

² Franks, M.A. (2013)

³ McAfee's 2013 Love, Relationships, and Technology Report, available at <http://www.mcafee.com/us/about/news/2013/q1/20130204-01.aspx>

⁴ McAfee (2013)

⁵ McAfee (2013)