

Legislation To Create The Crime Of Revenge Porn Brought Back For 2014 Session
News

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The Missouri State Legislature again has the opportunity to put on the books a law to deal with something called Revenge Porn.



That is generally defined as when someone posts intimate photos or videos of a former significant other on the internet to embarrass or harm that person.

They're out there, Representative Kevin Engler (R-Farmington) says of websites dedicated to this particular genre of pornography, and he tells a House committee there is nothing in Missouri law that defines posting images or videos of an ex on them as a crime.

In several cases, women knew that [their former partners] were going to do this, Engler tells fellow lawmakers. They were in a long-term relationship and maybe they took a video, or they had taken pictures, or they had taken one of these glamor calendars in semi-nude, and the lover or spouse had told them they were doing to do that. They go to the police and the police have no basis to stop them.

Engler says he knows of a case in which it happened to a teacher in his district.

Now if you're going to live in a town my [town's] size, says Engler, and you're going to be a grade school teacher and you had this happen, tell me that would not be devastating to you. Yet, we have no law that deals with it.

Engler says it is because of the extent of embarrassment and damage that can occur to people in these instances that in his bill (HB 1203) he proposes making the crime a class D felony, which carries a maximum penalty of four years in prison.

Colleen Coble is the CEO of the Missouri Coalition Against Domestic & Sexual Violence. She testified that revenge porn is a real problem. For a lot of women, primarily, in abusive relationships, it may seem that those pictures were taken with their consent, but it was under duress with coercion and threat of violence.

Not everyone agrees with Engler, however.

Representative Mike Colona (D-St. Louis City) says a new law is not necessary.

If I took the picture of you and I didn't have your permission to take the picture and I go out there and put it on the internet, I've committed a crime. You don't need this law, Colona tells Engler. If I take a picture of you and you've given me permission to do that, it's my picture. I can do with it what I want.

Colona says such a crime would be particularly hard to prove in domestic dispute cases. No vote has been taken on the legislation.