

Congress of the United States
Washington, DC 20515

November 1, 2019

The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Karen Bass
Chairwoman
Subcommittee on Crime, Terrorism and
Homeland Security
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Nadler and Chairwoman Bass:

We write to you regarding the extreme circumstances surrounding the resignation of Congresswoman Katie Hill. While we do not condone inappropriate sexual relationships with subordinates, we cannot ignore that Congresswoman Hill was also a victim of what is colloquially termed “revenge porn” but is more accurately described as nonconsensual pornography (NCP): the distribution of private, intimate images without consent. This abuse, especially when weaponized on the internet, can destroy a person’s life with the click of a button.

In an increasingly digital world, anyone can become a victim of this egregious privacy violation. But we would be remiss if we did not acknowledge that revenge porn, as a tactic of sexual degradation and public shaming, is disproportionately used against women to attack their character and undermine their credibility. Even when nonconsensual pornography is circulated for reasons other than personal vengeance—for prurient satisfaction, crass entertainment, or no particular purpose at all—it can be extremely painful, leading to the destruction of careers and relationships, serious emotional distress, and contemplation of suicide.

Currently, forty-six states and the District of Columbia criminalize NCP. However, the definition of NCP and the penalties associated with this violation varies significantly from state to state. Many of them include unnecessary and confusing requirements that allow many forms of NCP to go unpunished. In addition, the distribution of NCP through the internet presents jurisdictional challenges. Clear and concise federal regulation can complement and coordinate local efforts to stamp out NCP. A unified federal statute is long overdue.

It is vital that the House Judiciary Committee swiftly move forward with H.R. 2896, the *Stopping Harmful Image Exploitation and Limiting Distribution Act of 2019* (the “SHIELD Act”). This bipartisan legislation would narrowly establish federal criminal liability for individuals who share private, intimate images without consent. If a person shares a nude image, knowing there is a substantial risk that that the person depicted does not consent and had an expectation of privacy, that would be a federal crime. The SHIELD Act is an important step towards helping victims protect their privacy, get justice, and keep themselves safe from future violations.

We urge you to hold a hearing on the damage being done by the widespread scourge of NCP and move this legislation forward.

Sincerely,



Tom Malinowski
Member of Congress



Kim Schrier, M.D.
Member of Congress



Sean Casten
Member of Congress



Dean Phillips
Member of Congress



Sylvia Garcia
Member of Congress



Juan Vargas
Member of Congress



Bill Foster
Member of Congress



Jesus G. "Chuy" Garcia
Member of Congress




Ann McLane Kuster
Member of Congress



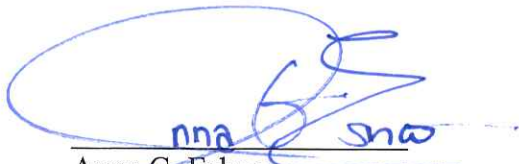
Lizzie Fletcher
Member of Congress



Colin Allred
Member of Congress



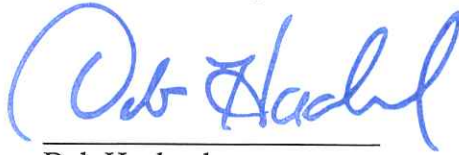
Gregory Meeks
Member of Congress



Anna G. Eshoo
Member of Congress



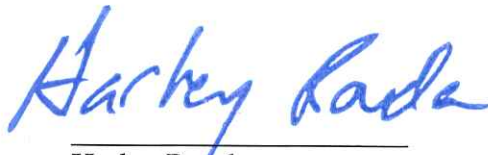
Cheri Bustos
Member of Congress



Deb Haaland
Member of Congress



Rashida Tlaib
Member of Congress



Harley Rouda
Member of Congress



James P. McGovern
Member of Congress



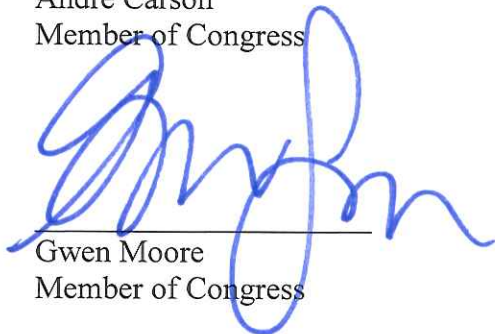
Mikie Sherrill
Member of Congress



Ro Khanna
Member of Congress



André Carson
Member of Congress



Gwen Moore
Member of Congress



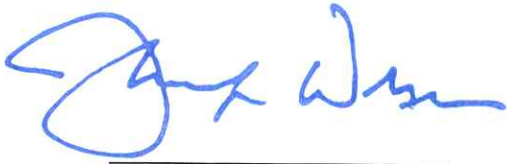
Tulsi Gabbard
Member of Congress



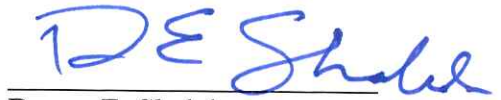
Susie Lee
Member of Congress



Lori Trahan
Member of Congress



Jennifer Wexton
Member of Congress



Donna E. Shalala
Member of Congress



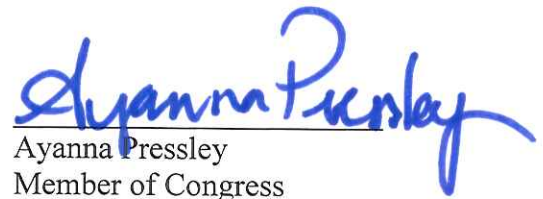
Mike Levin
Member of Congress



Ilhan Omar
Member of Congress



Lucille Roybal-Allard
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Ayanna Pressley
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Madeleine Dean
Member of Congress



Pramila Jayapal
Member of Congress



Ami Bera
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Kathy Castor
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