

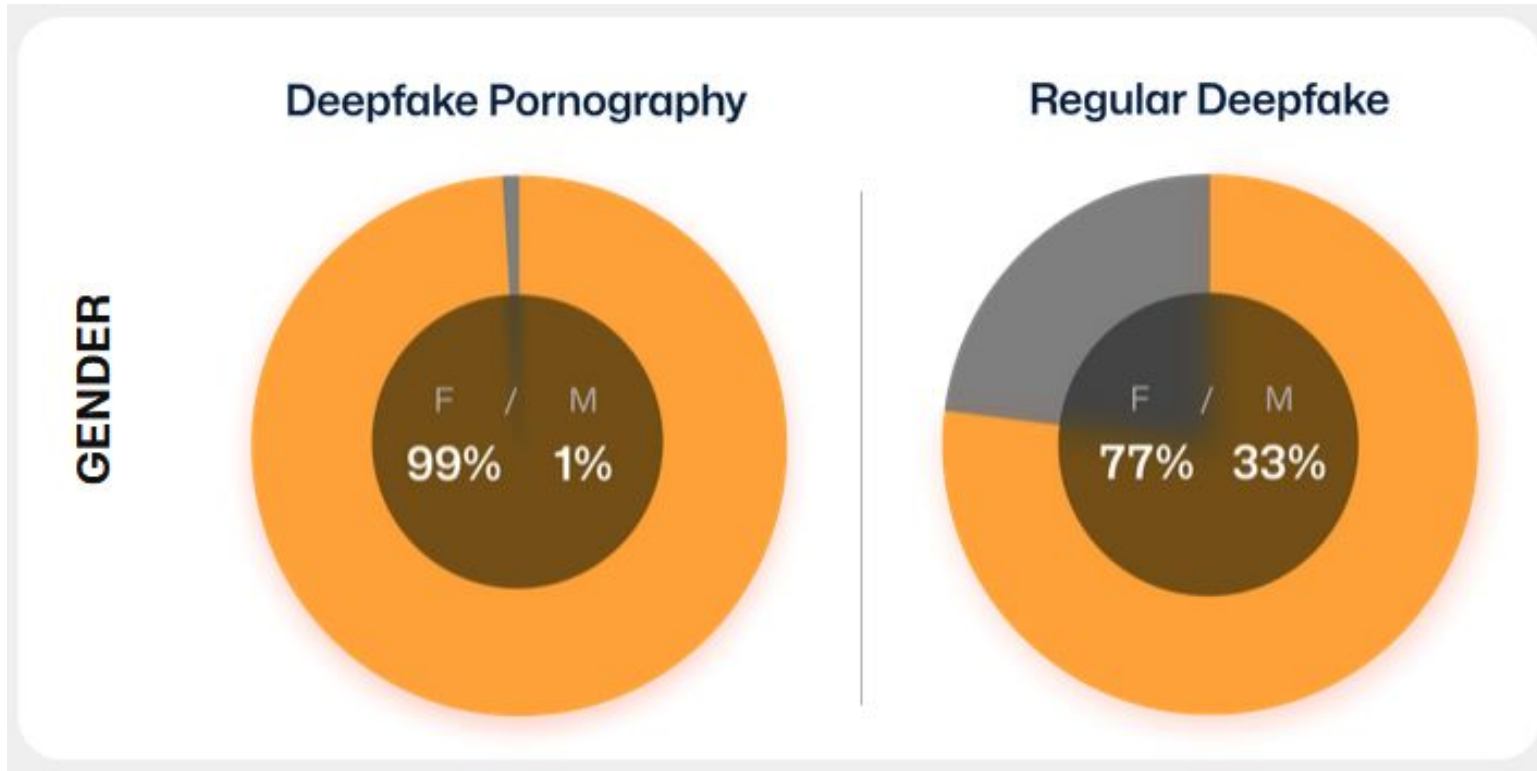
**Testimony in Support of SB 858
Revenge Porn - Civil Action and Reporting
Requirement**

April 1, 2023

**Senator Katie Fry Hester
Legislative District 09
Howard and Montgomery Counties**

**Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology**

Disproportionate Effects



DEEPAKE PORNOGRAPHY

①	South Korea	53%
②	America	20%
③	Japan	10%
④	England	6%
⑤	China	3%
⑥	India	2%
⑦	Taiwan	2%
⑧	Israel	1%
⑨	Other	4%

4,800

Cases of Deep Fake Non-Consensual Sexual Imagery Targeting Minors (2022)

Easy Accessibility

It now takes **less than 25 minutes** and costs **\$0** to create a **60-second** deepfake pornographic video of anyone using just one clear face image.

Half an hour is all that deepfake creators need to generate a one-minute pornographic video.

Findings from our research show that it now takes less than 25 minutes and costs as little as \$0 to create a 60-second deepfake explicit video of anyone using just one clear face image.



<https://drive.google.com/file/d/1IO9-qVwNnlzlaq5fnVMdPmzAz0nt59yB/view?resourcekey>

One in every three deepfake tools allow users to create deepfake pornography

AI- Elections



https://drive.google.com/file/d/1NXWoaormBaqUI3DmhvEr_xTFVVXo4pF54/view?resourcekey



JANUARY 22, 2024

New Hampshire Deepfake of Biden Shows Danger of AI in Elections

 **cate bligh**  @catebligh · Feb 15

Replying to @sama

A instructional cooking session for homemade gnocchi hosted by a grandmother social media influencer set in a rustic Tuscan country kitchen with cinematic lighting



<https://youtu.be/LeRhPf7Vzb0>

OpenAI Unveils A.I. That Instantly Generates Eye-Popping Videos

The start-up is sharing the new technology, called Sora, with a small group of early testers as it tries to understand the potential dangers.

High Profile Victims

Columbia Journalism Review.

THE MEDIA TODAY

Taylor Swift deepfakes could be the tip of an AI-generated iceberg



Kristen Bell 'shocked' to learn her face was used in 'deepfake' porn video



Not Just Famous Victims...



Helen Mort

“Deep Fake porn is ruining womens’ lives. Now the law may finally ban it.”

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Long Island man sentenced for sharing deepfake porn of underage women

By Jacob Flanagan | Published April 18, 2023 | Updated 7:34PM | Hempstead | FOX 5 NY



DAILY NEWSLETTER

Other States

Crime	Cause of Action
<p>FL- Felony to disseminate an altered sexual depiction.</p>	<p>CA- Cause of action for a “depicted person”</p>
<p>GA- Criminalized electronic transmission or posting of sexually explicit non-consensual content.</p>	<p>IL- Cause of action for persons depicted in digitally altered non-consensual sexual images.</p>
<p>HI- Criminalized the creation or threat to disclose a sexually explicit image with an intent to harm.</p>	<p>FL- A depicted person can initiate a civil action to obtain appropriate relief.</p>
<p>LA- Criminalized the creation or possession of a minor engaging in sexual conduct with knowledge that the material is a deep fake.</p>	<p>LA- Allows for a civil remedy for acts that violate its criminal provisions.</p>
<p>MN- Crime to disseminate a deep fake.</p>	<p>MN- Cause of action for non consensual dissemination of a deepfake.</p>
<p>NY- Crime to disseminate intimate images, including deep fakes</p>	<p>NY- Private right of action for a depicted person against a person who discloses, disseminates or publishes sexually explicit deep fakes.</p>
<p>TX- Criminalizes the production or distribution of a sexually explicit non-consensual deep fake video.</p>	
<p>VA- Illegal to disseminate a non-consensual sexual image.</p>	

SB 858

To address this growing problem, SB 858 will ensure that in the State of Maryland:

1. It is unlawful for any MD resident to distribute any computer-generated sexual imagery under circumstances in which the possessor knew that the depicted person did not consent to the distribution.
2. As this bill adds deep-fake definitions to existing revenge porn laws, this crime carries the same misdemeanor penalties and corresponding mechanisms for an individual to seek civil remedies through a private right of action for defamation.
3. Victims are protected by restricting the availability of the court-documented imagery from being viewed publicly.



Questions?

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