

SB0360\_RichardKaplowitz\_FAV

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Richard Keith Kaplowitz  
Frederick, MD 21703-7134

**TESTIMONY ON SB#0360 - POSITION: FAVORABLE**  
**Revenge Porn - Civil Action and Criminal Offense**

**TO:** Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

**FROM:** Richard Keith Kaplowitz

**My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of/ SB#/0360, Revenge Porn - Civil Action and Criminal Offense**

This bill offers protection to victims of the perversion of use of AI technology to create pornography. As documented by the Maryland Coalition Against Sexual Assault:

Preventionists, advocates, and service providers who work to address sexual violence must contend with new challenges presented by the rise of widely accessible artificial intelligence (AI) technology. Perpetrators of sexual abuse and exploitation have begun using AI technology to create “deepfakes.” Deepfakes are hyper-realistic synthetic images and videos created using AI software that convincingly replace the individual in the original video or image with the likeness of another person (Harris, 2015). This allows the creators of these representations to make it appear that the person whose face is portrayed in the image or video is engaging in an act that in reality they did not engage in.<sup>1</sup>

This bill will create a civil cause of action against this malicious misuse of AI technology. The bill authorizes a person to bring and maintain a civil action for defamation against another who distributes a computer-generated visual representation that is indistinguishable from an actual visual representation of the person and is of a sexual or intimate nature. It further prohibits a person from knowingly distributing a certain computer-generated visual representation of another under certain circumstances.

The Center for Advancing Safety of Machine Intelligence has noted this problem has spread from the adults to children in schools.<sup>2</sup>

The New York Times recently [reported](#) on another case of a public school having to deal with issues of students using deepfake and image rewriting technology to create nude and sexual images of other students in their school.

This bill will make it more costly for the purveyors of this misuse of AI.

**I respectfully urge this committee to return a favorable report on SB0360.**

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<sup>1</sup> <https://mcasa.org/newsletters/article/survivor-safety-deepfakes-and-negative-impacts-of-ai-technology>

<sup>2</sup> <https://casmi.northwestern.edu/news/articles/2024/pornographic-deepfakes-in-schools.html>