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BILL NO:	House Bill 0803
TITLE:	Criminal Law - Revenge Porn - Computer-Generated Visual Representation
COMMITTEE:	Judiciary
HEARING DATE:	February 18, 2025
POSITION:	<b>SUPPORT WITH AMENDMENTS</b>

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The Women's Law Center of Maryland is dedicated to ensuring the physical safety, economic security, and bodily autonomy of women throughout the State. The clients that we represent have all experienced intimate partner violence, which may include physical, mental, and sexual abuse.

Senate Bill 0803 aims to regulate the distribution of non-consensual sexual imagery created using a computer-generated visual representation. This has become known as deepfake porn, which is defined as an image or recording that has been convincingly altered and manipulated to misrepresent someone as doing or saying something that was not actually done or said. The use of this technology has become a tool used by domestic abusers to harass, embarrass, and humiliate their victims. Nonconsensual intimate deepfakes are proliferating rapidly, overwhelmingly targeting women and especially girls. Intimate deepfakes, falsely but convincingly depicting people naked or engaged in sexual acts, can cause serious harm, with victims reporting experiencing significant emotional consequences and trauma, as well as damage to their reputations and careers.

So far, 23 states have enacted legislation to regulate this activity. However, SB 0803 unnecessarily and specifically carves out an exception for "drawings, cartoons, sculptures, and paintings," with which the Women's Law Center does take umbrage. Consent should not be limited by format, and the proliferation of nonconsensual drawings and cartoons depicting visual representations of victims' intimate body parts and sexual activity are just as rampant as "realistic" computer generated visuals – if not more so, given the lower technical ability needed.

The Women's Law Center of Maryland believes that this bill will could provide relief to many victims that have been targeted and humiliated by their abusers with computer-generated images of them engaging in non-consensual sexual imagery. However, we do not understand nor agree with limiting the format type of nonconsensual visible representations as they are still irrevocably damaging for the targeted women and girls. We urge a favorable report on HB 0803, but with the elimination of the exceptions listed in the proposed section (a) 5 (III).

*The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.*