



Office of  
**Representative Hannah E. Kane**  
Commonwealth of Massachusetts

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## **Representative Kane supports bill to criminalize revenge porn and educate minor offenders through diversion**

**BOSTON** – State Representative Hannah Kane (R-Shrewsbury) is backing efforts to crack down on “revenge porn” by supporting legislation that imposes strong penalties for sharing sexually explicit images or videos without the consent of the individual being photographed or recorded.

House Bill 4241, *An Act to prevent abuse and exploitation*, would also allow for the commitment of minor offenders to the Department of Youth Services while establishing an alternative comprehensive educational diversion program to help adolescents understand the legal and non-legal consequences of possessing or disseminating explicit visual material. The bill was engrossed by the House of Representatives on a vote of 151-0 on January 10.

According to Representative Kane, the educational diversion program will be developed and implemented by the Attorney General in consultation with the Department of Elementary and Secondary Education, the Department of Youth Services, and the Massachusetts District Attorneys Association, and will be reviewed annually and updated as needed. The House bill also encourages school districts to implement media literacy skills instruction at all grade levels, and to incorporate aspects of the educational diversion program as a learning tool for students.

Massachusetts is one of only two states without a law banning revenge porn, the other being South Carolina. House Bill 4241 would change that by imposing a punishment of up to 2 ½ years in a House of Correction, a \$10,000 fine, or both a fine and imprisonment for individuals found guilty of disseminating explicit visual materials of another person without their consent.

House Bill 4241 also increases the existing fine for criminal harassment from \$1,000 to \$5,000 and amends the definition of abuse to include coercive control. Under the bill, coercive control is defined as an act or pattern of behavior committed with the intent to substantially restrict an individual’s safety or autonomy through threat, intimidation, harassment, isolation, control, coercion, or compelled compliance.

Representative Kane supported a similar bill filed by former Governor Charlie Baker during the 2021-2022 legislative session, which was engrossed by the House of Representatives on May 26, 2022. Despite unanimous support in the House, the Senate took no action on the bill until the final day of session on January 3, 2023, engrossing an amended version of the bill that could not be reconciled with the House bill before time ran out.

During floor debate, Representative Kane supported an amendment to the bill that addresses non-consensual “deepfake pornography” involving the use of digitization, which is defined as “creat(ing) or alter(ing) visual material, including, but not limited to, through the use of computer-generated images, in a manner that would falsely appear to a reasonable person to be an authentic representation of the person depicted.” The amendment stipulates that the dissemination of deepfake pornography will be punishable by up to 2 ½ years in a House of Correction, a \$10,000 fine, or both.

House Bill 4241, as amended, now moves to the Senate for its consideration.

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