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Nonconsensual Pornography

Overview

Nonconsensual pornography is a term used to refer to the distribution of sexually graphic or explicit images, including pictures and videos, without the consent of the individual depicted in the images. This includes images originally obtained without consent (e.g., by using hidden cameras, hacking email accounts, or recording sexual assaults) as well as images obtained with consent, typically in the context of an intimate relationship and with an understanding that the images will remain private. Distribution includes posting the images (often with derogatory comments) to social media sites and sharing images directly with another person (e.g., via email).

This nonconsensual pornography, sometimes called revenge pornography, can have a devastating impact, causing emotional distress, humiliation, and even economic harm when it affects a victim's employment.

Offenses

The misuse of online communications, sending harassing or intimidating communications and images, and other online misconduct violates the Uniform Code of Military Justice (UCMJ) and may violate other Federal laws under the United States Code.

UCMJ

Wrongful broadcast or distribution of intimate visual images, UCMJ Article 117a, criminalizes knowingly and wrongfully broadcasting or distributing an intimate visual image of another person or a visual image of sexually explicit conduct, when the person depicted does not explicitly consent to the broadcast or distribution, and the broadcaster/distributor of the intimate image knew or should have known that the broadcast or distribution was likely to cause harm.

Click [here](#) for more information on Article 117a, UCMJ.

Other sexual misconduct, UCMJ Article 120c, criminalizes indecent viewing, visual recording, or broadcasting/distributing of sexual images that were created without consent. Each offense of Article 120c has its own set of related but separate elements.

Indecent viewing: The accused knowingly and wrongfully viewed the private area of another person; that said viewing was without the other person's consent; and that said viewing took place under circumstances in which the other person had a reasonable expectation of privacy.

Indecent recording: The accused knowingly recorded the private area of another person; that said recording was without the other person's consent; and that said recording was made under



**Report a crime to U.S. Army
Criminal Investigation Command**

Major Cybercrime Unit

**27130 Telegraph Road
Quantico, Virginia 22134**

Email

MCU Web Page

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circumstances in which the other person had a reasonable expectation of privacy.

Broadcasting of an indecent recording: The accused knowingly broadcasted a certain recording of another person's private area; that said recording was made or broadcast without the other person's consent; that the accused knew or reasonably should have known that the recording was made or broadcast without the other person's consent; that said recording was made under circumstances in which the other person had a reasonable expectation of privacy; and that the accused knew or reasonably should have known said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

Distribution of an indecent visual recording: The accused knowingly distributed a certain recording of another person's private area; that said recording was made or distributed without the other person's consent; that the accused knew or reasonably should have known that the recording was made or distributed without the other person's consent; that said recording was made under circumstances in which the other person had a reasonable expectation of privacy; and that the accused knew or reasonably should have known said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

Click [here](#) for more information on Article 120c, UCMJ.

Reporting

Army personnel who believe they have been subject to nonconsensual pornography or related inappropriate conduct are encouraged to report the incident to: their Chaplain, [Special Victim Counsel](#), Chain of Command, [Inspector General](#), installation Equal Opportunity Advisor (or 703-571-7295 for referral), Victim/Witness Assistance Coordinator (703-588-6788 for referral), or Behavioral Health Counselor. Army personnel are encouraged to raise any privacy or confidentiality concerns up front, before discussing particular circumstances or images, as differing privacy and confidentiality considerations apply.

If you have direct knowledge sexually explicit photos were taken of you without your consent, or taken of you consensually but distributed or broadcast nonconsensually, you should contact your local [CONUS CID office](#) or the appropriate [OCONUS CID office](#) if you are located overseas. You can [anonymously report](#) from your computer, tablet or other internet-connected device or you can report a crime from your phone by downloading the CID Crime Tips mobile application. For reporting assistance, download the [Crime Tips application brochure](#).

Additional Resources

If you are the victim of nonconsensual pornography, the Army wants you to know there are resources to help you cope.

Understanding You're Not Alone

- [Victim Stories](#) - Cyber Civil Rights Initiative
- [Nonconsensual Image Sharing](#) - Center for Innovative Public Health Research

Victim Support: DoD's Safe Helpline

- Provides live, one-on-one specialized crisis support and information.
- Confidential, anonymous, and secure. Safe Helpline does not ask for any information that can be used to identify a user. Online sessions or telephone calls will not be recorded or stored and (with a very few exceptions, talk to a Safe Helpline counselor about those) personally identifying information provided during a Safe Helpline session will not be shared with the DoD or chain of command.
- Available worldwide to Active Duty, Reserve and National Guard Soldiers.
- Accessing [Safe Helpline](#) or 877-995-5247.

- [Safe Helpline Mobile App](#)
- [Safe HelpRoom](#)

Evidence Preservation

- If you intend to report nonconsensual pornography to law enforcement, preserve whatever information you have about the incident, such as the website addresses, social media profiles, email addresses, etc.
- [Preservation Guidance](#) - Without My Consent

Removing Images from the Internet

- [Guide to removing images from some popular websites](#) - Cyber Civil Rights Initiative
- [Helpful Tips for Victims of Revenge Pornography](#) - Without My Consent

Related CID Products

For information about computer security and cybercrime, we encourage readers to visit the MCU [website](#) for the latest cybercrime alert notices and prevention flyers.

- [Cyber Sextortion](#)
- [Online Misconduct Awareness and Reporting](#)
- [Social Networking Safety Tips](#)
- [Webcam Blackmail](#)

To receive future MCU Cybercrime Prevention Flyers, send an email to: [Subscribe CPF](#)

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