



*Thank you for joining us today!*

## Nonconsensual Pornography: Circulating Sexual Violence Online

January 24, 2017  
2-3:30pm Central Time

**Amber Morczek**, PhD Candidate, Washington State University,  
Department of Criminal Justice and Criminology.

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## Nonconsensual Pornography: Circulating Sexual Violence Online

January 24, 2016, 2-3:30pm Central Time

The materials are available on our website: <http://www.bwjp.org/our-training-and-services/webinar-nonconsensual-pornography-circulating-sexual-violence-online.html>

<p><b>AUDIO OPTIONS</b></p> <p>The audio component can be heard by VoiceoverIP (VoIP) or telephone:</p> <p><b>VoIP:</b> Select "connect" to internet audio on the Start tab to get your audio streaming through your computer.</p> <p><b>Telephone:</b> Select "I am dialed in" on the Start tab and dial in from your telephone. Your standard long distance charges will apply .</p> <p style="text-align: center;"><b>Dial-in: 641-715-3670</b> <b>Passcode: 732746</b></p>	<p><b>AUDIO TROUBLESHOOTING for VoIP</b></p> <ul style="list-style-type: none"> <li>• Verify you selected "connect" to the internet audio</li> <li>• If your computer &amp; speaker volume are turned all the way up, &amp; volume is too low, <b>run the audio wizard</b> under "Tools" at the top of your screen.</li> <li>• If still low volume, try a headset (which is recommended).</li> <li>• Lastly, if all your troubleshooting attempts have failed please dial in from a telephone. Your computer &amp;/or network don't have the requirements (bandwidth, memory, etc) for VoIP on this webinar.</li> </ul>
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## Nonconsensual Pornography: Circulating Sexual Violence Online

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Wednesday, January 24<sup>th</sup>, 2017  
2:00pm – 3:30pm CST  
12:00pm – 1:30pm PST

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**Amber L. Morczek, PhD Candidate**



Washington State  
University Department  
of Criminal Justice and  
Criminology

Areas of specialization:  
Violence toward women,  
rape culture,  
pornography, and  
institutional corrections.

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**Presenter's Scholarly Publications**

**Morczek, Amber.** (September/October 2016). Nonconsensual Pornography: Circulating Sexual Violence Online. *The Sexual Assault Report*, 20(1), 1-16.

**Morczek, Amber.** (Fall 2015). Pornography: The Mass Production of Sexual Violence. *Family & Intimate Partner Violence Quarterly*, 8(2), 117-127.

**Morczek, Amber.** (March/April 2015). The Synergistic Connection Between Sexual Violence and Rape Culture. *The Sexual Assault Report*, 18(4), 49-64.

Walker, A., Makin, D.A., & **Morczek, Amber.** (2016). Finding Lolita: A Comparative Analysis of Interest in Teenage Pornography. *Sexuality & Culture*.

Makin, D.A. & **Morczek, Amber.** (2015). X Views and Counting: Interest in Rape-Oriented Pornography as Gendered Microaggression. *The Journal of Interpersonal Violence*, 1-25. DOI: 10.1177/0886260515573572

Makin, D.A. & **Morczek, Amber.** (2016). The Dark Side of Internet Searches: A Macro Level Assessment of Rape Culture. *The International Journal of Cyber Criminology* 9(1), 1-23.

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**Audience Question**

What type of  
institution do you  
work for?

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**Webinar Agenda**

- Discuss the origins of nonconsensual pornography (NCP)
- Contextualize NCP
  - Intimate partner violence
  - Sexual assault
  - Exploitation of children and teens
- Discuss how NCP impacts victims
- Highlight remedies for NCP
- Denote the impact of NCP on the mainstream porn industry

*Couch this discussion within the context of rape culture and our societal conceptualizations of harm*

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**Defining Nonconsensual Pornography**

**Revenge Porn**  


**Involuntary Pornography**  


**Non-consensual Distribution Of Intimate Images**  


**Image-based Sexual Exploitation**  


**NONCONSENSUAL PORNOGRAPHY**  


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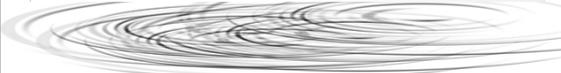
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**Nonconsensual Pornography [NCP]**

Term used to describe a wide variety of pornographic images that were created, misused, distributed, or otherwise accessed without the consent of the person represented.




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### Nonconsensual Pornography [NCP]

- NCP can be perpetrated by:
  - Intimate partners
  - Friends
  - Family members
  - ...and even complete strangers.



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### History of Nonconsensual Pornography

#### Is Anyone Up?

- Online repository for those seeking revenge upon their former partners by distributing pornographic images and videos of them without their consent
- Often includes links to personal information and social media accounts



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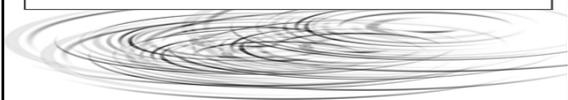
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### Nonconsensual Pornography

Much like other forms of gender-based violence, NCP frequently happens within the context of pre-existing relationships.



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**NCP and Domestic Violence**

NCP can be used a tool to humiliate, traumatize, and terrorize victims both in the context of a current or former relationship.

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*"...the worst part was how he impersonated me. He talked to literally thousands of men and tricked them into believing they were talking to me". My nightmare came true when men started showing up at my door thinking that the person was on the other side (me) was interested in having sex with them. I even has someone leave pictures on my doorstep with a note that said, 'I'll find you'."*

(D'Amico & Steinberger, 2015, p. 15)

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**NCP and Sexual Assault**

NCP has also been created while a victim is asleep, unconscious, impaired by drugs or alcohol, and/or during the commission of a rape.

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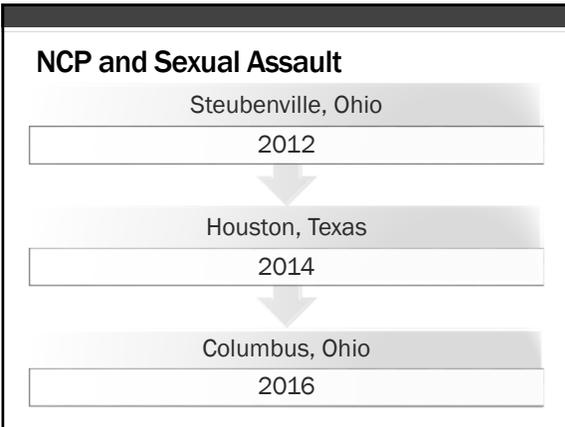
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**Intimate Partner Sexual Violence and NCP**

In interviews with law enforcement, one police officer described a case involving marital rape wherein a husband was drugging his wife to the point of unconsciousness, photographing and videotaping himself sexually assaulting her, and then sharing the images with "like-minded individuals" online.



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**Exploitation of Children and Teens**

Children and teens may also find themselves falling victim to NCP upon sending sexually explicit images to peers or adults, which are then circulated without their consent and/or otherwise used as blackmail to secure more images.



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**Exploitation of Children and Teens**

In 2016, a 41 year-old father in upstate New York created a series of fake social media accounts posing as a 16 year-old boy to coerce his 14 year-old daughter into sending him sexually explicit images.

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**How does NCP impact victims?**

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**Impact on Victims**

Victims of NCP can suffer from:

- Anxiety
- Panic attacks
- Severe emotional distress
- Body shame

Moreover, other scholars point to strain on families and friendships as well as the high levels of stress contributing to difficulties with schoolwork or job-related duties.

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**Impact on Victims**

Victims also report experiencing loss of educational and/ or professional opportunities as the result of NCP, as many professionals and institutions rely heavily on Internet searches as an employment-screening tool.



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**Impact on Victims**

Put another way, NCP can “flood” search engines when a victim’s name is searched online thereby damaging the victim’s reputation, sometimes irreparably.



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**Impact on Victims**

*As eloquently noted by Mathen (2014), NCP “radiates outward in concentric circles” to be viewed by victim’s family, friends, peers, coworkers, neighbors, and countless strangers around the work.*



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**Remedies for Nonconsensual Pornography**

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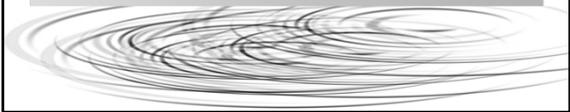
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Over the last decade, there has been much more of an emphasis on criminalizing instances of nonconsensual pornography, as criminalization provides one means to illustrate societal intolerance for this act as well as to hold offenders accountable.



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If a state does not have existing laws regarding NCP, existing statutes may be used to prosecute offenders criminally...

- **Child pornography laws** may be utilized if the victim is a minor
- **Harassment and anti-stalking laws** might be a viable remedy if the victim's contact information was posted online or if harassment based on said post or posts is persistent
- **Extortion laws** may also prove fruitful, particularly if the victim is coerced into giving money or property against their will via force or fear.

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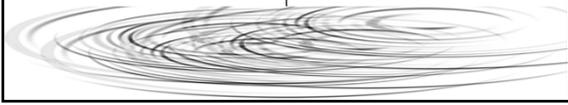
### Civil Remedies for NCP

#### Copyright Infringement

Advantageous when 'selfies' are posted online without the individual's consent, as the individual depicted in the photo or video is the legal owner of the content

#### Tort Law

Laws such as defamation, invasion of privacy, and intentional infliction of emotional distress have also been utilized.



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### What about websites hosting NCP?

*Many websites who host such content are broadly immune to liability due to Section 230 of the Communications Decency Act in which website hosts are not liable for content posted by users (i.e. third-party speech) nor do they have any legal obligation to identify who posts.*



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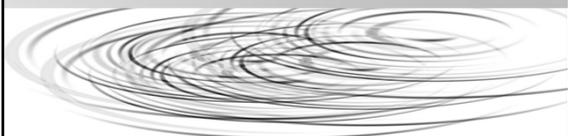
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Despite the most comprehensive remedies, it is nearly impossible even with the most comprehensive and effective policy to repair all of the damage created in its wake.



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Let's take a step back...

Nonconsensual pornography is not occurring in isolation.

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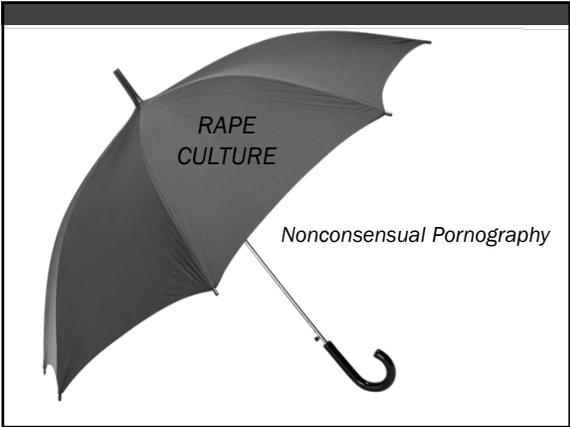
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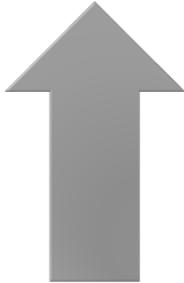
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**NCP and Gender**

Although women can and do post images and videos online without consent from the pictured individual...

*Perpetrators are overwhelmingly men.*



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**Contextualizing NCP**

**NCP is firmly rooted in a rape culture.**

- A culture that normalizes, passively and actively condones, trivializes, satirizes, and all too often outright glorifies sexual violence toward women.

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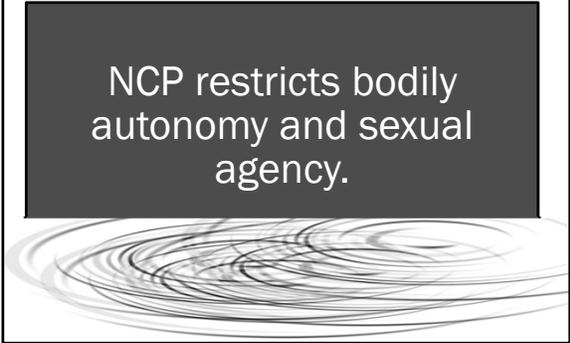
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**Rape Culture**

**NCP restricts bodily autonomy and sexual agency.**



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**Rape Culture**

*“We should no more blame individuals for trusting loved ones with intimate images than we blame someone for trusting a financial advisor not to share sensitive information with strangers on the street.”*

(Citron & Franks, 2014, p. 348)

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### Sexual Scripts and Rape Myths

*“While most people today would rightly recoil at the suggestion that a woman’s consent to sleep with one man can be taken as consent to sleep with all his friends, this is the very logic of revenge porn apologists”*

(Citron & Franks, 2014, p. 348)

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### Redress for Victims

*The lack of protection afforded to victims represents a de facto endorsement of norms consistent with rape culture.*

(Salter & Crofts, 2014, p. 234)

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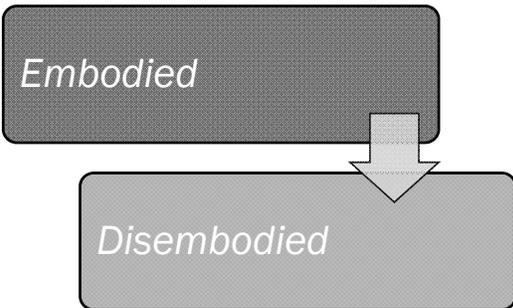
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### Reframing the Concept of Harm



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Violence is not localized to tangible institutions such as college campuses, military apparatuses, prison facilities, or even the home, but rather amalgamated within and between spaces both nebulous and concrete.



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**Before we conclude, let's switch gears and discuss the popularity of nonconsensual pornography and its impact on the mainstream porn industry...**

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Given the growing popularity of NCP, the porn industry is following suit with faux NCP that depicts:

- "Ex-girlfriends" or that which is otherwise marketed as revenge porn
- Sleeping and/or otherwise unconscious victims
- Violent, forced sex



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**An excerpt from MyEx.com...**

*What's the ultimate humiliation when your girlfriend cheats on you or acts like a crazy bitch? Put them on the Internet of course! My Ex is a revenge site where you can submit your ex or view other people's and although ThePornDude isn't sure if it's completely user submitted, it's quite fun looking through all of the shamed exes! Along with photos of their exes, users submit details about them, like if they cheated, or are a slut. Some of these details are really crazy but amusing to read! You'll get sex tapes, guys, girls and even celebrities submitted to this site so there's plenty of variety no matter which way you swing. You could waste a lot of time on this site and even submit your own ex if she/he proves to be a cunt!*

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**In conclusion...**

Technology is yet another means by which victims of gender-based violence are readily stripped of their dignity, dehumanized, and publically adorned with shame, anguish, and blame.

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**Questions?**

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**References**

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