

## PROTECT Act Summary



NATIONAL CENTER ON  
SEXUAL EXPLOITATION

**Summary:** The Preventing Rampant Online Technological and Criminal Trafficking Act of 2022 (PROTECT Act) would require websites allowing sexually explicit material (pornography) to obtain verified consent forms from individuals uploading content, or appearing in uploaded content, and to require websites to remove images uploaded without consent.

### **Scope of the Problem:**

In the absence of legislation, websites that allow independent users to upload sexually explicit material have become overrun with images of child sexual abuse material, recorded rape, filmed sex trafficking, hidden cameras, and other non-consensually recorded or shared images. These websites fail to effectively, proactively remove nonconsensual content, and they make it near impossible for victims depicted in the abuse images to remove them. And at the same time, many such platforms partner with the abusers to make money through the monetization of these nonconsensual abuse images, such as through increased website traffic and advertisements.

- A 2017 U.S. survey conducted on Facebook, found that of the 3,044 participants, 1 in 8 had been targets of the distribution, or threat of distribution, of sexually graphic images of individuals without their consent.
- A survey of young adults (ages 18-25) who had experienced sextortion found that approximately 40% of participants reported that their sextortion occurred online.
- An informal survey of survivors of IBSA found they often had their full name published alongside the explicit imagery (59%), social media/network information (49%), email (26%), phone number (20%), physical home address (16%), or work address (14%).
- A 2017 Cyber Civil Rights Initiative survey found that compared to people without IBSA victimization, victims had “significantly worse mental health outcomes and higher levels of physiological problems,” such as high levels of anxiety, PTSD, depression, feelings of shame and humiliation, as well as loss of trust and sexual agency.

**The Solution:** The PROTECT Act gives significant provisions for empowering a person depicted in sexually explicit videos/images to have those recordings removed and obtain damages for the harm their distribution caused. The Protect Act:

- Requires covered platforms obtain age verification for anyone who uploads content that is sufficient and independently verifiable.
- Requires covered platforms obtain consent to each act depicted and distribution of the specific image from each individual appearing in the content.
- Requires covered platforms obtain age verification from each individual appearing in the content.
- Allows eligible persons (includes their authorized representative, parent/guardian, law enforcement) depicted without consent or who has withdrawn consent to have their image removed, and block re-uploads, including any altered or edited versions.
- Allows individuals harmed to bring a civil action in district court to seek damages.
- Penalizes covered platforms that fail to remove reported content, verify for age and consent, and block re-uploads.

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