

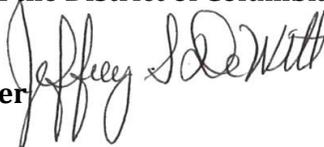
Government of the District of Columbia
Office of the Chief Financial Officer



Jeff DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeff DeWitt
Chief Financial Officer 

DATE: November 12, 2014

SUBJECT: Fiscal Impact Statement – Criminalization of Non-Consensual
Pornography Act of 2014

REFERENCE: Bill 20-903, Draft Committee Print as shared with the Office of Revenue
Analysis on November 10, 2014

Conclusion

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill.

Background

The bill makes it illegal to disclose or publish one or more sexual images of an identified or identifiable individual. Disclosure or publishing of such images would constitute a crime if the individual did not consent, if an agreement is in place to not disclose or publish the images, and if there is intent to harm. A disclosure violation is punishable by a fine of \$1,000, imprisonment of up to 180 days, or both. A second-degree violation involves disclosure and publishing of the sexual images when obtained from a third party and is punishable by a fine of \$1,000, imprisonment of up to 180 days, or both. Finally, a first-degree violation involves disclosure and publication of the sexual images and is punishable by a fine of \$12,500, imprisonment of up to three years, or both.

The bill provides exemptions for constitutionally protected activities and the disclosure or publication of images resulting from a voluntary and public exposure.

Financial Plan Impact

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill. The bill establishes non-consensual pornography as a crime and there are no costs associated with the bill's implementation.