

PROTECT VICTIMS: STOP THE CREATION OF SEXUALLY EXPLOITATIVE “DEEPPFAKE” IMAGES

Support HF 1606

Rep. Hanson, Bahner, and Stephenson

In 2023, ninety-six percent of manipulated images were non consensual and sexually explicit, featuring women. In one study, less than half of the “nudify” apps even ask whether consent has been obtained.

In one month alone, over 24 million users used “Nudify” apps.

In the first six months of 2024, sixteen “nudify” websites had 200 million visits

- **Websites, software, and applications permit abusers to take an innocent image and turn it into an explicit image without consent in a few clicks**
- **A victim is harmed every time the material is created without consent. Creating and distributing these images invades previously safe spaces and hurts a victim’s reputation and relationships**
- **Minnesota criminalizes the dissemination of “deepfake” non consensual intimate imagery, but does not prohibit the creation of such images**
- **These digitally manipulated nonconsensual intimate images adds to the abuse of real people and threatens to anonymize and normalize pedophilia, child abuse, exploitation and trafficking**

Contact

SANDI JOHNSON

Senior Legislative Policy
Counsel

sandij@rainn.org

About RAINN

RAINN is the nation’s largest anti-sexual violence organization and operator of the **National Sexual Assault Hotline**. RAINN’s mission is to stop sexual violence by supporting survivors, holding perpetrators accountable, and creating safer communities.

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In 2023, NCMEC received over 4,700 reports of AI-generated child sexual abuse material (CSAM). As of March 2024 none of the platforms that offer “nudify” or “unclothe” apps had submitted reports to the Cybertipline or engaged with NCMEC regarding how to avoid the creation of nude content of children

1 in 8 teens personally know someone under 18 who has been the target of “deep fake” nude images

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- “We must be clear that this is not innovation, this is sexual abuse...These websites are engaged in horrific exploitation of women and girls around the globe. These images are used to bully, humiliate, and threaten women and girls...”
~David Chiu, San Francisco's city attorney discussing the city's lawsuit against “nudification” websites
- “He took photos from my instagram and used AI to turn them into deepfake images. Then he posted them across multiple porn sites with my face and name. I had no idea this was going on for over 7 months. My face, name, and these fake photos/narratives gained hundreds of thousands of views each. Not only did I feel violated [and] disgusted, but I was worried for my future”
~ Mallory Jones, Survivor
- “[T]o this day, the number of people that have these images or had seen them is still a mystery. ... Every day, I will live in fear that these images will resurface, or someone could easily re-create [them].” ~ Elliston Berry, survivor

CONTACT: SANDI JOHNSON, SENIOR LEGISLATIVE POLICY COUNSEL | SANDIJ@RAINN.ORG

1. Schools face a new threat: “nudify” sites that use AI to create realistic, revealing images of classmates - CBS News, <https://www.cbsnews.com/news/schools-face-new-threat-nudify-sites-use-ai-create-realistic-revealing-images-60-minutes-transcript/>

2. Analyzing the AI Nudification Application Ecosystem, [2024] <https://doi.org/10.48550/arXiv.2411.09751>

3. AI-Generated “Undressing” Images Move from Niche Pornography Discussion Forums to a Scaled and Monetized Online Business, <https://graphika.com/reports/ai-revealing-picture>

4. The National Intimate Partner and Sexual Violence Survey, <https://www.cdc.gov/nisvs/documentation/NISVS-2016-2017-State-Report-503.pdf>

Testimony of
Sandi Johnson
Senior Legislative Policy Counsel
The Rape, Abuse, and Incest National Network
RAINN
before the
Minnesota Judiciary Finance and Civil Law Committee
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H.F. 1606

Thank you Co-Chair Liebling, Co-Chair Scott, and members of the Committee. My name is Sandi Johnson, and I am the Senior Legislative Policy Counsel for RAINN, which is the nation's largest anti-sexual violence organization. Thank you for taking the time to consider this bill which will protect victims from image based sexual abuse.

You have heard from victims here in Minnesota about the immense harm that was caused when a perpetrator nudified their images without their consent. I want to thank them for being willing to share their experiences in an effort to change the laws for all survivors. Unfortunately their experience is not unique. RAINN operates the National Sexual Assault Hotline and we advocate for protections for survivors throughout the country. We hear from survivors experiencing the same trauma in every state, and the problem is only growing. As an example, recently a prominent social media site launched an AI tool that allowed users to edit images and post them to the platform with one click. A study examined the images created in the first 11 days after the tool was launched. They estimated that approximately 65% of the photos created were photorealistic sexualized images. That totals 3 million photorealistic sexualized images, a pace of 190 images per minute, in 11 days. Of those sexualized images, it is estimated 23,000 were of children.



This bill takes the necessary step to prevent the creation of nonconsensual sexual images which harm victims. These "nudify" websites allow any user who knows how to upload a photo to victimize anyone. These websites offer premium features for different sex poses of the victim. They advertise on mainstream social media platforms with slogans such as "Undress Any Girl You Want". Once the images are created, they can be posted anonymously, are rapidly and widely disseminated, and become nearly impossible to remove. These apps use a business model that prioritizes profits over protecting people. These websites and their corporate owners are making money off of the pain they cause.

As you have heard, victims of tech enabled sexual abuse report significant feelings of helplessness, hopelessness, trauma, anxiety, and depression. More than half of victims do not know the identity of their perpetrator, making criminal laws targeting the distributor ineffective.

When methamphetamine was ravaging communities, Minnesota targeted the chemicals used to create the drug. It is time to target the websites that are profiting from a product that is primarily used to cause immense harm and prevent these abusive images from being created in the first place.

This bill will hold websites accountable that prioritize profits over protecting people and we urge you to pass this bill. I am happy to answer any questions going forward.

Sandi Johnson

Sandi Johnson
Senior Legislative Policy Counsel
RAINN
sandij@rainn.org

