

Sen. Agard, Rep. Snodgrass: Introduce bills to stop “stealth” sexual assault and the sending of unsolicited lewd images

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(MADISON) – Senator Melissa Agard (D-Madison) and Representative Lee Snodgrass (D-Appleton) circulated LRB-5288 and LRB-5338 which would create a civil course of action for “stealth” sexual assault and provide a penalty for individuals sending unsolicited lewd images digitally. Senator Agard and Representative Snodgrass released the following statements:

Senator Agard:

“It is time to get serious about consent, sexual assault, and sexual harm. There are victims and predators, and these bills address clear sexual crimes. Everyone in our communities deserves to be treated with dignity and respect.

“While no piece of legislation can ever erase the trauma of sexual violence, folks should not experience barriers to justice. It is the role of the government to step up and provide for a safer, more compassionate path so that people can heal. LRB-5288 creates a civil course of action for survivors to hold those accountable who non-consensually remove or tamper with a sexually protective device during intercourse without the knowledge of the partner. Consent is a constant and gradual process – it’s time our laws reflect that. Those who commit acts of sexual violence must be held accountable.

“With our world increasingly moving into the digital realm, it is imperative that we bring our statutes up to date. We are seeing a myriad of issues involving social media and electronic messaging that no one could have predicted. Unsolicited sending of lewd images is a violation of consent. Just as you do not want someone to flash you out in public, the same notion applies to digital forms of communication. You don’t want someone to non-consensually airdrop you a lewd photo or direct message you an inappropriate image. LRB-5388 addresses unsolicited lewd pictures being shared via electronic means. Sending unsolicited lewd images electronically is extremely violating to the person receiving those unwanted images. It is vital that we make sure that those who are sexually harassing folks online are held accountable.

“Sexual predators will continue to violate and victimize others, it is important that as legislators we take concrete steps to be responsive. This predatory and disturbing behavior is reprehensible and won’t be tolerated. Ignoring these issues is not an option.

“Every person deserves to be treated with respect. Period. These bills will help to make sure that bad actors are held accountable and victims have a path to justice.”

Representative Snodgrass:

“Consent has broader implications than we have come to understand and these bills address two problematic violations of sexual consent that have become increasingly common and can have deeply disturbing and life changing consequences.

“LRB-5288 creates a civil course of action for individuals to hold those accountable who non-consensually remove or tamper with a sexually protective device during intercourse without the knowledge of the partner. Consequences of such actions can include unplanned pregnancy and STI’s. In a time when abortion rights are precarious, we must do what we can to provide a legal course of action for someone of any gender whose consent has been violated through intentional and nonconsensual removal or tampering with a reproductive device.

“With digital interactions in relationships and online /app dating as the primary communication in modern relationships, we have seen an increase in unsolicited, sexually explicit images sent without provocation or consent, often to minors via ‘air drop’ technology in public places. LRB-5388 addresses unsolicited lewd pictures being shared via electronic means. Sending unsolicited, graphic sexual images electronically can be extremely violating receiving those unwanted images for a variety of reasons. This bill provides a deterrent for such images to be sent without consent and discourages sexually predatory behavior.”