

AMARA TESTIFIES IN SUPPORT OF THE PROTECTION FROM SEXUAL EXTORTION AMENDMENT ACT OF 2017

On July 11, 2018, the D.C. Council Committee on the Judiciary and Public Safety held a public hearing on the Protection from Sexual Extortion Amendment Act of 2017. This legislation would revise the existing extortion statute to also prohibit sexual extortion or “sextortion”, which is the act of obtaining sexually explicit images from an individual and using such content to demand additional sexual images or in-person sexual acts in return.



Yvette Butler, Amara’s Director of Policy and Strategic Partnerships, testified in support and provided four additional proposed alterations to the statute. First, the statute should not be used to target survivors of sex trafficking who had engaged in sexual extortion as a direct result of their trafficking. This is because if survivors committed a crime under this statute under duress, it would not be fair to charge them with a crime. Amara suggested to expressly note that being a victim of sex trafficking is an affirmative defense to the sexual extortion crime if the act is the direct result of their trafficking.

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Secondly, Yvette remarked that the possible exploitative situations a victim could be induced to commit covered under the statute should be broadened from exclusively “sexual acts” to “any acts” to avoid any gaps in the legislation’s reach. The rationale for this expansion is because perpetrators can use sexual images to exploit their victims to commit sexual or non-sexual acts, as may be the case for some survivors of labor trafficking.



Additionally, the statute protects individuals who were induced to participate in an activity because of a “threat of economic injury or injury to reputation.” Yvette pointed out for sex workers or imperfect victims, due to the lack of respect these individuals receive when they have been victims of crime, it may be difficult to prove how they were harmed under that wording of the statute. As a result, Amara suggested an expansion of that section’s language to encompass any inducement by threat to a victim’s safety, security, or privacy to ensure protection for the most amount of people as possible. Lastly, Yvette, alongside other non-profit organizations, emphasized the need to address the issue of youth creating or disseminating sexual images of themselves or other youths to others. It is a daunting, but necessary task to discuss ways to avoid masses of minors being charged with creation or distribution of child pornography for this activity.

However, present governments witnesses, such as the Public Defenders Office, at the public hearing indicated amending the existing extortion statute to include sexual extortion is unwarranted. Amongst the various criticisms, notably it was mentioned the sexual extortion amendment could potentially cause more harm than good because there are already existing laws that effectively target the crime. Therefore, if the amendment proceeds, it would create numerous overlapping laws, which in turn, would create inconsistency of how sexual extortion perpetrators are prosecuted.

Amara, in conjunction with other organizations and government agencies, will continue this discussion to ensure the next steps are the most effective and necessary to have sexual extortion crimes adequately addressed.

You can watch the testimony [HERE](#).

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