



Uniform Law Commission

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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WHY YOUR STATE SHOULD ADOPT THE UNIFORM CIVIL REMEDIES FOR UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES ACT

The Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act (UCRUDIIA) addresses an increasingly common form of abuse that causes immediate and in many cases irreversible harm. This form of abuse is often colloquially referred to as “revenge porn.” Victims routinely experience emotional distress as well as depression, anxiety, difficulty maintaining intimate relationships, and post-traumatic stress disorder. Some victims are fired from their jobs, expelled from their schools, or feel forced to move from their homes. Some victims have been threatened with sexual assault, stalked, or harassed. Below are some of the features of the UCRUDIIA:

- ***The UCRUDIIA creates a civil cause of action.*** Most states that have addressed this issue only have a criminal statute. The uniform act creates a civil cause of action for the unauthorized disclosure of private, intimate images.
- ***The UCRUDIIA protects victims’ identities.*** The fear of further notoriety or abuse deters many victims from pursuing legal remedies. Section 5 of the Act mitigates this fear by providing clear procedures allowing victims to use pseudonyms.
- ***The UCRUDIIA provides various remedies.*** Some of the potential remedies outlined in the Act include actual damages, statutory damages, punitive damages, and disgorgement of profits. The court may also grant the victim attorney’s fees and other relief, such as injunctive relief.
- ***The UCRUDIIA contains clear exceptions.*** Section 4 of the Act provides limited exceptions for certain disclosures, including those made during legal proceedings, medical treatment, or investigations of misconduct. There is also an exception for disclosures relating to matters of public concern or public interest.
- ***The UCRUDIIA recognizes the federal protection of interactive computer service providers.*** Section 8 of the Act recognizes the federal protection of interactive computer service providers found in the Federal Communications Decency Act.

For further information about the UCRUDIIA, please contact ULC Legislative Counsel Kaitlin Wolff at (312) 450-6615 or kwolff@uniformlaws.org.

The ULC is a nonprofit formed in 1892 to create nonpartisan state legislation. Over 350 volunteer commissioners—lawyers, judges, law professors, legislative staff, and others—work together to draft laws ranging from the Uniform Commercial Code to acts on property, trusts and estates, family law, criminal law and other areas where uniformity of state law is desirable.