

Normative specifiche sul *Revenge Porn*

Progetto di legge On. Sandra Savino (Atto della Camera n. 4055, XVII Legislatura)

612-ter c.p. Diffusione di immagini e video sessualmente espliciti

È punito con la reclusione da uno a tre anni chiunque pubblica nella rete *internet*, senza l'espresso consenso delle persone interessate, immagini o video privati, comunque acquisiti o detenuti, realizzati in circostanze intime e contenenti immagini sessualmente esplicite, con conseguente diffusione di dati sensibili, con l'intento di causare un danno morale alla persona interessata.

La pena è aumentata della metà se il fatto è commesso dal coniuge, anche separato o divorziato, o da persona che è o è stata legata da relazione affettiva alla persona offesa.

Codigo Penal Espanol (dal 2015)

Art. 197, § 7. Del descubrimiento y revelación de secretos

Será castigado con una pena de prisión de tres meses a un año o multa de seis a doce meses el que, sin autorización de la persona afectada, difunda, revele o ceda a terceros imágenes o grabaciones audiovisuales de aquélla que hubiera obtenido con su anuencia en un domicilio o en cualquier otro lugar fuera del alcance de la mirada de terceros, cuando la divulgación menoscabe gravemente la intimidad personal de esa persona.

La pena se impondrá en su mitad superior cuando los hechos hubieran sido cometidos por el cónyuge o por persona que esté o haya estado unida a él por análoga relación de afectividad, aun sin convivencia, la víctima fuera menor de edad o una persona con discapacidad necesitada de especial protección, o los hechos se hubieran cometido con una finalidad lucrativa.

Criminal Justice and Courts Act 2015 (CJCA 2015) [Inghilterra]

Section 33. Disclosing private sexual photographs and films with intent to cause distress

It is an offence for a person to disclose a private sexual photograph or film if the disclosure is made: (a) without the consent of an individual who appears in the photograph or film, and (b) with the intention of causing that individual distress.

New Jersey STAT. ANN. § 2C:14-9 (c) (taking effect on Jan. 8, 2004);

An actor commits a crime of the third degree if, knowing that he is not licensed or privileged to do so, he discloses any photograph, film, videotape, recording or any other reproduction of the image of another person whose intimate parts are exposed or who is engaged in an act of sexual penetration or sexual contact, unless that person has consented to such disclosure. For purposes of this subsection, "disclose" means sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, publish, distribute, circulate, disseminate, present, exhibit, advertise or offer.

California Penal Code – Pen. § 647, 4 A (2013)

A person who intentionally distributes the image of the intimate body part or parts of another identifiable person, or an image of the person depicted engaged in an act of sexual intercourse, sodomy, oral copulation, sexual penetration, or an image of masturbation by the person depicted or in which the person depicted participates, under circumstances in which the persons agree or understand that the image shall remain private, the person distributing the image knows or should know that distribution of the image will cause serious emotional distress, and the person depicted suffers that distress.