

Senate Judiciary Subcommittee on Privacy, Technology, and the Law
“The Good, the Bad, and the Ugly: AI-Generated Deepfakes in 2025”

Written Testimony Submitted by:
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I. Introduction

Chairwoman Blackburn, Ranking Member Klobuchar, and Members of the Subcommittee:
Thank you for holding this hearing and addressing a truly urgent matter that strikes at the heart of human dignity and safety.

My name is Christen Price, and I am Senior Legal Counsel at the National Center on Sexual Exploitation (NCOSE). We are a nonpartisan nonprofit, dedicated to eradicating all forms of sexual abuse and exploitation by exposing the links between them.

NCOSE’s philosophy of change recognizes that while crimes have perpetrators, systemic crimes have perpetrators *and* enablers. Systemic sexual abuse often implicates mainstream, institutional facilitators, who profit from the exploitation. Our goal is to make it costly for them instead, so that they stop. To that end, the NCOSE Law Center represents sex trafficking survivors in civil lawsuits against both perpetrators and enablers, which include pornography companies.

My testimony will focus on the nature of contemporary pornography, which provides the context for sexually explicit deepfakes, discuss the rise of deepfake pornography, with its gendered and severe harms, and review legislation necessary to address the growing problem of AI deepfakes.

II. The context: contemporary pornography’s pervasiveness and violence

Contemporary pornography is characterized by its pervasiveness and violence. Profits are concentrated in a few major companies, which have operated, until recently, largely with impunity.

Survey data collected between 1973 and 2010 shows pornography use among US men increased gradually over the years—from 26% in the 1970s, 30% in the 1980s, 32% in the 1990s, to 34% in the 2000s. Studies of pornography use in the US, Korea, and Australia over the last decade, by contrast, estimate that between 84% and 94% of men are regular pornography consumers.¹

Even back in 2010, an analysis of the most popular pornography videos found physical violence in 88%.² This violence includes slapping, biting, hair pulling, gagging, electrocution, and

¹ Chyng Sun et al., “Korean Men’s Pornography Use, Their Interest in Extreme Pornography, and Dyadic Sexual Relationships,” *International Journal of Sexual Health* (2014): 1–20, doi:10.1080/19317611.2014.927048. Megan S. C. Lim et al., “Young Australians Use of Pornography and Associations with Sexual Risk Behaviours,” *Australian and New Zealand Journal of Public Health* 41, no. 4 (2017): 438–443, <https://doi.org/10.1111/1753-6405.12678>, John D. Foubert, Matthew W. Brosi, and R. Sean Bannon, “Effects of Fraternity Men’s Pornography Use on Bystander Intervention, Rape Myth Acceptance and Behavioral Intent to Commit Sexual Assault,” *Sexual Addiction & Compulsivity: The Journal of Treatment & Prevention* 18, no. 4 (2011): 212–231, <https://doi.org/10.1080/10720162.2011.625552>.

² NCOSE, *The Public Health Harms of Pornography: Research Summaries of Key Peer-Reviewed Studies and Collection of Papers Presented at the U.S. Capitol* (Washington, DC: National Center on Sexual Exploitation, 2018), https://endsexualexploitation.org/wp-content/uploads/2021/04/NCOSE_SymposiumBriefingBooklet_1-28-2.pdf.

penetration of a woman by three or more men at the same time,³ as well as pornography clearly depicting rape—such as when the woman is obviously unconscious or extremely impaired by alcohol or drugs.⁴

As a result, pornography is providing scripts for sexual activity in which mutuality, emotional intimacy, and affection are absent, while aggression and physically risky practices are prevalent.⁵

In addition to providing propaganda for sexual assault, pornography also normalizes sexual violence in consensual relationships. A recent BBC study surveyed over 2,000 UK men ages 18-39.⁶ 71% of them admitted to using some form of violence against a partner, including slapping, spitting, and choking, much of it—by their admission—pornography inspired. 33% of those men said they did not even seek consent for these violent acts beforehand.⁷

A recent report by NCOSE's research department noted that the top four pornography websites: Pornhub, XVideos, xHamster, and XNXX, had a collective total of nearly 60 billion visits in 2024.⁸ All of these websites have engaged in mass scale distribution of and profiting from non-consensual content.

For example, XVideos distributes content depicting rape. One woman, who spoke to the *New York Times*, said her husband sexually assaulted her while she was sleeping and put the video on XVideos.⁹ She does not remember the attack, but the video was tagged “sleeping pills.” Another woman, based in Illinois, was sex trafficked and her pimp/trafficker had posted videos of her on XVideos, four of which remained on the site despite her attempts to have them taken down. These videos were consumed by over 100,000 viewers.¹⁰

Legal Porno, a hardcore pornography studio owned by XVideos' parent company, has been accused of scenes so violent that women ended up in the hospital.¹¹ Women reported being pressured to engage in acts different from what they originally agreed to, sometimes with producers changing the scene in the middle of shooting.¹² One woman was unable to complete a

³ Ibid. See also Gail Dines, “Introduction,” in *Pornland: How Porn has Hijacked our Sexuality* (Boston, MA: Beacon Press, 2010), xx-xix. Dines searched for “porn” in Google, and these were the most popular acts she found.

⁴ Megha Mohan, “‘I was Raped at 14, and the Video Ended Up on a Porn Site,’” *BBC*, February 9, 2020, <https://www.bbc.com/news/stories-51391981>.

⁵ NCOSE, *The Public Health Harms of Pornography: Research Summaries of Key Peer-Reviewed Studies and Collection of Papers Presented at the U.S. Capitol* (Washington, DC: National Center on Sexual Exploitation, 2018), https://endsexualexploitation.org/wp-content/uploads/2021/04/NCOSE_SymposiumBriefingBooklet_1-28-2.pdf.

⁶ Myles Bonnar, “‘I Thought He was Going to Tear Chunks Out of my Skin,’” *BBC*, March 22, 2020, <https://www.bbc.com/news/uk-scotland-51967295>.

⁷ Ibid.

⁸ NCOSE, *The Public Health Harms of Pornography: Research Summaries of Key Peer-Reviewed Studies and Collection of Papers Presented at the U.S. Capitol* (Washington, DC: National Center on Sexual Exploitation, 2018), 4, 7-9, https://endsexualexploitation.org/wp-content/uploads/2021/04/NCOSE_SymposiumBriefingBooklet_1-28-2.pdf.

⁹ Nicholas Kristof, “Why Do We Let Corporations Profit From Rape Videos?” *The New York Times*, April 16, 2021, <https://www.nytimes.com/2021/04/16/opinion/sunday/companies-online-rape-videos.html>.

¹⁰ Ibid.

¹¹ Jakub Zelenka & Lukas Prchal, “‘I was Bleeding and Ended Up in Hospital.’ Women Accuse Producers of XVideos of Violent Porn Shooting,” *Denik N*, February 2021, <https://denikn.cz/552186/i-was-bleeding-and-ended-up-in-hospital-women-accuse-producers-of-xvideos-of-violent-porn-shooting/?ref=list>.

¹² Ibid.

scene due to bleeding and extreme pain, and was forced to leave without being paid anything.¹³ Another woman wrote on Twitter that she had a serious prolapse injury after a shoot with Legal Porno.¹⁴

Czech Casting, an XVideos content partner, was investigated in 2020 for sex trafficking and rape due to manipulating people into creating pornography, in part by telling women it would be a professional modeling shoot.¹⁵ The Czech police arrested 10 people and charged 9 of them.¹⁶ As of May, 18, 2025, a Google search indicates that Czech Casting continues to have a channel page on XVideos.¹⁷

The inclusion on Pornhub of child sexual abuse material (CSAM), sex trafficking content, recorded sexual assault, and other abusive content is similarly well documented.¹⁸ Nicholas Kristof's 2020 investigation for the *New York Times* uncovered scenes of women being "asphyxiated in plastic bags" and scenes where the women were clearly unconscious.¹⁹ Pornhub employees have admitted that sex traffickers and other criminal actors use its site with impunity.²⁰

III. The problem: deepfake pornography

This content forms the backdrop for a more recent phenomenon: sexually explicit deepfakes or deepfake pornography, a sub-category of image-based sexual abuse (IBSA). This violent, abusive content merges forged pornography with other women and girls' faces; It's also what AI-generated pornography has been trained on.²¹

IBSA, broadly, is the "sexual violation of a person committed through the abuse, exploitation, or weaponization of any image depicting the person,"²² and includes nonconsensual distribution of

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Prague Morning, "Czech Casting: Women Lured By Modeling Gigs, Manipulated Into Shooting Porn," *Prague Morning*, July 18, 2020, <https://www.praguemorning.cz/czech-casting-women-lured-by-modeling-gigs-manipulated-into-porn>.

¹⁶ Policie Ceske Republiky, "Czech Casting – 9 People Accused," news release, July 17, 2020, <https://www.policie.cz/clanek/czech-casting-obvineni-9-osob.aspx>.

¹⁷ See XVIDEOS.COM, *CZECH CASTING CHANNEL*, <https://www.xvideos.com/channels/czech-casting-1>.

¹⁸ See, e.g., *Doe v. MG Freesites, LTD*, No. 7:21-CV-00220-LSC, 2024 WL 5339485, at *1 (N.D. Ala. Dec. 19, 2024) (denying motion for summary judgment from Pornhub's parent company on CSAM and sex trafficking claims).

¹⁹ Kristof writes: "Yet there's another side of the company: Its site is infested with rape videos. It monetizes child rapes, revenge pornography, spy cam videos of women showering, racist and misogynist content, and footage of women being asphyxiated in plastic bags." Nicholas Kristof, "The Children of Pornhub," *The New York Times*, December 4, 2020, <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html>.

²⁰ Sound Investigations, "Pornhub Exec: Rapists, Traffickers Using Pornhub 'Loophole' to 'Make a Lot of Money'," Rumble, September 13, 2023, 12 min., https://rumble.com/v3ha3zc-pornhub-exec-rapists-traffickers-using-pornhub-loophole-to-make-a-lot-of-mo.html?e9s=src_v1_upp; Sound Investigations, "Undercover Vid: Fmr Aylo Compliance Employee Reveals 'So Much Room for Error' in Unverified P*rn Ads," Rumble, August 10, 2023, 13 min., 40 sec., https://rumble.com/v3t0u7a-undercover-vid-fmr-aylo-compliance-employee-reveals-so-much-room-for-error-.html?e9s=src_v1_upp.

²¹ Lisa Thompson et al., *Not a Fantasy: How the Pornography Industry Exploits Image-based Sexual Abuse in Real Life* (Washington, DC: National Center on Sexual Exploitation, 2025), 50, https://endsexualexploitation.org/wp-content/uploads/Not-a-Fantasy-Report_NCOSE.pdf.

²² Lisa Thompson et al., *Identifying Image-based Sexual Abuse: Classifications and Definitions* (Washington, DC: National Center on Sexual Exploitation, August 2024), https://endsexualexploitation.org/wp-content/uploads/NCOSE_IBSA-Chart_Identifying-Image-based-Sexual-Abuse_FINAL.pdf.

sexually explicit content, recording sexual violence, sexual extortion (such as using sexually explicit images to blackmail a person into sending money to the perpetrator), video voyeurism (including upskirting and spycam pornography), and AI-generated forged (deepfake) pornography.²³

Forged pornography is rapidly escalating, deeply gendered, and devastating for its victims. Examples abound:

- As a junior in high school, Brooke Currey discovered that a boy she had never met had taken a photo off her Instagram to generate an AI “deepfake” and circulated it via Snapchat. Two years later, she still has not been able to get all of the images removed and has no idea who has seen them.²⁴
- At least 30 Illinois students had images of themselves altered into sexually explicit images and shared with their classmates. The list of victims included three teachers. Victims described the discovery as disturbing, alarming, and upsetting. One student was suspected of causing the harm.²⁵
- Molly Kelley, a woman from Minnesota, is one of 85 women who had deepfake pornography created of her by a close family friend. She said, “My only crime was existing online and sharing photos on platforms like Instagram. The person who did this was not a stranger. I was not hacked. And my social media has never been public.” She worries about the impact to her career, her reputation, and her family.²⁶
- A psychiatrist in Charlotte, South Carolina was found guilty of using AI to digitally alter clothed images of minors into child sexual abuse images. Some of the victims included his former classmates, now in their 40s, who are victims of CSAM as a result of images taken two decades prior. Many of his victims were unknown to him.²⁷
- Bree Smith, a Nashville meteorologist, was forced to quit her job after months of fighting against AI deepfakes of her that circulated online. The images multiplied, and scammers circulated them with offers for private dinners and sexual acts in exchange for hundreds of dollars. She’s terrified that her children will encounter these videos online. She has been unable to get the images removed and is tracking accounts that repost them.²⁸

A. Forged pornography is growing and profitable

²³ Ibid.

²⁴ A.G. Gancarski, “How a Deepfake Changed Brooke Curry’s Life, and What She’s Doing About It,” *Florida Politics*, April 7, 2025, <https://floridapolitics.com/archives/730515-how-a-deepfake-changed-brooke-currys-life-and-what-shes-doing-about-it>.

²⁵ Charlie De Mar, “Students at Illinois High School Say Photos were Altered by AI to be Explicit,” *CBS News*, March 14, 2024, <https://www.cbsnews.com/chicago/news/illinois-high-school-photos-altered-ai-explicit>.

²⁶ William Lien, “Protecting Victims of Non-Consensual Deepfake Pornography,” *WDIO ABC*, December 17, 2024, <https://www.wdio.com/front-page/top-stories/protecting-victims-of-non-consensual-deepfake-pornography>.

²⁷ FBI News, “‘Horribly Twisted’ Charlotte Pornography Case Shows the ‘Unsettling’ Reach of AI-generated Imagery,” *FBI News*, April 29, 2024, <https://www.fbi.gov/news/stories/charlotte-child-sexual-abuse-material-case-shows-unsettling-reach-of-ai-generated-imagery>.

²⁸ Nicole Valdes and Emily Mae Czachor, “Former TV Meteorologist Fights Deepfakes after her Image was Doctored in Sextortion Scams,” *CBS News*, May 1, 2025, <https://www.cbsnews.com/news/deepfakes-meteorologist-bree-smith-image-doctored-sexortion-scams>.

In 2018, the year the first site dedicated to deepfake pornography was launched, “the top four dedicated sexual deepfake websites harness[ed] over 134 million views.”²⁹

Deepfakes are nonconsensual by definition, yet one company found that in a two-year period, between 2018 and 2020, the total number of deepfake videos “doubled every sixth months [.]”.³⁰ Malicious and pornography deepfakes made up 93% of the videos.³¹

A 2023 report found the availability of AI-generated forged pornography online increased by 464% between 2022 and 2023.³² There were 303,640,207 total video views across the top 10 dedicated deepfake pornography websites in 2023, with total traffic of 34,836,914 across these sites.³³

Xvids and XNXX returned more than 170,000 results for “deep fake” in February 2025.³⁴ (Both owned by the same company). Searches for “AI” on Pornhub returned over 48,000 results in 2023, and “AI porn” returned more than 400,000 results on XVideos and XNXX in February 2025.³⁵ Mr. Deepfakes, the most prominent of the pornographic deepfake sites, had 13 million monthly visitors and 250,000 members in 2023.³⁶ The site recently closed down after Congress passed the Take It Down Act.³⁷

Deepfake pornography includes CSAM. The National Center on Missing and Exploited Children (NCMEC) reported that its CyberTipline received 67,000 AI-related reports in 2024, up from 4,700 in 2023, representing a “1,325% increase in reports involving Generative AI[.]”³⁸

Underground CSAM trading networks are disseminating AI-generated CSAM as well. The Internet Watch Foundation (IWF) reported in 2023 that one forum posted more than 20,000 images of AI-CSAM in a one-month period and that “there’s jubilation that fantasies can be made to order” among perpetrators.³⁹ In a July 2024 report, the IWF found that 90% of AI-

²⁹ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 21, <https://dash.harvard.edu/handle/1/37374909>.

³⁰ Ibid, citing footnote 55.

³¹ Ibid.

³² Home Security Heroes, “2023 State of Deepfakes,” Infographic, accessed March 5, 2024, <https://www.homesecurityheroes.com/state-of-deepfakes/assets/pdf/state-of-deepfake-infographic-2023.pdf>.

³³ Ibid.

³⁴ XVideos and XNXX are owned by the same parent company, WebGroup Czech Republic (WGCZ) Holdings. See: Lisa Thompson et al., *Not a Fantasy: How the Pornography Industry Exploits Image-based Sexual Abuse in Real Life* (Washington, DC: National Center on Sexual Exploitation, 2025), https://endsexualexploitation.org/wp-content/uploads/Not-a-Fantasy-Report_NCOSE.pdf; See also: Complaint, Doe v. WebGroup Czech Republic, No. 221CV02428VAPSKX (C.D. Cal. Mar. 18, 2021), https://endsexualexploitation.org/wp-content/uploads/Xvideos-complaint-as-filed_Jane-Doe-v.-WebGroup-Czech-Republic-et-al_03-18-2021.pdf.

³⁵ Lisa Thompson et al., *Not a Fantasy: How the Pornography Industry Exploits Image-based Sexual Abuse in Real Life* (Washington, DC: National Center on Sexual Exploitation, 2025), 23, https://endsexualexploitation.org/wp-content/uploads/Not-a-Fantasy-Report_NCOSE.pdf.

³⁶ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 31, <https://dash.harvard.edu/handle/1/37374909>.

³⁷ Layla Ferris, “AI-generated Porn Site Mr. Deepfakes Shuts Down after Service Provider Pulls Support,” *CBS News*, May 5, 2025, <https://www.cbsnews.com/news/ai-generated-porn-site-mr-deepfakes-shuts-down>.

³⁸ NCMEC, “2024 CyberTipline Report,” National Center for Missing & Exploited Children, accessed May 19, 2025, <https://www.missingkids.org/gethelpnow/cybertipline/cybertiplinedata>.

³⁹ Internet Watch Foundation, *How AI is being Abused to Create Child Sexual Abuse Imagery* (Cambridge, UK: Internet Watch Foundation, October 2023), https://www.iwf.org.uk/media/q4zll2ya/iwf-ai-csam-report_public-oct23v1.pdf.

CSAM images assessed by IWF analysts were “realistic enough to be assessed as pseudo-photographs of children[.]”⁴⁰

Websites dedicated to deepfake pornography use online advertising to profit,⁴¹ just as more mainstream pornography sites do. Pornhub has been found hosting advertisements and referral links for deepfake pornography sites using nonconsensual deepfake depictions of people.⁴²

B. Forged pornography is deeply gendered

Deepfake pornography is deeply gendered, and the difference is stark and growing. Between 2018 and 2020, 90% of deepfake pornography content targeted women, primarily.⁴³ Disturbingly, the 2023 State of Deepfakes report found 98% of all deepfake videos online are pornography-related and 99% of the individuals targeted in deepfake pornography are women.⁴⁴

Nudify apps that strip people—overwhelming women and girls—of their clothes are numerous and easily accessible on Apple’s App Store and Google’s Play Store. These apps allow any image to be virtually stripped of clothing within seconds. In school districts across the US, boys are using AI-powered apps to transform clothed pictures of female classmates into nude images.⁴⁵ Research has revealed that 34 providers of nudifying technology received more than 24 million unique visitors to their websites during the month of September 2023.⁴⁶

One AI bot “had only been trained on female genitalia and could only ‘strip’ or ‘nudify’ images/videos of women. Current ‘nudifying’ websites/applications advertise their strong opposition to creating training sets or bots that could strip different genders because it would interfere with the overarching goal of ‘making men’s dreams come true.’”⁴⁷

⁴⁰ Internet Watch Foundation, *What Has Changed in the AI CSAM Landscape? AI CSAM Report Update in Conjunction with our Oct 23 Report* (Internet Watch Foundation, July 2024), https://www.iwf.org.uk/media/drufozvi/iwf-ai-csam-report_update-public-jul24v12.pdf.

⁴¹ “For many adult websites that allow users to upload their own content, similar to MrDeepFakes, advertisements make up a considerable amount of income.” Emma K. Chedwick, “Synthetic Seduction: Navigating AI-Generated Content and the Complexities of Name, Image, and Likeness Law,” *The Business, Entrepreneurship & Tax Law Review* 8, no. 1 (2024): 168, 176, <https://scholarship.law.missouri.edu/betr/vol8/iss1/8>.

⁴² Alyssa Mercante, “Popular Female Twitch Streamers Targeted In Deepfake Pornography Scandal,” *Kotaku*, January 31, 2023, https://kotaku.com/deepfake-atrionc-twitch-streamer-apology-legal-action-1850055762?sm_guid=NzcxOTIyYDc4MzA5NjAxZC0xZG9lY2VAbmNvc2UuY29tfDcyMDIwMTJ8fDB8MHwyMjU0MzA0NTd8MTEzMnwwfDB8fDc2NjM5Nnww0.

⁴³ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 21, <https://dash.harvard.edu/handle/1/37374909>, citing footnote 55.

⁴⁴ Home Security Heroes, “2023 State of Deepfakes,” Infographic, accessed March 5, 2024, <https://www.homesecurityheroes.com/state-of-deepfakes/assets/pdf/state-of-deepfake-infographic-2023.pdf>.

⁴⁵ Natasha Singer, “Teen Girls Confront an Epidemic of Deepfake Nudes in Schools,” *The New York Times*, April 8, 2024, <https://www.nytimes.com/2024/04/08/technology/deepfake-ai-nudes-westfield-high-school.html>; Caroline Haskins, “A Deepfake Nude Generator Reveals a Chilling Look at Its Victims,” *Wired*, March 25, 2024, <https://www.wired.com/story/deepfake-nude-generator-chilling-look-at-its-victims>.

⁴⁶ Santiago Lakatos, “A Revealing Picture: AI-Generated ‘Undressing’ Images Move from Niche Pornography Discussion Forums to a Scaled and Monetized Online Business,” *Graphika*, December 2023.

⁴⁷ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 30 (internal citations omitted), <https://dash.harvard.edu/handle/1/37374909>.

Further, “the volume of referral link spam for these services has increased by more than 2,000% on platforms including Reddit and X since the beginning of 2023,” and in September of 2023, there were at least 1 million users of 52 Telegram groups used to create AI-IBSA.⁴⁸

As journalist Nicholas Kristof documented, the videos being “created are graphic and sometimes sadistic, depicting women tied up as they are raped or urinated on, for example. One site offers categories including ‘rape’ (472 items), ‘crying’ (655) and ‘degradation’ (822).”⁴⁹ Kristof also found one deepfake website that displays the official portrait of a female member of Congress, as well as more than two dozen forged pornographic videos of her.⁵⁰

Perpetrators of pornographic deepfake sexual abuse are disproportionately male.⁵¹

The attitudes of men who create and consume this abusive content are telling. The owner of Mr. Deepfakes himself said: “I think that as long as you’re not trying to pass it off as a real thing, that should really matter because it’s basically fake. I don’t really feel that consent is required—it’s a fantasy, it’s not real.”⁵² Most consumers of the abuse agree, as the State of Deep Fakes report found “74% of deepfake pornography users don’t feel guilty about it[.]”⁵³

C. Forged pornography is devastatingly harmful

Deepfake pornography is a serious human rights abuse, which violates the dignity and autonomy of both the person whose face is depicted, and the person whose body is shown. These violations of privacy and the right to the integrity of one’s own body have profound emotional and physical effects. Survivors report anxiety, PTSD, depression, shame, and humiliation. They feel robbed of their autonomy, their sexuality, and their trust in people and technology alike. These aren’t just emotional scars; they are life-altering wounds: “In recent research, victims of IBSA and sexual deepfakes have portrayed their experiences as ones of irreparable harm that ‘forever changed’ their lives. Victims have described feelings of shock, fear, isolation, embarrassment, shame, powerlessness, and objectification after discovering deepfake pornography in their likeness.”⁵⁴

Some victims, overwhelmingly female, grapple with suicidal ideation because of the sheer magnitude of this violation. For some women and girls, the harm was ultimately too overwhelming and they died by suicide.⁵⁵

⁴⁸ Santiago Lakatos, “A Revealing Picture: AI-Generated ‘Undressing’ Images Move from Niche Pornography Discussion Forums to a Scaled and Monetized Online Business,” *Graphika*, December 2023.

⁴⁹ Nicholas Kristof, “The Online Degradation of Women and Girls that We Meet with a Shrug,” *The New York Times*, March 23, 2024, <https://www.nytimes.com/2024/03/23/opinion/deepfake-sex-videos.html?pgtype=Article&action=click&module=RelatedLinks>.

⁵⁰ Ibid.

⁵¹ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 123, <https://dash.harvard.edu/handle/1/37374909>.

⁵² Ibid, 47.

⁵³ Security Hero, “Key Findings,” 2023 State of Deepfakes: Realities, Threats, and Impact, accessed May 19, 2025, <https://www.securityhero.io/state-of-deepfakes/#key-findings>.

⁵⁴ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), <https://dash.harvard.edu/handle/1/37374909>.

⁵⁵ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 18-19, <https://dash.harvard.edu/handle/1/37374909>. See also BBC, “Two Arrested in Egypt after Teenage Girl’s Suicide Sparks Outrage,” *BBC*, January 4, 2022, <https://www.bbc.com/news/world-middle-east->

Deepfakes also provide an additional avenue for obtaining or maintaining coercive control over a partner and could make relationships characterized by intimate partner violence even more dangerous.⁵⁶ Women have been targeted with deepfake pornography for speaking out about male violence.⁵⁷ In some cases, sex buyers harassed victims.⁵⁸

Deepfakes and the harassing aftermath interferes with women and girls going to school, getting and maintaining jobs, and otherwise participating in public life,⁵⁹ often, ultimately, having a profound silencing effect.

This is a form of sexual exploitation from which it is impossible to fully exit, as that would require scrubbing the abuse content at issue from the entire internet, as well as from the hard drives of anyone who downloaded it. Harm stemming from the continuing nature of the violation seems to be a more common experience for female victims than male victims of deepfake pornography.⁶⁰ Thus, given the breadth, severity, and irreparable nature of these harms, deterrence and prevention are essential.

IV. Conclusion: the importance of acting now

Deepfakes are escalating rapidly, with devastating consequences, but there is time for Congress to act to set the terms and framework now, to signal to current and would-be perpetrators and facilitators that these abuses will not be tolerated.

Deterrence is particularly important in this space because of the irreparable nature of the damage. Deepfake pornography degrades, intimidates, and silences women and girls. That is what it is intended to do. There is a very old idea, that in order to protect more privileged women from

[59868721?sm_guid=NzcxOTIyYfDc4MzA5NjAxFC0xGfNlc2VAbmNvc2UuY29tfDcyMDIwMTJ8fDB8MHwyMjU0MzA0NTd8MTEzMnwwfDB8fDc2NjM5Nnww0.](https://www.gonzaga-law-review.com/article/92486-the-dark-side-of-technological-advances-how-technology-has-enabled-domestic-violence-and-the-contributing-role-of-the-first-amendment)

⁵⁶ See, e.g., Megan Riesmeyer, “The Dark Side of Technological Advances: How Technology Has Enabled Domestic Violence and the Contributing Role of the First Amendment,” *Gonzaga Law Review* 59, no. 1 (2024): 93, 128, <https://gonzaga-law-review.scholasticahq.com/article/92486-the-dark-side-of-technological-advances-how-technology-has-enabled-domestic-violence-and-the-contributing-role-of-the-first-amendment>; Stacey A. Cozewith, “How AI and Deepfakes Can Impact Domestic Violence Cases,” *N.J. Law.*, December 2024, at 29, 30, <https://www.saiber.com/insights/publications/2024-12-16-how-ai-and-deepfakes-can-impact-domestic-violence-cases>.

⁵⁷ Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 18 <https://dash.harvard.edu/handle/1/37374909>.

⁵⁸ *Ibid.*

⁵⁹ Abigail George, “Defamation in the Time of Deepfakes,” *Columbia Journal of Gender and Law* 45, no. 1 (2024): 122, 167, <https://doi.org/10.52214/cjgl.v45i1.13186> (describing a woman who was fired after her boss learned she was a victim of deepfake pornography); Emily Pascale, “Deeply Dehumanizing, Degrading, and Violating: Deepfake Pornography and the Path to Legal Recourse,” *Syracuse Law Review* 73 (2023): 335, 341, <https://lawreview.syr.edu/wp-content/uploads/2023/03/Pascale-335-366.pdf> (describing the employment consequences for victims of deepfake pornography).

⁶⁰ Men in the study did not report the same level of lasting consequences. “Female participants did not describe the same sense of healing after the initial event, as their abuse was continuous, often escalating or radiating over time. The continuation of abuse often transcended the boundaries of the virtual and physical through the comments and threats women received long after the initial event had occurred.” See Victoria Rousay, “Sexual Deepfakes and Image-based Sexual Abuse: Victim-Survivor Experiences and Embodied Harms” (Master’s thesis, Harvard University, Division of Continuing Education, 2023), 93-94, <https://dash.harvard.edu/handle/1/37374909>.

male violence, you need an underclass of women that men can violate with impunity.⁶¹ This was always a morally inexcusable premise, and the rise of forged pornography shows that it was also a lie. The rapid increase and popularity of a technology that allows any man to turn any woman into his pornography represents a swift democratization of sexual objectification.

These are impossible conditions for equality. Andrea Dworkin stated in 1986, very presciently, what the effect would be on women, if pornography became ubiquitous:

[W]e see the torture of women as a form of entertainment, and we see women also suffering the injury of objectification—that is to say we are dehumanized. We are treated as if we are subhuman, and that is a precondition for violence against us... When your rape is entertainment, your worthlessness is absolute. You have reached the nadir of social worthlessness. The civil impact of pornography on women is staggering. It keeps us socially silent, it keeps us socially compliant, it keeps us afraid in neighborhoods; and it creates a vast hopelessness for women, a vast despair. One lives inside a nightmare of sexual abuse that is both actual and potential, and you have the great joy of knowing that your nightmare is someone else's freedom and someone else's fun.⁶²

This horrible reality, emerging before our eyes, is the reason why NCOSE helped lead the bipartisan legislative effort to pass the Take It Down Act, signed by President Trump on Monday [May 19]. NCOSE was honored to participate in this historic White House signing ceremony. The Take It Down Act targets not only the person who creates abuse videos and images, but anyone who uploads sexually explicit content without affirmative consent. This broadens the scope of accountability and protection.

In addition, the Act criminalizes both the publication of unauthorized sexually explicit content and the threat to publish such content on social media or any other online platforms, also known as sextortion. Sextortion has led to an astonishing increase in suicides, especially of young men; the FBI has seen a dramatic increase in financial sextortion cases targeting minor victims in the US.

The Take It Down Act also creates a “notice and takedown regime” similar to the Digital Millennium Copyright Act (DMCA). Under the Act, when a take-down request is sent to an online platform, the content must be removed within 48 hours. NCOSE has been part of legal cases because large platforms, such as Twitter (now X), have disregarded takedown requests made by parents on behalf of their children—meaning, Twitter ignored requests to takedown CSAM. Under Take It Down, websites must also make *reasonable efforts* to remove copies of the images, enforceable by the Federal Trade Commission.

NCOSE strongly supports three additional pieces of legislation that complement the Take It Down Act: the NO FAKES Act, Kids Online Safety Act (KOSA), reintroduced in the Senate last week, and the DEFIANCE Act, introduced in the Senate and House yesterday. Together, these

⁶¹ Huasheng Gao and Vanya Petrova, “Do Prostitution Laws Turn a John into a Rapist? Evidence from Europe,” *Journal of Law and Economics* (2022), <http://dx.doi.org/10.2139/ssrn.3984596>.

⁶² Andrea Dworkin, “Pornography is a Civil Rights Issue,” adapted slightly from testimony before the Attorney General’s Commission on Pornography on January 22, 1986, available at <http://www.nostatusquo.com/ACLU/dworkin/WarZoneChaptIVF1.html>.

bills help protect individuals from the harmful effects of image based sexual abuse and increase pressure on tech companies to create and manage digital sites more responsibly.

The NO FAKES Act, which Senators Blackburn and Coons reintroduced last month, creates federal intellectual property protections for an individual's name, image, voice, and likeness. The law would apply to deepfakes involving everyone, both famous and non-famous individuals, including children. Currently, if a deepfake is created of a child or an adult that does not fall under the provisions of the Take It Down Act, the child or adult has no way to require a website or social media platform to remove it. This is concerning because the deepfake can still cause emotional harm to the victim, even though it is not sexual in nature.

Technological progress should not come at the expense of human dignity. It is our collective responsibility to protect the voice, face, and likeness of every individual from unauthorized exploitation.

Legislation should also compel more corporate accountability for the harms caused by social media platforms, an objective tackled by the Kids Online Safety Act, which creates a "duty of care" for platforms to prevent and mitigate harms to minors using these platforms. Thank you, Chairwoman Blackburn, for your relentless leadership on KOSA.

The DEFIANCE Act establishes civil liability for AI-generated sexually explicit deepfakes, allowing victims to seek justice in civil court. This legislation addresses not only the publication of such content but also its creation, distribution, and possession with the intent to distribute (which includes sextortion).

Finally, NCOSE is strongly concerned about the recent AI state moratorium language included in the House budget reconciliation bill. The House language is premature and creates a disincentive for AI companies to create products and services that put safety ahead of profits. It also creates a disincentive for AI companies to work with elected officials to pass meaningful legal guardrails to protect individuals from harm.

We must ensure that no one else falls victim to these devastating abuses.