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IT'S TIME FOR FACEBOOK TO DEAL WITH THE GRIMY HISTORY OF REVENGE PORN



SERAZETDINOV/GETTY IMAGES

REVENGE PORN IS a big

problem for the internet. In other words, it's a big problem for Facebook. This became abundantly clear with the recent revelation that a secret Facebook group called Marines United, which consisted of active and veteran members of the Marine Corps, circulated nude and otherwise invasive photos of women without their consent. The photos included ex-girlfriends as well as strangers, service members and civilians alike. The Department of Defense has since launched an investigation, and Senate Armed Services Committee hearings began this morning.

With Mark Zuckerberg pulling more and more of the internet into his domain, Facebook has emerged as fertile soil for revenge porn—especially so-called “closed” groups, restricted-membership areas of the site that are nearly unpoliceable. (Even since Marines United's closure, other similar

groups have rushed in to fill the void.) But with US revenge porn law still a patchwork of difficult-to-enforce statutes, it's increasingly incumbent on Facebook to come up with the solution itself.

Given the history of revenge porn, though, you may not want to hold your breath.

YouTube, Crowdsourcing, and the Rise of Revenge

The existence of revenge porn stretches back to the 1980s, when *Hustler* magazine published a stolen nude photo in its reader-submission feature, "Beaver Hunt." But the phenomenon flourished in the anonymous, lawless jungles of the early internet—especially on Usenet groups, where by 2000, photos and videos of users' ex-girlfriends became a genre called "realcore porn." (Dear millennials: Usenet groups were basically decentralized Reddit. No, really!)

From there, revenge porn exploded along with the rest of internet pornography. That's not to say that porn wasn't already popular in the early 2000s, but after YouTube launched in 2005 and online video became fast and easy, NSFW copycats like YouPorn or RedTube made it ubiquitous. Given that ease of uploading, professionally produced content wasn't the the only stuff on those sites; user-generated amateur porn (which can be pretty exploitative in its own right) became more popular than ever.

That explosion of consensual amateur content, and rise of texting nude pics, opened the door for revenge porn. "In 2007, I was laboring alone in the dark on this," says Danielle Citron, who teaches law at the University of Maryland. "But with the saturation of porn and camera phones, you got a lot of young girls being pressured to share nude photos, and this trend came to

a head.” Sites dedicated to the “genre”—sporting names like realexgirlfriend.com—start to pop up around the same time, and porn aggregators like XTube reported receiving complaints from revenge porn victims.

If there’s one person most associated with pushing revenge porn into the national conversation, it’s a man named Hunter Moore, who in 2010 launched the infamous IsAnyoneUp.com. The site posted pornographic images and video that men had submitted of their ex-girlfriends—as well as the women’s full names and links to their Facebook profiles. Further, he taunted his victims, one of whom tracked him down and stabbed him with a pen. (Outside the US, legal precedents were starting to mount; in 2010, a New Zealand man went to prison for posting naked pictures of his ex-girlfriend on Facebook.) Moore shuttered his site in

2012, but revenge porn obviously didn't end there.

Nor was it confined to ex-partners. "Data breaches were starting to be a dime a dozen, and this is when people started hacking into women's computers and webcams," Citron says. "They called these women their 'cyber slaves.'" In 2014, a phishing scheme resulted in nude photos of Jennifer Lawrence and numerous other celebrities leaking online. (Two men are currently serving prison terms for their role in Celebgate.)

Invasive as the leak was, it helped make 2014 a pivotal year for the awareness of, and fight against, revenge porn. Lawrence confronted it volubly, calling revenge porn a "sex crime" in *Vanity Fair*. Meanwhile, the FBI arrested Hunter Moore, who is also currently serving a prison sentence. Those two events "demonstrated both the turning tide against

revenge porn and its continuing prevalence,” says Mary Anne Franks, who teaches law at the University of Miami and serves as vice president of the Cyber Civil Rights Initiative. While the problem hasn’t changed—female celebrities have had their nude photos hacked and shared online numerous times since Celebgate—the voices of angry people calling for solutions have grown louder.

Legal Backlash, and Tech Troubles

Until that point, prosecuting revenge porn had met significant structural obstacles. Not only did many women refuse to come forward to press charges, but when they did according to Citron, police officers dismissed complaints as overreacting to mere locker-room talk. “Law enforcement often told these women to ‘relax,’ and that ‘boys will be

boys,’” she says. “That changed when folks like Holly Jacobs came forward.” In 2013, Jacobs (herself a victim of nonconsensual porn) and Franks teamed up to found the Cyber Civil Rights Initiative, which does everything from advocacy to provide revenge porn removal how-tos for victims. Since that time, the number of states with laws against revenge porn has grown from three to 35, plus DC.

However, the fact that those laws exist—and revenge porn-related arrests have surged—doesn’t mean that enforcement is a given. “Many of these laws are poorly drafted,” Franks says. “Particularly those that only apply if the perpetrator *intends* to harm or harass the victim.” Other laws still have obvious gaps, like not accounting for exes who distribute the victim’s consensual selfies. Not even Hunter Moore was actually convicted of sharing revenge

porn—the courts charged him with hacking and identity theft instead. The two men behind Celebgate? Same story.

US legislators are notoriously slow to act when it comes to cybercrime. So are tech platforms. (See: Twitter.) But tech companies have even fewer excuses for lagging than Congress. And while they've shown signs of trying to curb revenge porn—by 2015, Facebook, Reddit, Twitter, Google, and Microsoft had all prohibited revenge porn, and Google promised to deindex it at the victim's request—it hasn't been enough. Especially for Facebook. When people post nonconsensual porn on social media, it goes on Facebook more than 50 percent of the time. So the Facebook-hosted revenge porn incidents (and accompanying lawsuits) just keep rolling in—including a Melbourne-based secret group case that's practically identical to the Marines United scandal.

Facebook's policies on revenge porn are explicit: it's against community guidelines, and they'll take the content down once it's reported. But in closed groups like Marines United, the only people who can report such content are the approved members of that group—and save for the occasional whistleblower like Marines United member John Albert, that's unlikely to happen in a group as code-driven (for better or worse) as service members. "We need tech platforms to go beyond formal policies," Franks says. "The should adopt preemptive measures against it, as they have done with child pornography and are beginning to do with terrorist propaganda."

But Facebook hasn't even managed to eliminate child porn, which is more unanimously reviled than just about anything else. Is it realistic to expect them to be any better about revenge porn, when decorated

servicemen are circulating it behind the internet's closed doors? Not really. But if Facebook wants to take over the internet without taking the blame all the internet's woes, they're going to have to be.