

# RAINN

## PASS THE TAKE IT DOWN ACT

S.4569 Senator Ted Cruz (R-Texas), Senator Amy Klobuchar (D-Minn.)

**Non-consensual intimate images (NCII), often created with AI tools, are a growing issue targeting both adults and children with devastating social and emotional impacts.**

**While many states have laws against NCII, enforcement is inconsistent, and victims struggle to remove images or pursue costly, retraumatizing legal action.**

### **The Solution: TAKE IT DOWN Act**

#### **Criminalizes NCII and Threats to Publish It**

The bill makes it a federal crime to knowingly publish or threaten to publish non-consensual intimate imagery on online platforms. It explicitly includes realistic, computer-generated intimate images depicting identifiable individuals. The bill clarifies that consent to create an image does not equate to consent for its publication.

#### **Mandates Swift Removal of NCII**

The bill will require platforms to remove NCII within 48 hours of a victim's valid request and to take reasonable steps to delete duplicate content. The Federal Trade Commission (FTC) is empowered to enforce these requirements that hold platforms accountable.

#### **Protects Victims Through Good Faith Actions**

The legislation safeguards those who disclose NCII in good faith, such as to law enforcement or for medical purposes.

#### **Safeguards Free Speech**

The bill is narrowly designed to criminalize only the knowing publication of NCII, ensuring lawful speech remains protected. It adheres to First Amendment standards by requiring computer-generated NCII to pass a "reasonable person" test for realistic depiction.

**A clear stance against exploitation:** TAKE IT DOWN empowers survivors, holds offenders accountable, and ensures online platforms take responsibility

Contact: Karrie Delaney, Director of Federal Affairs | [karried@rainn.org](mailto:karried@rainn.org)