

US settles case against 'revenge porn' site operator

January 29 2015, by Anne Flaherty

A man accused of operating a "revenge porn" website has settled with U.S. regulators who said he broke the law by posting nude pictures of women without their consent or knowledge.

The FTC says Craig Brittain, ran the website isanybodydown.com, which is no longer operational. Officials say the site worked like this: A man would obtain the images while dating the woman. But upon breaking up, the woman's ex would supply the photos to Brittain, who would post them along with the woman's full name, age, home town, phone number and link to her Facebook profile. The FTC says Brittain advertised a separate legal service that claimed to be able to take down the photos for a fee of up to \$500.

A phone number tied to Brittain's address in Colorado had been disconnected, and he could not be reached for comment. It's unclear whether Brittain had a lawyer.

The case signals an increased interest by regulators in revenge sites, which have proliferated in recent years in part because of lax laws aimed at protecting free speech on the Internet and preventing website operators from being punished for linking to content they believe is lawful. The case is the first of its kind for the FTC, which has the authority to sue companies for unfair and deceptive business practices.

"One key factor in this case was the publication not only of victims' intimate images, but also extensive personal identifying and location

information, which significantly increased the harm that victims could face," said Mark Eichorn, assistant director of the division of privacy and identity protection at the FTC.

Under the settlement, Brittain is required to delete all of the images and other personal information he received while operating the site. He also is prohibited from publicly sharing intimate videos or photographs of people without their consent.

Brittain won't be required to pay financial restitution. While the agency doesn't have the authority to seek civil penalties, it could demand that Brittain repay any women who paid his bogus legal service in an attempt to erase embarrassing photos.

The FTC won't say publicly why it declined to seek refunds in this case. But it noted that it takes several factors into account when deciding whether to pursue money to pay back victims of a scam, including the person's ability to pay.

"As to other cases, we can't confirm or deny the existence of any other investigations, but this remains an area we're interested in," Eichorn said in an email in response to questions by The Associated Press.

An increasing number of states have taken on the issue of revenge porn, under pressure from victims who say these sites put them at physical risk. But groups like the American Civil Liberties Union and the Electronic Frontier Foundation have questioned legislation they worry run afoul of the U.S Constitution's First Amendment, which guarantees freedom of speech.

According to the FTC, Brittain made \$12,000 off the site before it shut down in April 2013.

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