

Revenge-porn website operator convicted in San Diego

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A US man has been convicted in San Diego of extortion and identity theft for running a "revenge porn" website hosting over 10,000 sexually explicit photos

A San Diego man has been convicted of running a "revenge porn" website where people posted nude pictures of their ex-lovers, who then had to pay the man to take down the images.

Kevin Bollaert, 28, was found guilty Monday of 27 counts, including

identity theft and extortion, and faces up to 20 years in prison. The San Diego County Superior Court jury was unable to reach verdicts on two charges of identity theft and conspiracy, and a judge declared a mistrial on the counts.

Attorney General Kamala Harris told reporters in Los Angeles on Tuesday that the jury sent a message that criminals attempting to exploit victims from behind a computer screen "will not be shielded from the law or jail."

Harris added that her office was examining possible revisions in state law to keep pace with how criminals are using technology. Those areas include applications for search warrants, which can be needed to seize online posts in such cases.

It was believed to be the first conviction of an operator of a revenge-porn website, although two months ago a Los Angeles man who posted a topless photo of his ex-girlfriend on Facebook was sentenced to a year in jail for violating California's new revenge-porn law.

That law was enacted in October 2013, after the incidents for which Bollaert was charged. It makes it a misdemeanor to post identifiable nude pictures of someone else online without their permission and with the intent of causing serious emotional distress or humiliation.

The attorney general's office believes Bollaert's actions were more serious and merited more than the one year in prison permitted for a misdemeanor, spokesman David Beltran said in an email Tuesday. Moreover, the revenge-porn law does not address the allegations that Bollaert extorted money, he said.

The term "revenge porn" is used because most of the explicit images have been posted online by former lovers in attempts to shame their

former partners after a breakup.

Between Dec. 2, 2012, and Sept. 17, 2013, Bollaert allowed people to anonymously post more than 10,000 images, mainly of women, on his now-defunct ugotposted.com website without the knowledge of those in the pictures, prosecutors said. The victims' names, cities where they lived and other information such as links to their Facebook profiles also were posted.

Bollaert also ran another now-defunct website, changemyreputation.com, where victims could go and be charged up to \$350 to have the images removed.

He earned tens of thousands of dollars from the scheme, prosecutors said.

More than two dozen people were named as victims in the criminal complaint. Some testified at trial that they suffered humiliation and fear when their private photos were posted, and prosecutor Tawnya Austin told jurors that they also were harassed by people who tried to contact them through Facebook or by email.

One woman testified that it ruined her reputation and her relationship with her family.

At trial, prosecutors argued that Bollaert knew the images on his website were private and posted without consent of the victims, describing the business as essentially a blackmail scheme.

Bollaert's lawyer, Emily Rose-Weber, said her client may have conducted an immoral business that took advantage of "human weakness," but he didn't break the law by allowing others to post the explicit photos.

"It's gross, it's offensive, but it's not illegal," she said.

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