

Legal SCENE

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Revenge pornography

In past articles and in talks I have given throughout the community, I've focused a lot on child pornography, teen sexting, and human trafficking. The focus and goal has obviously been on keeping our children safe from exploitation and safe from the unintended consequences of what they may (erroneously) deem as "safe sexting." The issues presented are not exclusive to our children however. The same avenues of exploitation and unintended consequences of "safe sexting" by adults are very real.

Revenge porn -- or "sextortion" -- is the distribution of sexually explicit images or videos, without the consent of the person depicted on the images. The images can be and have been used to blackmail individuals into performing sex acts, continue a relationship, or just harm a person's reputation. One example of sextortion is that of a Georgia man who pretended to be an 11-year-old boy who established a relationship with a 12-year-old girl, and convinced her to send a sexual image of herself to him. The man eventually gained access to her social media accounts, locked her out, and coerced her into providing additional sexually explicit images. Typically, these victims are afraid to tell parents or friends and believe going along with the demands being made is the only option. This man was sentenced to 10 years in prison: <https://www.fbi.gov/news/stories/georgia-man-sentenced-in-sextortion-case>.

Revenge porn is also at times referred to as "nonconsensual pornography" (NCP): the distribution of sexually graphic images of individuals without their consent. This is because many perpetrators are not motivated by revenge or personal feelings toward the victim. The perpetrator merely seeks to share the images or videos they possess. The images that were provided willingly to a partner or former significant other are now being viewed by strangers for their own entertainment. These images can be loaded to websites where anyone with access to the internet can view and share with other websites. These images can also be emailed or exhibited to the victim's family, employers, co-workers, and friends: Cybercivilrights.org.

My office is currently reviewing an adult case where a young lady named Yasmin had her phone stolen by her boyfriend. The phone contained naked images and sexually explicit videos of her. Yasmin kicked the boyfriend out of the home when she discovered he was taking naked images and videos of her without her consent. After stealing the phone, he threatened to release the naked images and videos of her, which he did by setting up a fake Facebook page and posting them. The male continued to taunt her and attempt to add her as a friend on Facebook; he also told her if she called the police, he would release more of the images. Additionally, the male's new girlfriend started posting the images and videos on Snapchat and taunting Yasmin by saying things such as "What are you going to do about it?" and "The police aren't going to do anything." Yasmin faced serious backlash from the publication of these images from family members as well as strangers, and thought about suicide. A good article was written about this in the *Star Tribune* by Mila Koumpilova: <http://www.startribune.com/in-twin-cities-somali-community-a-push-against-online-shaming/481194051/>.

The actions of these two adults not only deeply affected Yasmin, but they are potentially looking at being charged pursuant to Minnesota Statute § 617.261, for non-consensual dissemination of this explicit material. It is a crime to intentionally disseminate an image of another person who is depicted in a sexual act or whose intimate parts are exposed, in whole or in part. To be charged under this statute, 1) the victim must be identifiable; 2) the actor (suspect) must know or reasonably should know that the victim does not consent to the image being disseminated; and 3) the image was obtained or created under circumstances in which the actor knew or reasonably should have known the person depicted had a reasonable expectation of privacy. If convicted, the individual could face at the very least a gross misdemeanor conviction. Among the factors that could elevate the offense to a felony conviction are if the dissemination is done with intent to harass, to profit from, or the image is posted on a website.

As I stated above, the issues with sexting and sharing sexual images and videos are not exclusively a juvenile problem. Everyone needs to know that once that send button is pressed on your phone, tablet, personal computer, laptop, or other device, **you have now lost any and all control over who may see what you sent.** Not everything in our lives has to be recorded and/or shared. In this day of social media and the instant access to almost everything via the internet, people have lost their sense of privacy. We have to get it back.

Election cycle

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to look up your voter record, or you may swipe your state-issued license or ID for super speedy retrieval. Scott County will be holding an open house on July 26 for the public to be able to check out the new poll pads.

All Minnesota voters will have these races on their ballot in 2018: two U.S. Senators, U.S. Representative, Governor and Lt. Governor, Secretary of State, State Auditor, Attorney General, and State Representative. Scott County has quite a few races, including County Sheriff, County Attorney, two County Commissioner seats, and many local city, township, and school district races.

If you are unsure where you vote, visit: <https://pollfinder.sos.state.mn.us/>.

Absentee voting begins June 29 for the primary and runs through Aug. 13;

for the general election, those dates are Sept. 21 – Nov. 5. You can vote any time during that period and *do not need* a reason why. You can request a ballot by completing an Application for Absentee Voting online, by mail, by e-mail or fax, or in person. The absentee location for all of Scott County is the Scott County Government Center – please visit <https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-in-person/> for more details.

If you have questions about these or other election-related matters, call (952) 496-8149 or, even better, send an email to sselections@co.scott.mn.us. Also, check out the Secretary of State's website for additional information about elections, voting, and much more: <https://www.sos.state.mn.us/>.

Law Library News

Free legal help available through many resources

We hope you stop in to see us -- we're remodeling to better serve you! The Law Library is going electronic with the series collection. The cost of print legal resources has gone through the roof in the last five years, so we've decided the print reference collection (of which all is available online) will be removed to give space for more tables and chairs. We plan to offer an additional three tables and more chairs so there will be more room to fill out court forms. We're keeping all of the self-help books, like *The Landlord's Legal Guide*, *101 Law Firms for Personal Use*, *The Probate Process from Start to Finish*, *Make Your Own Will*, and much more. These books are available for three-week check-outs and can be returned to the Law Library or your local library.

The Law Library has free Wi-Fi and access to online legal resources, and we also have a Minnesota Judicial Branch Self-Help Kiosk located in the Law Library. The kiosk offers access to most common court forms such as divorce, custody, child support; small claims court (conciliation court); and landlord/tenant. The kiosk has a direct phone line to the self-help attorneys. **The attorneys cannot offer legal advice, but can answer any questions about the court forms.** The Law Library also offers "Court House View" access to the State Court files which contain criminal,

civil, and judgment records. We recommend checking backgrounds before renting to someone or doing business with any contractor. The remote view (view that you can access from home) does not offer the same information that the Court House View offers. The remote view does not offer addresses or links to actual files that the Court House view does.

The Law Library also hosts a Walk-In Victim's Clinic every Monday morning, 9-11 a.m. Crime victims can meet with a Southern Minnesota Regional Services (SMRLS) attorney and ask questions about legal issues related to their victimization, and this help would include orders for protection and harassment orders.

The Law Library also hosts a Family Law Clinic the second Monday of every month from 4-6 p.m. This clinic is offered by volunteer attorneys. This clinic may be for you if you are representing yourself in Family Court and just have a few simple questions on an uncomplicated case. Appointments are 30 minutes, and do require pre-registration. You can call the Law Library at (952) 496-8713 to register.

Check with the Law Library to see what other free clinics are being offered. We hope you stop by to see the changes or if you need some help with a legal matter.

Apply for 2018 FAST-TRACK Business Challenge

Do you own a recently incorporated business in Scott County, or do you have a product or idea you would like to launch to form a business? If so, the Scott County *FAST-TRACK* Challenge is for you! This business competition provides you with the resources to develop or fine tune your business plan, develop a pitch for your business, and potentially be selected as a finalist to compete for mentorship, cash, and professional services to help your business succeed!

The *FAST-TRACK* Challenge is *free* to enter and there is no minimum age requirement. In order to be eligible, individuals must reside within Scott County, have a business which was incorporated in Scott County within the past three years, *or* be willing to locate their business in Scott County; have a viable product or service idea; and be willing to participate in the *FAST-TRACK* Challenge live event.

Categories for the *FAST-TRACK* Challenge include: Energy/Clean Tech/Water/Utilities/Environment; Food/Ag/Beverage; General/Other; High Tech; Life Science/Health Tech/Aging; Personal Care Solutions; Professional Services; and Industrial Workplace. Business ideas will be evaluated on the product concept and potential viability, potential to create jobs with livable wages, and creation of a product that addresses the identified focus areas, among other criteria.

Applications will be accepted now through Aug. 31 and may be obtained on the *FAST-TRACK* Challenge website at: www.scottfss.org/FAST-TRACK.

Evaluation of applications will occur the beginning of Sep-

tember, with finalists being announced mid-September. Practice pitches with the Technology Village Board and *Open to Business* will take place the end of September and early October, with the 2018 *FAST-TRACK* Challenge Competition to be held on Thursday, Oct. 25, 2018.

Entrepreneurs are encouraged to participate in the Scott County *FAST-TRACK* Challenge! This event received the Economic Development Association of Minnesota's 2017 Program of the Year.

For more information on the *FAST-TRACK* Challenge, including links to the 2018 *FAST-TRACK* Business Challenge videos (3 1/2 minute promo video, 10 minute highlight video, or the full 2017 production), visit www.scottfss.org/FAST-TRACK or contact Jo Foust, Business Development Specialist with Scott County First Stop Shop, at (952) 496-8830 or jfoust@scottfss.org.

Rectangular Sign

Is buying property the right move for your business?

Open to Business can help!

Our free, confidential advisors can assist you in evaluating a purchase price, comparing ownership vs. leasing costs, and connecting you to financing resources. Open to Business can also often provide gap financing to keep equity requirements manageable. Whether you are negotiating a purchase, refinancing a contract for deed, or just exploring your options, Open to Business can help.

For more information: www.opentobusinessmn.org
OR call the Scott County office at 612-843-3278