

**Generic Press Release**  
**Video Voyeurism**  
**March 2003**

## **Assembly again passes legislation protecting against video voyeurism**

*Measure addresses threat posed by high-tech cameras*

**Assemblymember (D-Somewhere)** announced Assembly passage of legislation **he/she sponsored/supported** – by a vote of 143 to 0 – making it a crime to photograph or videotape people in their homes with a hidden camera or to distribute unlawfully obtained images (A.4479-A).

“Voyeurism is becoming increasingly sophisticated,” said **Assemblymember**. “Today, someone can invade your privacy with tiny video cameras that can be hidden anywhere. It’s alarming to think that you could be secretly videotaped in your own home — and the taping is not itself a crime. Our laws should protect us from the dangers posed by the high-tech world we live in.”

Twelve states have embraced similar laws. **Assemblymember’s/The Assembly’s** legislation would make photographic or video voyeurism, sale of an image, or transfer by the photographer a felony punishable by up to four years imprisonment; and up to seven years imprisonment for a second offense. The bill would also make any other transfer of an image known to have been obtained unlawfully punishable by up to a one year sentence, and up to four years for a second conviction. The Assembly has previously passed this legislation, but the state Senate has rejected the measures.

**Assemblymember** noted the governor’s and Senate’s bills contain serious flaws. The governor’s bill doesn’t make it illegal for everyone to distribute illegal images – only those who make the image or those who send out five or more copies.

“Whether someone sends out four images or five images, the effect on the victim can be just as devastating,” **Assemblymember** said. “Our legislation makes it clear that such an assault on a person’s privacy and dignity should be punished.”

The Senate bill also exempts private investigators from prosecution – no matter what their intent – while making innocent images, like a video of someone removing a sweatshirt on a beach, illegal.

**Assemblymember** noted the measure would protect people from Long Island to Western New York who’ve been victimized by video or photographic voyeurism — including a mother who discovered a video camera planted by her landlord in an air vent in her apartment.

Unlawful video surveillance is prohibited in places like bathrooms and dressing rooms, but current law doesn’t apply to private residences. Legitimate photographs and videotapes involving home security systems or authorized law enforcement surveillance are exempt from this legislation.

“It’s outrageous that someone can photograph or videotape you in private moments without your knowledge — for their own twisted purposes — and violate no specific law. People have the right to feel safe without worrying about being violated with a hidden camera,” **Assemblymember** concluded.