

UNCLASSIFIED
 ROUTINE
 R 181436Z APR 17
 FM SECNAV WASHINGTON DC
 TO ALNAV
 INFO SECNAV WASHINGTON DC
 CNO WASHINGTON DC
 CMC WASHINGTON DC
 BT
 UNCLAS

ALNAV 021/17

MSGID/GENADMIN/SECNAV WASHINGTON DC/-/APR//

SUBJ/U.S. NAVY REGULATIONS, 1990 INTERIM CHANGE//

REF/A/DOC/SECNAV/16SEP90//
 NARR/REF A IS THE U.S. NAVY REGULATIONS.//
 POC/W. RECORD/CAPT/JAGC/USN/OJAG (CODE 20)/-/LOC: 1254 CHARLES MORRIS
 STREET, SE, WASHINGTON NAVY YARD, DC/-/EMAIL: WARREN.RECORD
 @NAVY.MIL/-/TEL: (202) 685-7057, DSN 325-7057//
 W. PIGOTT/COL/USMC/JAD/-/LOC: 3000 MARINE CORPS PENTAGON, RM 4D557,
 WASHINGTON DC/-/EMAIL: WILLIAM.N.PIGOTT@USMC.MIL/-/TEL: (703) 693-9304, DSN
 223-9304//

RMKS/1. Pending formal amendment to reference (a), this interim change adds a new article, Article 1168 to reference (a). This interim change is effective upon the release of this ALNAV.

2. Article 1168 of reference (a) is added to read as follows:
 - a. 1168. Nonconsensual distribution or broadcasting of an image
 - (1) The wrongful distribution or broadcasting of an intimate image is prohibited.
 - (2) The distribution or broadcasting is wrongful if the person making the distribution or broadcast does so without legal justification or excuse, knows or reasonably should know that the depicted person did not consent to the disclosure, and the intimate image is distributed or broadcast:
 - (a) With the intent to realize personal gain;
 - (b) With the intent to humiliate, harm, harass, intimidate, threaten, or coerce the depicted person; or
 - (c) With reckless disregard as to whether the depicted person would be humiliated, harmed, intimidated, threatened, or coerced.
3. Distribution means the act of delivering to the actual or constructive possession of another, including transmission by electronic means.
4. "Broadcasting" means the act of electronically transmitting a visual image with the intent that it be viewed by a person or persons.
5. An intimate image is any visual depiction, including by electronic means, that:
 - a. Includes another person who is identifiable from the depiction itself or from information conveyed in connection with the depiction;
 - b. Depicts that person engaging in sexually explicit conduct or depicts the private area of that person; and
 - c. Taken under circumstances in which the person depicted had a reasonable expectation of privacy.