

Date of Hearing: April 21, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

AB 2212 (Bauer-Kahan) – As Amended April 16, 2026

PROPOSED AMENDMENTS

SUBJECT: Postsecondary education: sexual harassment, harassment, intimidation, and bullying policies: student orientation and training

SYNOPSIS

Over the course of 11 days, between December 29, 2025, and January 8, 2026, men and boys around the world used the Artificial Intelligence tool, Grok, to create approximately 3 million fake, sexualized images of women and girls. It is estimated that 23,000 of those images depicted children. Men using sexual abuse images to harass, humiliate, and harm women and girls predates the internet. What is new is the ease with which the images can be created and that the abuse can spread further and faster. Image-based sexual abuse is a very old form of sexual degradation and violation that has taken on new significance with emerging technologies.

The online attacks on women and girls are far from harmless. The weaponizing of these images and videos by men and boys can destroy the lives of women and girls. Maintaining a “good” online identity has become essential in contemporary society. Applying for college or a job, online dating, even ordering an Uber or food delivery depends on a person’s ability to create a good online identity. Beyond the damage to their future, women and girls often face deep emotional and psychological harm.

There are a number of bills moving through the Legislature this year dealing with on-line sexual abuse, primarily when it comes to posting non-consensual sexual images. This bill is broader. It attempts to help college women cope with any type of on-line sexual abuse. Specifically, this bill amends the Education Code to include definitions of technology-facilitated sexual harassment and digitized sexually explicit materials; and requires postsecondary education institutions to update and create an array of policies pertaining to sexual harassment to address the new definitions of technology-facilitated sexual harassment and digitized sexually explicit materials. A Committee amendment, detailed in comment #8, adds “sextortion” to the definition of online sexual harassment.

This bill is sponsored by Survivors+Allies and is supported by approximately a dozen social justice and survivor organizations including Courage California and the Sexual Violence Prevention Association. There is no registered opposition.

This bill was previously heard by the Higher Education Committee, where it passed on a 9-0 vote.

EXISTING LAW:

- 1) No person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or

activity receiving Federal financial assistance except for specified circumstances including membership of fraternities and sororities. (United States Code Title 20, Chapter 38, §1681 *et seq* (colloquially known as Title IX).)

- 2) Outlines the required response pursuant to Title IX, of a postsecondary higher education institution when the institution is made aware of an alleged sexual harassment incident on campus. The regulations include a requirement for a formal complaint, a grievance procedure for an investigation into whether the incident based on a standard of evidence occurred, and a method of appealing the outcome of the grievance process. (Federal Code of Regulations Title 34, Subtitle B, Chapter 1, Subpart D, § 106.45.)
- 3) Defines sexual harassment as conduct on the basis of sex that satisfies at least one of the following:
 - a. An employee of the postsecondary education institution conditions aid, benefit, or services to a recipient on the individual's participation in unwelcome sexual conduct.
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.
 - c. Sexual assault, dating violence, domestic violence, and stalking, as defined in the United States Code. (Federal Code of Regulations, Title 34, Subpart D, § 106.30.)
- 4) States that the term "electronic communication device" includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. (Pen. Code § 646.9.)
- 5) Defines sexual harassment and sexual violence as the following:
 - a. "Sexual harassment" as sexual battery, sexual violence, sexual exploitation, and unwelcomed sexual advances, request for sexual favors and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting in which specific conditions are met. Clarifies sexual harassment of students is a form of sex discrimination prohibited by the Equity in Higher Education Act.
 - b. "Sexual violence" as a physical sexual act perpetrated against a person without the affirmed consent of the survivor, as defined. Physical sexual acts include rape, sexual battery, sexual exploitation, prostituting another person, trafficking another person, recording images of the person during the act without consent, distributions of said images without consent, or viewing a person's intimate moments in which privacy is expected without consent, as defined. (Ed. Code § 66262.5.).
- 6) Mandates, the California Community Colleges (CCC), the California State University (CSU), and any independent institution of higher education or private postsecondary education institutions that receives state financial assistance to provide annual sexual harassment and sexual violence prevention training to students, as specified. Requests the UC to provide the annual training to students. (Ed. Code § 67385.7.)

- 7) Requires the governing board of the CCC to adopt a standard of practice, when hiring for an academic, athletic, or administrative position that requires an applicant to disclose whether they have been the subject of any final administrative or judicial decision with regards to sexual harassment in the last seven years. Permits the applicant to also disclose whether they are appealing the decision to either their previous employer or the United States Department of Education. Authorizes the community college to ask for disclosure in the final stages of the employment process. Requires the CCC to conduct an employment background check to determine if the applicant has any substantiated allegations of misconduct with previous employers. (Ed. Code § 87604.5.)
- 8) Requires the CSU to adopt a standard of practice, when hiring for an academic, athletic, or administrative position that requires an applicant to disclose whether they have been the subject of any final administrative or judicial decision with regards to sexual harassment in the last seven years. Permits the applicant to also disclose whether they are appealing the decision to either their previous employer or the United States Department of Education. Authorizes the CSU to ask for the disclosure in the final stages of the employment process. Requires the CSU to conduct an employment background check to determine if the applicant has any substantiated allegations of misconduct with previous employers. (Ed. Code § 89521.)
- 9) Requests the University of California (UC) to adopt a standard of practice, when hiring for an academic, athletic, or administrative position that requires an applicant to disclose whether they have been the subject of any final administrative or judicial decision with regards to sexual harassment in the last seven years. Permits the applicant to also disclose whether they are appealing the decision to either their previous employer or the United States Department of Education. Authorizes the UC to ask for the disclosure in the final stages of the employment process. Requests the UC to conduct an employment background check to determine if the applicant has any substantiated allegations of misconduct with previous employers. (Ed. Code § 92612.1.)
- 10) Requests the independent colleges and universities, which receive state financial aid to adopt a standard of practice, when hiring for an academic, athletic, or administrative position that requires an applicant to disclose whether they have been the subject of any final administrative or judicial decision with regards to sexual harassment in the last seven years. Permits the applicant to also disclose whether they are appealing the decision to either their previous employer or the United States Department of Education. Authorizes the independent colleges and universities, which receive state financial aid to ask for disclosure in the final stages of the employment process of independent colleges and universities, which receive state financial aid. Requests the independent colleges and universities to conduct an employment background check to determine if the applicant has any substantiated allegations of misconduct with previous employers. (Ed. Code § 66281.9.)
- 11) Requires the CSU and the CCC to adopt and publish policies on harassment, intimidation, and bullying. States it is the intent of the Legislature for these policies to be included on the internet website of each of the public higher education institution's website and as part of the student code of conduct publications. Requests the UC to adopt and publish policies on harassment, intimidation, and bullying. (Ed. Code § 66302.)

- 12) Requires the CSU and requests the UC to provide educational materials on cyberbullying during their respective campus orientations. (Ed. Code § 66302.5.)

THIS BILL:

- 1) Amends the Education Code to include definitions of technology-facilitated sexual harassment and digitized sexually explicit materials; and, requires postsecondary education institutions to update and create an array of policies pertaining to sexual harassment to address the new definitions of technology-facilitated sexual harassment and digitized sexually explicit materials.
- 2) Defines the following:
 - a. “Cyber sexual bullying” as:
 - i. The dissemination of, or the solicitation or incitement to disseminate, a photograph, digitized sexually explicit material, or other visual recording by means of an electronic act that has or can be reasonably predicted to have one or more of the following effects:
 1. Placing a reasonable person in fear of harm to that person or their property.
 2. Causing a reasonable person to experience a substantially detrimental effect on the person’s physical or mental health.
 3. Causing a reasonable person to experience substantial interference with the person’s academic performance, work, or employment; and,
 4. Causing a reasonable person to experience substantial interference with the person’s ability to participate in or benefit from the services, activities, or privileges provided by a higher education institution.
 - ii. A photograph, digitized sexually explicit material, or other visual recording that includes the depiction of a nude, seminude, or sexually explicit photograph, digitized sexually explicit material, or other visual recording of a person in which the person is identifiable from the photograph, digitized sexually explicit material, visual recording, or other electronic act.
 - iii. Not a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or sanctioned activities by a higher education institution.
 - b. “Cyber stalking” as stalking by means of an electronic communication device. For purposes of this definition, “stalking” and electronic device have the same definitions as the terms in Penal Code Section 646.9.
 - c. “Depicted individual” as an individual who is portrayed in sexually explicit materials.
 - d. Digitization” as a process where any of the below are realistically depicted:

- i. The nude body parts of another human being as the nude body parts of the depicted individual.
 - ii. Computer-generated nude body parts as the nude body parts of the depicted individual.
 - iii. The depicted individual engaging in sexual conduct in which the depicted individual did not engage.
- e. “Digitized sexual explicit materials” as any portion of a visual or audiovisual work created or substantially altered through digitization, including an image, that shows the depicted individual in the nude or appearing to engage in, or being subjected to, sexual conduct.
- f. “Doxing” as an act when a person, with intent to place another person in reasonable fear for their safety, or the safety of the other person’s immediate family, by means of an electronic communication device, and without written consent of the other person, and, for the purpose of imminently causing that other person unwanted physical contact, injury, or harassment by a third party, electronically distributes, publishes, emails, hyperlinks, or makes available for downloading, personal identifying information, including, but not limited to, a digital image of another person, or an electronic message of a harassing nature about another person, that would be likely to incite or produce that unwanted physical contact, injury, or harassment by a third party.
- g. “Electronic act” as the creation or transmission by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network internet website or social media platform, including, but not limited to, any of the following:
 1. Posting to or creating a burn page. “Burn page” means an internet website created for the purpose of having one or more of the effects, as defined.
 2. Creating a credible impersonation of another actual person for the purpose of having one or more of the effects listed as defined. “Credible impersonation” means to knowingly and without consent impersonate a person for the purpose of bullying the person such that another person would reasonably believe, or has reasonably believed, that the person was or is the person who was impersonated.
 3. Creating a false profile for the purpose of having one or more of the effects, as defined. “False profile” means a profile of a fictitious person or a profile using the likeness or attributes of an actual person other than the person who created the false profile.

- iii. An act of technology-facilitated sexual harassment.
- h. “Written consent” means all the following:
- i. An agreement written in plain language signed knowingly and voluntarily by the depicted individual that includes a general description of the digitized sexually explicit material and the visual or audiovisual work in which it will be incorporated.
 - ii. A written notice of rescinded consent by a depicted individual within three business days from the date consent was given to the person in whose favor consent was made, unless one of the following requirements is satisfied:
 - 1. The depicted individual is given at least 72 hours to review the terms of the agreement before signing the agreement.
 - 2. The depicted individual’s authorized representative provides written approval of the signed agreement.
- 3) Adds the following to the existing definition of “sexual exploitation”:
- a. The creation, generation, or distribution of digitized sexually explicit materials without the written consent of the depicted individual or individuals.
 - b. The creation or generation of digitized sexually explicit material of another person’s sexual activity or intimate parts, without that person’s written consent.
 - c. The distribution of digitized sexually explicit material of another person’s sexual activity or intimate parts, if the individual distributing the digitized sexually explicit material knows or should have known that the person depicted in the digitized sexually explicit material did not provide written consent to the disclosure.
- 4) Adds the following to the existing definition of “sexual harassment”:
- a. Technology facilitated sexual harassment including, but not limited to, cyber sexual bullying, cyber stalking, and doxing.
 - b. “Technology-facilitated sexual harassment” as the following:
 - i. Sexual harassment that occurs on, or is facilitated by, digital platforms or digital technologies.
 - ii. “Technology-facilitated sexual harassment” includes, but is not limited to, cyber sexual bullying, cyber stalking, and doxing.

COMMENTS:

- 1) **Author’s statement.** According to the author:

The definition of “sexual harassment” in California’s Education Code was developed before generative artificial intelligence (GenAI) tools became widely available. As a result, higher

education institutions lack uniform standards for defining, investigating, and remediating technology-facilitated sexual harassment. AB 2212, the HEAR Survivors Act, updates the definition of “sexual harassment” in the Education Code to account for modern digital technologies, and requires that California’s higher education institutions adopt and publish policies addressing technology-facilitated sexual harassment. Updating these terms and policies in the Education Code promotes consistent campus responses, reduces stigma, and reinforces that digital abuse is no less serious than offline misconduct.

2) **Background.** According to information provided by the author, in a recent study with California higher education students, 70% of survivors of online sexual harm were women, and 72% were LGBTQIA+. In addition, more than two-thirds (69%) of survivors of online sexual harm were disabled students. These findings align with prior scholarship showing that these groups disproportionately experience sexual violence. Several peer-reviewed articles document the high rates of tech-facilitated sexual violence, particularly among women and LGBTQIA+ individuals. In California, a statewide study in 2025 of over 1,500 higher education students showed that 1 in 7 survivors that had experienced online sexual harm struggled to access support from their institutions. This research found that survivors of tech-facilitated sexual violence did not realize they could report or seek help for the incident or did not believe their university would take it seriously.

3) **Online sexual abuse.** The United Nations Population Fund (UNFPA) has defined technology-facilitated gender-based violence (GBV) as:

Any act of violence perpetrated by one or more individuals that is committed, assisted, aggravated and amplified in part or fully by the use of information and communication technologies or digital media, against a person on the basis of their gender.¹

This violence can include cyberstalking; online harassment; death and rape threats; doxing²; and the non-consensual sharing or threatened distribution of intimate images, including those that are fake. This abuse is intertwined with misogyny driven hate speech and disinformation campaigns. It is particularly chilling to women and girls who are publicly outspoken in the fight against misogyny. Particularly, women politicians and journalists. That being said, online sexual assaults are part of the everyday lives of the majority of women and girls, with the attacks often being more frequent and worse for women and girls in historically excluded and underrepresented groups.

Men attacking women and girls online has become much more violent and threatening as technology advances. Someone intent on causing harm may use just one or several different approaches to attack their target. These include, for example: cyberstalking; doxing; death and rape threats; and the non-consensual sharing or threatened distribution of intimate images, including deepfake ‘pornography’ created or altered by generative AI. Whatever the method, data shows that women and girls are facing a barrage of attacks on a daily basis.

Just as women and girls have long had to deal with unwanted attention from men out in public as

¹ United Nations Population Fund, *State of World Population* (April, 2021) accessed at <https://aa.unfpa.org/sowp-2021>.

² There are two ways of spelling “doxing.” It is often spelled with one x, as it is in this paper, but it can also be spelled with two xes, as in “doxxing.” Both are correct. The Committee has chosen to use “doxing” in keeping with the way a similar word, “boxing”, is spelled.

part of their everyday lives, including whistling, cat calls, unwelcome comments, groping, and aggressive sexual advances, now they must deal with the fact that they will be attacked online as well. According to law professor and director of the UK Centre for Protecting Women Online, Olga Jurasz, “We’re facing a barrage of online violence against women and girls. It’s no longer a new issue and what’s worse is that it’s become normalised,” she said. “Women, especially young women, assume that this will happen if they go online. They assume that they will be abused, attacked in one way or another, sent inappropriate messages or sexually explicit photographs.”³

In 2023, Open University surveyed 7,500 adults across the UK in the largest study to date on the experience of women online when it comes to cyber-violence. In the survey, over one in 10 women reported that they had experienced online violence and three in 10 had witnessed it. Even more significantly, those figures amongst young women age 16 to 25 increase to 25%, and for LGBTQ women, to 35%. Over one in eight women who experienced online violence said it had progressed to offline violence.⁴

Professor Jurasz, who led the project, noted:

Online violence against women and girls can take many forms such as trolling, threats, abuse, unwanted sexual remarks, non-consensual sharing of intimate photos and messages, among many other examples and it disproportionately effects women. This can have a serious impact on women’s wellbeing and their behaviour, including a negative impact on mental and physical health, having to implement measures to protect themselves from abuse, and a change in willingness or ability to express views online.⁵

In a global survey in 2020, with a smaller sample size, The Economist Intelligence Unit reported that more than half of the survey respondents who had experienced online violence knew the perpetrator. In addition, 74% expressed concern about online abuse escalating to offline violence. Online violence against women discourages their online engagement. Nearly nine out of 10 women report restricting their online activity, which limits the access to employment, education, healthcare, and community.⁶

³ Kate Gibbons, “Women now ‘expect to be abused online,’” *The Times of London* (Feb. 28, 2024) accessed at <https://www.thetimes.com/uk/article/women-now-expect-to-be-abused-online-76ggg6wht?region=global>

⁴ Katy Shelton, *OU research reveals shocking level of online violence experienced by women and girls across the UK*, The Open University, accessed at <https://research.open.ac.uk/news/ou-research-reveals-shocking-level-online-violence-experienced-women-and-girls-across-uk>.

⁵ *Ibid.*

⁶ “Measuring the prevalence of online violence against women,” *The Economist* (Mar. 1, 2021) accessed at <https://onlineviolencewomen.eiu.com/>

The Most Common Types of Online Sexual Abuse

Type of TFGBV	Definition	Prevalence
Astroturfing	A coordinated effort to share damaging content as widely as possible, across multiple channels.	58 percent of women globally report experiencing this. ^a
Cyber-harassment	The repeated use of text and images (frequently, sexual or misogynistic in nature) to instill fear in and intimidate the victim.	66 percent of women globally report experiencing this. ^a
Deepfakes	False images created using the likeness of a real person.	96 percent of deepfakes are nonconsensual sexual deepfakes; of those, 99 percent are of women. ^b
Doxxing	The nonconsensual sharing of real-world information, such as an address, phone number, or legal names to perpetrate violence.	55 percent of women globally report experiencing this. ^a
Hacking and stalking	The nonconsensual interception of an individual's data, whereabouts, and communications.	63 percent of women globally report experiencing this. ^a
Image-based sexual abuse (IBSA)	The nonconsensual sharing of private and intimate images or video for the purpose of harming the victim.	57 percent of women globally report experiencing this. ^a
Sextortion	Threatening to expose sexual images in order to coerce a person to do something.	66 percent of victims are girls under the age of 16. ^c

^a The Economist Intelligence Unit. "Measuring the Prevalence of Online Violence against Women." Jigsaw infographic, March 1, 2021. <https://onlineviolencewomen.eiu.com/>.

^b Dunn, Suzie. "Women, Not Politicians, Are Targeted Most Often by Deepfake Videos." Centre for International Governance Innovation, March 3, 2021. <https://www.cigionline.org/articles/women-not-politicians-are-targeted-most-often-deepfake-videos/>.

^c "Sextortion Research and Insights." Thorn (blog), 2017. <https://www.thorn.org/sextortion/>.

Source: Georgetown Institute for Women, Peace, and Security

4) **The impact of online sexual abuse.** Technology-facilitated GBV targets all women who use technology. Certain groups of women are more prone to this type of violence because of their activities, identities, or access to specific information and services. Notably, human rights defenders, journalists, lawmakers, politicians, women activists, feminists, academics, and young people face increased rates of violence. For example, according to the United Nations Regional Information Center for Western Europe, 73% of women journalists experience online violence in the course of their work.⁷

A 2023 study of young women in the UK revealed that their happiness is at the lowest point that it has been since 2009. Approximately 37% of girls and young women aged 11-21 have been sent upsetting photos or content by people they know, up from 17% 10 years ago. For many young women, being attacked online leads to them losing confidence, and withdrawing from posting or getting involved in debates. Instead, they become more passive consumers: 37% of women aged 16 to 24 said online violence had left them feeling less able to express themselves

⁷ *How Technology-Facilitated Gender-Based Violence Impacts Women and Girls*, United Nations Regional Information Centre of Western Europe (Nov. 11, 2023) accessed at <https://unric.org/en/how-technology-facilitated-gender-based-violence-impacts-women-and-girls/>

online.⁸

The online attacks on women and girls are far from harmless. Studies show that it can impact both their physical and mental health. In addition, silencing women online diminishes their engagement in public and political life, while reinforcing patriarchal roles and norms that serve as a significant obstacle to gender equality.

On the impact of online violence for women and girls, Amnesty International writes:

When women, girls and LGBTI people are targeted with technology-facilitated gender-based violence, it is more dangerous for them to engage and participate in online conversations and benefit from digital technologies.

It can also lead to severe psychological harms that impact their mental health. This includes conditions like post-traumatic stress disorder, paranoia, depression, and anxiety, which can lead to self-harm. For instance, a higher proportion of transgender and gender-diverse people reported that being targeted online very negatively impacted their desire to live.

The intensely pervasive and consuming nature of gender-based violence online leads many people, including human rights defenders, to isolate themselves from online communities altogether. This makes online violence not only an issue of discrimination but also something that infringes on people's freedom of expression and their political participation.

Being a target of technology-facilitated gender-based violence can also result in economic harms as women, girls and LGBTI people are forced to minimize their digital footprint. It also affects their access to a range of information and services and can lead to attacks and instances of violation and abuse in the offline world as well.⁹

The impact of sexual abuse imagery on women and girls. Regardless of the form the image-based sexual abuse takes, the weaponizing of these images and videos can destroy the lives of women and girls. Maintaining a “good” online identity has become essential in contemporary society. Applying for college or a job, online dating, even ordering an Uber or food delivery depend on a person's ability to create a good online identity.¹⁰ Beyond the damage to their future, women and girls often face deep emotional and psychological harm. Thirty years after the theft of her intimate video with her husband, Pamela Anderson, a rape survivor, equates the theft and release of the tape to being raped again.¹¹

Other women who have experienced image-based sexual abuse, whether deepfakes or otherwise, also compare the experience to being sexually assaulted. Women have reported feeling so much shame about their body because of deepfake images that they couldn't look in a mirror. One woman reported that she could not shower for days after she discovered deepfaked images of her

⁸ Hannah Moore. ““We get bombarded”: study reveals ‘shocking’ impact of online abuse on girls,” *The Guardian*, (Sep. 15, 2023) accessed at <https://www.theguardian.com/society/2023/sep/15/girlguiding-study-reveals-shocking-impact-of-online-abuse-on-girls>

⁹ *Online Violence*, Amnesty International accessed at <https://www.amnesty.org/en/what-we-do/technology/online-violence/>

¹⁰ Sophie Maddocks, *Image-Based Abuse: A Threat to Privacy, Safety, and Speech*, MediaWell (Mar. 15, 2023) <https://mediawell.ssrc.org/research-reviews/image-based-abuse-a-threat-to-privacy-safety-and-speech/>.

¹¹ *PAMELA a love story*, 2023, available on Netflix.

online because she felt “so gross” and “didn’t want to see her body.” The first time she showered, “[when] she took her clothes off, and she walked past the mirror in the bathroom she just sobbed.”¹²

According to various experts, post-traumatic stress disorder is common among victims who often “can’t reach a place of psychological safety because their images are never fully deleted.”¹³ Studies of victims indicate that these women and girls suffer other severe mental health affects as well, including anxiety, depression, suicidal ideation, and difficulty trusting loved ones. They are at increased risk of substance abuse, eating disorders, and self-harm. They are more likely to leave their jobs and they are more likely to experience major disruptions in their education.¹⁴ The vulnerability of women and girls and their inability to protect themselves from the threat of image-based sexual abuse stops them from being able to fully and equally participate in public life, chilling their fundamental rights of association and free speech.

5) Why do men and boys commit this type of abuse. Moira Donegan, Writer in Residence at the Michelle R. Clayman Institute for Gender Research at Stanford University, testified in 2025 at an informational hearing held by this Committee on technology-facilitated male violence against women and girls:

One investigation by a researcher at Michigan State University found that perpetrators cite three types of motivation: to show off; to bully; and to seek revenge. . . Nonconsensual pornography aims to punish women for a perceived grievance men have against them, or to discipline a perceived transgression on the women’s part. It is wielded against women and girls who break up with men in whom they were no longer romantically interested, enforcing a punishment for defying men’s wishes. It is wielded against women who speak or behave in ways that men disagree with, enforcing a punishment for defying men’s standards.

In all cases, the message sent by nonconsensual pornography is one of men’s social domination over women. The message is that women and men are not equals, but that women must defer to men and that those who do not will be humiliated and made to suffer. And the infliction of this suffering is very much deliberate.¹⁵

One could argue that for many perpetrators, causing women and girls trauma and humiliating them is the point.

6) What this bill would do. This updates the definition of “sexual harassment” in the postsecondary Education Code to account for modern digital technologies, and requires California’s higher education institutions to develop and publish policies addressing technology-facilitated sexual harassment.

7) Analysis. In 2025, this Committee held an informational hearing on technology-facilitated male violence against women and girls. In the hearing, the Committee heard from experts on

¹² Jess Davies. “I investigated deepfake technology and found *hundreds* of men using it to create non-consensual porn,” *Glamour UK* (Feb. 6, 2024) <https://www.glamourmagazine.co.uk/article/deepfake-porn-twitch-scandal>

¹³ Sophie Maddocks (2023)

¹⁴ Testimony by Moira Donegan before this Committee on February 25, 2025.

¹⁵ Testimony taken from an automatically generated transcript of Ms. Donegan’s testimony. <https://calmatters.digitaldemocracy.org/hearings/258546>.

online misogyny and online sexual violence. This bill is one of several bills moving through the Legislature this year that addresses various aspects of this type of male violence, primarily as it pertains to nonconsensual deepfake sexual images.

While broader in terms of the types of technology-facilitated sexual abuse it addresses, it is narrower in that it is endeavoring to assist college students who are dealing with this abuse virtually every day and do not realize their school can help them. As noted earlier by the author, 1 in 7 survivors of online sexual abuse who were in college struggled to access support from their institutions. This research found that survivors of tech-facilitated sexual violence did not realize they could report or seek help for the incident or did not believe their university would take it seriously. Among the harms that this type of sexual assault is dropping out of school. Making sure that colleges are taking this kind of violence seriously and helping young women navigate this type of assault, could have a profound impact on the futures of these women.

As it pertains to this bill, the question before this Committee is whether the definitions in the bill adequately capture this particular type of violence. This bill covers the following types of online sexual violence:

- Cyber-sexual bullying
- Cyber stalking
- Digitized sexually explicit material
- Doxing

In addition, the definition of “technology-facilitated sexual harassment” broadly enough to cover other existing types of online sexual abuse and any additional ones as technology advances and becomes weaponized. However, one of the more prevalent types of online sexual violence is “sextortion.” Given the fact that is fairly common, the author has agreed to add the definition to the bill.

8) **Amendments.** The author has agreed to an amendment adding the following definition of “sextortion” to the definition of sexual harassment:

For the purposes of this section, “sextortion” means a threat to use sexual or intimate images or videos, however obtained, to compel another person to produce sexual or intimate images or videos, engage in sexual acts, or provide anything of value.

ARGUMENTS IN SUPPORT: Survivors+Allies, sponsors of the bill, write in support:

As generative artificial intelligence (GenAI) becomes widely available across California’s college campuses, image generation tools are increasingly putting women and LGBTQIA+ students at risk of technology-facilitated sexual harassment. Our 2025 study of California college students found that 70% of survivors of online sexual harm did not seek support from campus resources, reporting that they “felt [they] would not be taken seriously” and were “not aware [they] could reach out to a resource.” The definition of “sexual harassment” in California’s Education Code was developed before the widespread use of GenAI tools, and does not explicitly address harassment that occurs through, or is facilitated by, digital technologies.

AB2212 updates the definition of “sexual harassment” in the Education Code to account for modern digital technologies, and requires California’s higher education institutions to adopt

and publish policies addressing technology-facilitated sexual harassment. Clear standards, transparent reporting mechanisms, and modernized definitions are essential to ensuring that students experiencing sexual harassment can access meaningful support. Updating institutional policies to explicitly address technology-facilitated sexual harassment will promote consistent campus responses, reduce stigma, and reinforce that digital abuse is no less serious than offline misconduct.

We hope that AB 2212 will also pave the way to provide more resources and information to students about how they can access support if they, or a peer, experiences tech-facilitated sexual violence. Our research shows that survivors overwhelmingly prefer confidential resources (such as survivor advocates) over reporting resources (such as the Title IX office), and that most survivors go to a peer for support first after experiencing sexual violence. By including tech-facilitated sexual violence in Education Code language and requiring universities to update their trainings and Title IX policies, we hope institutions will increase general student knowledge and awareness of the issue of tech-facilitated sexual violence and ensure students know how to access the resources that are right for them. Ultimately we hope AB 2212 will increase survivors' autonomy and their sense of control over how they seek support for tech-facilitated sexual violence.

REGISTERED SUPPORT / OPPOSITION:

Support

Survivors + Allies (Sponsor)
ASUC Sexual Violence Commission
Cal State Student Association
California Women's Law Center
Courage California
Electronic Frontier Foundation
Equal Rights Advocates
Sexual Violence Prevention Association
TechTonic Justice
The Survivors Pro Bono
University of California Student Association
Valor US

Opposition

None on file.

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