

108TH CONGRESS
1ST SESSION

S. 1301

To amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2003

Mr. DEWINE (for himself and Mr. SCHUMER) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Video Voyeurism Pre-
5 vention Act of 2003”.

6 **SEC. 2. PROHIBITION OF VIDEO VOYEURISM.**

7 (a) IN GENERAL.—Title 18, United States Code, is
8 amended by inserting after chapter 87 the following new
9 chapter:

“CHAPTER 88—PRIVACY

“Sec.

“1801. Video voyeurism.

2 “§ 1801. Video voyeurism

3 “(a) Whoever, in the special maritime and territorial
4 jurisdiction of the United States, having the intent to cap-
5 ture an improper image of an individual, knowingly does
6 so under circumstances violating the privacy of that indi-
7 vidual, shall be fined under this title or imprisoned not
8 more than one year, or both.

9 “(b) In this section—

10 “(1) the term ‘captures’, with respect to an
11 image, means videotapes, photographs, films, or
12 records by any electronic means;

13 “(2) the term ‘improper image’, with respect to
14 an individual, means an image, captured without the
15 consent of that individual, of the naked or undergar-
16 ment clad genitals, pubic area, buttocks, or female
17 breast of that individual; and

18 “(3) the term ‘under circumstances violating
19 the privacy of that individual’ means under cir-
20 cumstances in which the individual exhibits an ex-
21 pectation that the improper image would not be
22 made, in a situation in which a reasonable person
23 would be justified in that expectation.”.

1 (b) AMENDMENT TO PART ANALYSIS.—The table of
 2 chapters at the beginning of part I of title 18, United
 3 States Code, is amended by inserting after the item relat-
 4 ing to chapter 87 the following new item:

“88. Privacy 1801”.

