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CSIA 6010

Revenge

Laws: Reading up on the laws about sending pornography. There are no real declared laws about emailing pornography to people. You are only breaking the law if the sending of pornography is harassment/disorderly conduct or depending on the content of the pornography.

There is a content law called the obscenity law, which is a “Federal Law that prohibits the possession with intent to sell or distribute obscenity, to send ship, or receive obscenity, to import obscenity…. Convicted offenders face fines and imprisonment.”(Justice, 2016) Under the law to consider something obscene if the content is hard core sexual conduct that clearly and plainly is offensive. To determine if something is offensive the decision is up to members of the community. If the content being sent is child pornography that is a crime, and the punishment can result in substantial fines and at least 5 years in prison. Child porn is also addressed under the obscenity law. Revenge porn is a form of harassment. Revenge porn is the distribution sexually explicit materials(photos, or videos) of someone else, without that person’s permission.

Now sending porn in someone else's name can be what is called Defamation. Defamation is the action of damaging the good reputation of someone using libel or slander. There has to be proof of damages not just emotional. Libel is a false statement published that causes damage to a person's reputation; This is typically a written statement. Slander is when someone makes a false spoken statement that causes damage to a person's reputation.

Let us now talk about what the husband did. The husband sent pornographic pictures to the coworkers of the guy his wife had an affair with in Chris’s name in the email address. When I first read that I thought, “HA serves him(Chris) right.” But after thinking about it after awhile there what he did was wrong. But was sending pornography to the top executives under a false name a crime? As I addressed above it depends on two things, if the people that were sent the pornographic images pressing charges for sexual harassment; or depending on the content of the pornography being sent. Now we don't know what type of porn was being sent. I’m assuming it isn't anything hardcore, or child related content was sent to the executives; Which would be grounds for criminal action by the government. The executives have the ability press charges for harassment. Chris Pogue also has the right to bring up charges against the husband for Defamation and Chris has a strong case for harassment too. I believe what the husband did was both unethical and illigal there are other ways at getting back at Chris. I don't think that the US attorney's office would prosecute unless the content of the picture sent is child pornography, or hardcore in nature. If there is evidence of a crime it is the responsibility of the FBI Agents to arrest the criminal offender; no matter what the agents personal feelings are towards the case let alone the how they feel about the defendant's.

Now for what I believe should be done about Chris Pogue. Chris Pogue makes a lot of money for the company, but he is an HR nightmare. Chris has the character that wouldn't surprise anyone if he did send pornography to people, that is not a good thing. It sounds like he is sexually harassing his coworkers, and clients, which is grounds for termination right there. Chris was a liability before this incident event happened, and he should have been fired before no matter how much money they make for the company. That type of behavior should not be tolerated. Work is suppose to be a professional place where people can come, feel safe, feel comfortable, and have the ability to work. I think that type of environment is worth the risk of losing 25 million dollars. Imagine if Chris goes too far one day, and with all the complaints the executives have been sweeping under the rug is a powder keg for a lawsuit. I would recommend to the executives that they fire Chris, not for just the pornography being sent but for the liability he is. Honesty and integrity is the most valuable skill for an employee.

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