

Gavin's Law (H. 3583)

In 2022, 17-year-old Gavin Guffey was a victim of sexual extortion, resulting in him taking his own life. This led to a change in law regarding sexual extortion.

Gavin's Law (H. 3583) is legislation that makes sexual extortion, *the act of blackmailing someone using sexually explicit images or videos*, a felony offense.

A person convicted of **felony sexual extortion** must be imprisoned:

- (1) not more than five years for a first offense;
- (2) not more than ten years for a second offense;
- (3) not more than twenty years for a third or subsequent offense.

A person commits the offense of **aggravated felony sexual extortion** if:

- (a) the victim is a minor or a vulnerable adult and the person convicted of sexual extortion is an adult; or
- (b) the victim suffers great bodily injury or death, and the finder of the fact finds beyond a reasonable doubt that the sexual extortion of the victim was the proximate cause of the great bodily injury or death.

A person convicted of aggravated felony sexual extortion must be imprisoned not more than twenty years.

If the person convicted is a minor, then the person is guilty of misdemeanor sexual extortion and must be sentenced by the family court. The court may order as a condition of sentencing behavioral health counseling from an appropriate agency or provider.

Student Instruction

Age-appropriate instruction on the dangers and consequences of sexual extortion will be incorporated with Standards-based instruction of comprehensive health education.

Parent / Public / School Personnel Notification

Information on Gavin's Law can be found on the district website, linked [here](#); and on the South Carolina Department of Education website, linked [here](#).