PRESS RELEASES

Passage of HB531 - “Braden’s Law” Criminalizes Sextortion, Marking Major Step Forward in Protecting Ohio’s Youth

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Benesch is proud to announce the passage of Substitute House Bill 531, also known as “Braden’s Law,” after serving as the primary lobbyists advancing the legislation through the firm’s pro-bono program. The bill, which makes sextortion a felony in Ohio, was signed into law this week by Governor Mike DeWine and passed both chambers of the legislature with unanimous bipartisan support during the year-end lame duck session.

The Benesch team working the legislation was led by Government Relations Manager Rachel Winder - a close friend of the Markus family - with support from Holly Gross.

“Benesch is honored to have played a key role in such important legislation thanks to the talents and commitment of our Government Relations Practice,” said Benesch Pro Bono Chair Chris Letkewicz. “The team worked the bill from start to finish, drafting the legislative text, working with stakeholders, analyzing amendments, building community support and media coverage, lobbying members of the House and Senate, and, ultimately, helping to drive the law’s passage in record time.”

The bill is named in honor of Braden Markus, an Olentangy High School student who died by suicide after being sexually extorted through social media by a criminal posing as a teenage girl. Braden tragically took his own life less than 30 minutes after being coerced into sharing inappropriate photos and extorted for $1,800 with threats to release the images on social media.

“My son and Braden grew up playing sports together, and finding out about this tragedy was one of the worst days of my life,” said Rachel. “Braden should have graduated high school with my son last May. His loss lit a fire. By dedicating our time, expertise and resources to this effort without cost to the Markus family, we were able to amplify the family’s voice, build coalitions and shepherd Braden’s Law through the legislative process. This work has been an honor of a lifetime, and I hope every state in the country takes the steps that Ohio has taken to criminalize Sextortion.”

Now the fastest growing crime targeting youth, reports of sextortion have increased by nearly 150% year-over-year. House Bill 531 addresses this issue by codifying the crime of sextortion and enacting a strong deterrent and punishment against online predators who target and harm Ohio kids.

Additionally, the legislation requires a 30-day expedited review by a court of common pleas if a request for digital access, such as unlocking a mobile device, is made by a parent, guardian, legal custodian or the fiduciary of the estate of a deceased minor. The custodian of such information would face civil fines for noncompliance.

The bill was amended throughout the committee hearing process. Benesch was pleased to work with House bill sponsors Rep. Lear and Rep. Lorenze, Senate bill sponsor Sen. Brenner, Senate Judiciary Chair Nathan Manning and other stakeholders on this legislation.

A provision to specifically include sextortion as an eligible offense under the Ohio Crime Victim's Compensation Program was removed from the bill at the request of the Ohio Attorney General leaving open the door for continued discussions on this topic.

About Benesch Friedlander Coplan & Aronoff: Benesch is an Am Law 200 business law firm with nearly 450 attorneys and offices in Cleveland, Chicago, Columbus, New York, San Francisco, Shanghai and Wilmington. Benesch's Government Relations Practice Group worked extensively to draft and advance this legislation under a pro-bono engagement with the Markus family.