

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. The Darlington County School District has adopted [Policy GBEBE](#) for staff and [Policy JICFB](#) for students.

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

Notification of the change in law will go out to parents and school personnel through District communications this school year.

Gavin's Law information will be posted on the District website for continuous visibility.

Parents will receive Gavin's Law information during the registration process at the beginning of each school year.