

Not-So-Model Behavior

By Reg P. Wydeven
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Several times over the last few years I have written about technology outpacing the law. Things like drones and social media have created legal conundrums that have never been faced before. Each day I feel more and more like the law: antiquated and unable to keep up with the times.

When I was a kid, people were famous for being athletes, musicians, actors or politicians. There were a few socialites, like Donald and Ivana Trump, who were well-known for being wealthy and about town. But they weren't celebrities.

Today it seems that people are famous for being famous. My kids know several YouTube stars who are typically millennials that post videos of themselves on the Internet. Some have millions of followers who watch videos of them doing mundane things like eating or shopping. Some even get paid for endorsing products in their videos.

Apparently you can become rich simply by posting photos of yourself on the Internet. There are apparently 'Instagram Models,' who are women that post pictures of themselves on the social media app. These models are paid if enough people follow them and 'Like' their photos.

And the competition for attention is fierce. For example, Julieanna Goddard has almost 500,000 followers on Instagram and is known as the "Queen of Snapchat" (another photo app). Under the stage name YesJulz, Goddard garnered fame by partying with athletes and rappers.

Reminiscent of Tanya Harding's orchestrated beat down of Nancy Kerrigan, Goddard was shaken down by fellow Instagram model Hencha Voigt and her former boyfriend Wesley Victor. Voigt also appears on E! Network's 'WAGS Miami,' a reality TV show that follows the drama surrounding the wives and girlfriends of athletes living in the Florida city.

Hoping to dethrone the Queen, last summer Voigt and Victor texted messages to Goddard indicating that if she didn't pay them \$18,000, they would post sexually explicit videos and pictures of her. Such a threat is commonly known as "sextortion," another term I had never heard of before.

Goddard immediately contacted the police and Voigt and Victor were actually arrested on the same day they sent the text messages. The police confiscated four phones from the ex-couple, and charged them with extortion, conspiracy to commit extortion, and unlawful use of a communication device.

As part of their investigation, however, the Miami police demanded that Voigt and Victor provide the passwords to access the phones. The pair refused by pleading the Fifth. They claimed that being forced to divulge their passwords would violate their Fifth Amendment rights against self-incrimination.

Kertch Conze, Voigt's attorney, claims that passwords are "not a fingerprint, or a blood sample for DNA purposes," and that forcing Voigt to share hers "can be incriminating and a violation of her right to remain silent."

Despite Voigt and Victor's protests, the judge in the case ordered them to share their passwords. When making the ruling, the judge relied on an appellate case from Sarasota that allowed the police to force a suspect that took 'upskirt' photos of unsuspecting women to reveal his password.

Because of the huge possible impact of the outcome of this case, people across the country are keeping close tabs on it, especially if it gets appealed to the U.S. Supreme Court to establish a federal precedent.

I don't understand this case. If I learned anything from Paris Hilton and Kim Kardashian, I thought the most effective way to gain Internet fame was to release sexually explicit videos and photos of yourself.

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