Donna Rice Hughes Oral Testimony before North Dakota House Judiciary Committee in support of

SB 2360 (Supplemental to previous submitted written testimony)

March 14, 2023

Thank you for this opportunity to testify at this important hearing. My name is Donna Rice Hughes, and I am the CEO and President of Enough Is Enough (EIE), a national non-partisan NGO. Our mission since 1995, is fighting to make the internet safer for children and families. There is additional information submitted in my written testimony for the official record in support ofSB 2360.

Today I will discuss the sexual exploitation of children via online pornography, the majority of which is prosecutable under current federal obscenity laws. Title 18, prohibits distribution of obscenity on the Internet, on cable/satellite TV, on hotel/motel TV, in retail shops, and by common carrier.

Unfortunatley, these laws have not been enforced by DOJ since President George H. Bush’s Administration. Recently, EIE worked with Congress to add the following language in FY 21 and 22 appropriations bill directing DOJ to: *“…*investigate and prosecute major producers and distributors of hardcore adult pornography that meets the Supreme Court test for obscenity. Such enforcement is necessary to protect the welfare of families and children…*”.*

Sadly, DOJ has not responded. As a result, online pornography has become more extreme and violent.

Any child with unrestricted Internet access can view this content, anywhere anytime.

-Popular themes depict teen rape, strangulation, gang bang, and bestiality.

It's not a matter of if, but when. Once viewed, it can never be erased from their minds.

Listen to these alarming stats:

Children under the age of 14 year-olds make up 58% of minor consumers (2016).

* In a Common Sense Media 2022 survey of teens 13-17:
	+ Over 50% seen violent porn (rape, choking, someone in pain)
	+ 41% had seen porn online during the school day (bypassing existing filtering; Of note, the Children’s Internet Protection Act 1998 (CIPA) requires schools and libraries utilizing e-Rate funding to filter both child pornography and pornography)
	+ 45% said porn provided helpful information about sex and helped them discover their sexuality. However the research shows that Pornographic lies set up permission-giving beliefs that teach sex without love, intimacy and commitment is desirable, and that females are nothing more than sex objects.

Meta-analysis of research showed pornography consumption among youth is significantly associated with earlier sexual debut, increased casual sex, and increased sexual aggression both as perpetrators and victims (2016; 53(4-5), 509-531.)

A meta-analysis of 37 studies found that exposure to violent or rape pornography increased a child’s odds of experiencing sexual exploitation by nearly three times. ([**JAMA (2020**](https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2770752))

* The average age of first perpetration of sexual violence is 15 -16 and is associated with exposure to violent pornography ([**Prevention Science - 2017**](https://link.springer.com/article/10.1007/s11121-017-0810-4)).

The sexual exploitation of children via obscenity is a public health pandemic. Its harmful impact on children and its negative impact on the culture has led 17 states to pass resolutions recognizing pornography as a public health crisis.

 Pornography is highly additive and can lead kids to act out what they see. The epidemic of youth sexting is one example:

Kids sharing self-generated imagerynow accounts for one third of web pages featuring sexual images of children. More than three quarter of web pages features 11 to 13-year-old children, the majority of which are girls.  (IWF Jan. 15, 2020)

To put a face on this preventable pandemic, let me share one final comment from one of the teens I interviewed for our [Internet Safety 101](https://internetsafety101.org/) video series.

Courtney, 16-years old, told me that she and her friends watched pornography together, which led to group sex. She said that pornography “*destroyed our lives, because we depended on it, and it just broke our friendships, it broke like, respect for ourselves and our respect for others.*”

There are millions like Courtney who have suffered harm due to the pandemic of online pornography. I urge you to pass SB 2360 to curb the threat of our children accessing obscene materials, whether online or in school and library books. This is a non-partisan issue that deserves wide bi-partisan support. Our children’s innocence is worth fighting for. Thank you for your time.

*Donna Rice Hughes, President and CEO of Enough is Enough, is an internationally known Internet safety expert, author, speaker, and producer. Her vision, expertise and advocacy helped to birth the Internet safety movement in America at the advent of the digital age. Since 1994, she has been a pioneering leader on the frontlines of U.S. efforts to make the Internet safer for children and families by implementing a three-pronged strategy of the public, the technology industry and legal community sharing the responsibility to protect children online. This strategy has been adopted by industry and governments worldwide. Under her leadership, EIE has created various curricula including the creation of the Internet Safety 101 Program with U.S. Department Of Justice, Office of Juvenile Justice and Delinquency Prevention. She developed and spearheaded the "National Safe Wi-Fi" Campaign" calling on Corporate America to filter pornography and child sex abuse images on public Wi-Fi. As a result, both McDonald’s and Starbucks are now filtering Wi-Fi in all of their company owned stores in America. Hughes also spearheaded EIE’s bi-partisan Children’s Internet Safety Presidential Pledge (2016); The Governor’s Pledge and the State Attorneys General Pledge. She has given thousands of media interviews on all the major news outlets on topics related to online dangers (porn, CSAM, sexual predation, bullying, trafficking, online gaming, social media, etc.), safety solutions, testified numerous times before Congress, and is the winner of numerous awards including the 2013 Women In Technology Award for Social Impact and the 2014 Professional Women in Advocacy Excellence In Advocacy Award for “Veteran Practitioner”. She also received a Senate appointment to serve on the Child Online Protection Act Commission.*