

Introduction

HB 1410–Study relating to criminal conduct against children

By Representative Mary Schneider

Senate Judiciary Committee

Diane Larson, Chairman, and Bob Paulson, Vice Chairman

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Good morning, Chairman Larson, Vice Chairman Paulson, and distinguished members of the Senate Judiciary Committee. I am Representative Mary Schneider, and I proudly serve the citizens of District 21, Central Fargo and West Fargo.

One of my favorite quotes is an anonymous one you have probably heard:

“A hundred years from now it will not matter what my bank account was, the sort of house I lived in, or the kind of car I drove. But the world may be better because I was important in the life of a child.”

House Bill 1410 is one of our chances to make a difference in the lives of our North Dakota children at risk of victimization. The bill is a short and simple request for a legislative management study of state laws relating to criminal conduct against children, child sexual assault, and child physical abuse and neglect.

The study requires a review of outdated references and verbiage, and an examination of state laws regarding artificial intelligence (AI) and its new and extraordinarily dangerous role in sexual exploitation of minors and prohibited materials possession involving children. It will review and possibly recommend changes in the investigation and prosecution of crimes involving physical abuse, sexual abuse, and neglect of children. The findings, recommendations, and perhaps legislation from such a study will likely require updates or action in the next legislative session.

The study specifically must review in Section 1, 2.a., inappropriate references and wording such as "sexual performance" offensively used to describe a coerced and involuntary act which is today referred to in more updated laws as "child sexually abusive material."

Section 1, 2.b., would require the study to review state laws relating to the use of artificial intelligence for crimes we refer to as sexual performance of a minor, or possession of certain prohibited materials involving minors or their images. As you know, this session has produced many of those bills, coming from several different committees in the two chambers, dealing with a variety of subject matter impacting children in different ways. There couldn't be a more

appropriate or important time to assess and harmonize their AI approaches, impacts, and effects on child victims and child protection laws.

Legislative management will report its findings, recommendations, and needed legislation arising from this study to the seventieth legislative assembly.

This bill originated with the Child Sexual Assault Prevention Task Force, a group that was created by the legislature. It has done such good work that the Task Force has received multiple biennium funding from us.

I am extremely proud of the Task Force, its extraordinary members and exceptional leadership. They represent a broad professional continuum of advocates for children and related cross-agency representatives of law enforcement, social services, human services, prosecutorial and other justice system components, and legislative appointees. Representative Satrom, Senator Clemens, and I have served on the Task Force since its start. All members work hard to protect children and educate others to do so too.

The Task Force felt this updating, assessment, and evaluation study was a critical project, and I urge a due pass vote for this important review of state law to help address the protections our North Dakota children need and deserve.

I am happy to address your questions or step aside for the skilled witnesses behind me who can.