

ORAL TESTIMONY

Honorable members of the Committee, my name is Donna Rice Hughes, and I am the CEO and President of Enough Is Enough, a national non-partisan 501c3 organization. There is additional information submitted in my written testimony for the **official record in support of**

Enough Is Enough® (EIE) recognized the abuse of the internet by pornographers, child pornographers, and sexual predators, and In 1995, birthed the internet safety movement in America, with a mission to make the internet safer for children and families.

Today I will discuss the sexual exploitation of children via online pornography, the majority of which is prosecutable under current federal obscenity laws. As you know, obscenity, often referred to as hardcore pornography, is illegal: 18 U.S.C. Chapter 71 § 1460-1470, prohibits distribution of hardcore pornography 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 AG Ashcroft in the Bush 1 admin which makes it critically important for the House to pass ???

The continuous invasion of graphic internet pornography, prosecutable under federal obscenity law, has been called the “largest unregulated social experiment in human history”. Any child with unrestricted Internet access can freely view obsecene pornorgraphy.

-Popular themes depicting teen rape, strangulation, violence. ?? depicts violence against womenThey can also view child pornography (now being termed child sex abuse material or CSAM for short) depicting the actual sexual abuse or rape of a child.

Once exposed, it can never be erased from their minds. It's not a matter of if, but when. Kids with mobile devices now have 24/7 internet access. By age 11, 53% of kids have their own smartphone,

While there are many reasons that children are being sexually exploited at alarming rates, a key reason is that existing federal obscenity, CSAM, predation laws have not been adequately funded or aggressively enforced. In fact, the federal obscenity laws have not been enforced at all since President George W. Bush's administration.

This is why it is critically important for states like North Dakota to stand up and take action.

Of note, and as a result of EIE's advocacy efforts, the following language was included in the US Congress' Appropriations FY 21 and 22 bill Report 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...*". Currently, we are calling on Congress to conduct oversight hearings to address DOJ's failure to enforce the federal obscenity laws.

The harm of exposing kids to such content is best understood from their own stories. I interviewed a dozen young teens about their internet experiences for EIE's video series.

Zach, age 15, told me, *“Even if you're not looking for it, it will find you.”*

Courtney, 16-years old, told me that she and her friends smoked weed and watched pornography together, which led to orgies. 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.”*

Children under the age of 10 now account for 22% of online porn use by minor children, while 10- to 14 year-olds make up 36% of minor consumers (Bitdefender, 2016).

Two years ago, I had the opportunity to deliver a Ted Talk in Fargo, North Dakota, in Governor Bergham's back yard beneath his amazing tree house.

I reminded the audience that it wasn't that long ago that it was LEGAL to drive without a seatbelt while holding a child in your lap and litter our highways.

What changed? Each issue was reframed as a public health issue that impacted everyone. And as a result, public opinion drove public policy to make needed changes.

The sexual exploitation of children is in fact a public health pandemic.

Peer-reviewed research demonstrates that obscenity fuels addiction, child sex abuse, violence against women, sex trafficking and other crimes against humanity. Its harmful impact upon the emotional, mental and sexual health of children and its negative impact on the culture has led 17 states to pass resolutions recognizing pornography as a public health crisis.

Pornographers understand that extreme pornography is highly addictive. They know that if they can get children hooked at a young age, they will likely have a consumer for life.

The pornography addiction cycle often leads kids **to act out** what they see in. The trend of sexting among youth is staggering:

Self-generated imagery now accounts for nearly 1/3 of web pages featuring sexual images of children. More than 3/4 features 11 to 13-year-old children, the majority are girls. (IWF Jan. 15, 2020)

Further, pornography sets up unhealthy attitudes about sex, teaching that sex without love, intimacy and commitment is desirable, and that females are nothing more than sex objects.

Viewing this content can also lead to sexually aggressive behaviors. The average age of first perpetration of sexual violence is 15 -16 and is associated with exposure to pornography.

Additionally, Sexual predators use pornography as part of the grooming process to sexualize a child and then entice the child to take sexual pictures and videos of themselves. They then use the content to blackmail the child into silence and compliance. The resulting child pornography is then shared and sold online, fueling a vicious cycle of abuse and child exploitation.

- In 2021, NCMEC received more than 29 million reports containing over 84.9 million images, videos, (infants and toddlers) and other content related to suspected child sexual exploitation (up 29.8% over 2020). (January 31, 2022)

Senator Boehm, I want to thank you and your fellow Senators for introducing Senate Bill 2360 to curb the threat of our children accessing obscene materials, whether online or in a public place. Your leadership and commitment to this issue is greatly needed. Protecting children from sexual exploitation is a **non-partisan issue that deserves wide bi-partisan support**. It is because of champions like you that the safety and dignity of children will become a top priority in North Dakota. Our children's innocence is worth fighting for. Thank you for your time.

I am happy to answer any questions.