

Testimony in Support of SB2360

February 14, 2023

Thank you Chairwoman Larson and committee members for allowing me this opportunity to testify in support of SB2360. My name is Kristin Sharbono. I am a ND resident, mother of 5 children, and Licensed Professional Clinical Counselor. I specialize in working with children and their families that have experienced trauma. SB2360 is taking a proactive approach to reducing trauma for our youth. What is trauma? It is someone experiencing an event beyond their ability to cope. Sexually graphic materials meets the definition for exceeding the ability to cope for most if not all children. As a mental health provider I follow the rule when it comes to talking to children about mature topics, sex being one of them to answer questions directly but not to provide more information than what is being asked. This minimizes the risk of exceeding the ability to cope. Having sexually graphic materials has the strong possibility of providing them with information that they are not mature enough to cope with. The question where babies come from is a common example. An appropriate response to this question differs greatly depending on age, maturity, cultural beliefs, and circumstances around the question being asked etc. A book in a library or classroom does not provide the opportunity for these factors to be considered.

As a licensed mental health professional, I am a mandated reporter when I become aware of any type of abuse. Abuse is defined by the ND Department of Human Services on their website: [Mandated Reporters - Home Page \(pcand.org\)](https://pcand.org). I have included the full information about criteria for reporting sexual abuse in my written statement. As a part of my verbal testimony, I would like to highlight one of the criteria for mandate reporting that is directly related to this bill. A child being shown pornographic material is considered sexual abuse and is one criterion that mandates reporting. SB 2360 would provide consistency and clarity to ensure that our youth are not being exposed to pornographic material in public institutions. This is a commonsense bill why would it be appropriate to have materials in public locations that fits the definition of childhood sexual abuse?

It is crucial that standards are set to teach our children appropriate boundaries. Our children have been receiving mixed messages. My children over the last 3 years have had 3 teachers and 1 paraprofessional that have left their positions at school due to inappropriate sexual behaviors. It is important that parameters are made clear to our youth about what is and is not appropriate. Having pornographic materials available blurs the lines. As a mental health professional and a mother, I have the responsibility to teach me clients and children who and

when it is appropriate to talk about personal matters. Sexuality is a private matter. School is not the appropriate setting to be exploring sexuality.

Beyond school being an inappropriate setting there are many students that have already been harmed by sexual abuse and access to these materials will increase the harm. The statistics for the number of children that have been sexually abused varies. The CDC estimates that about 1 in 4 girls and 1 in 13 boys in the United States experience child sexual abuse. This is an important statistic to keep in mind. This means that in a classroom of 25 students (12 girls and 13 boys) approximately 4 students have been sexually abused. Why is this relevant to SB2360? Most children who have been sexually abused have PTSD (Post Traumatic Stress Disorder). Children with PTSD often respond to triggers or reminders of abuse in ways that the educational environment would be challenging for them and their peers. Examples include irritability, angry outbursts, withdrawal, dissociation, and avoidance. Finding sexually explicit materials in the classroom or library would likely trigger students that have been sexually abused. These materials have the potential to increase disruptive behaviors in the classroom in addition to providing harm.

This is a commonsense bill. As a mental health professional, I have training to provide a therapeutic environment for children to process situations that make them uncomfortable and/ or are traumatic. I would lose my license if I showed pornographic materials to my minor clients. Why would it be considered appropriate to have these materials available in the classroom or library? This bill is necessary in providing standards that keep the mental health of our youth a priority.

In summary there are 3 main points that I want to highlight

- 1) Allowing children to view sexually graphic materials is considered child abuse according to definitions provided for mandated reporters.
- 2) There is a significant number of children that have been sexually abused and viewing these materials greatly impacts their ability to learn and the learning environment of their peers.
- 3) Mental health professionals have training in addressing sexual abuse and related circumstances, but it is considered unethical for mental health professionals to provide these materials why would it be appropriate for them to be available in a library?

Respectfully submitted,

Kristin Sharbono, M. Ed., LPCC

Mandated Reporters

[North Dakota Department of Human Services](#)

Know the signs

The first step in helping an abused or neglected child is learning to recognize the signs. A single sign does not prove that child abuse or neglect is occurring, and there is no one sign of child abuse or neglect.

Please click each button and read the text under each.

When you're finished with this page, click on the blue "Reporting" tab near the top of the page.

Abuse

Neglect

Physical abuse

Children who are physically abused may:

- Be self-destructive, aggressive, or withdrawn
- Run away frequently
- Explain their injuries in strange or inconsistent ways
- Seem afraid of adults, including parents or guardians
- Intentionally hurt animals
- Report that an adult is hurting them

Physically abusive parents may:

- Offer no explanation, or a conflicting or unconvincing explanation, for the child's injury
- Consistently talk about the child negatively
- Use harsh physical punishment with the child, or ask teachers or other caregivers to use harsh physical punishment

Sexual abuse

All sexual activity between an adult and a child is sexual abuse, even if it doesn't involve penetration, force, pain, or touching.

Sexual touching between children can also be sexual abuse if there is a significant age difference between the children (usually 3 or more years) or the children are very different developmentally or in size.

Sexually abused children may:

- Act seductive or engage in inappropriate sex play
- Show great worry for their siblings

- Gain or lose a large amount of weight
- Attempt suicide
- Feel threatened by physical contact
- Have difficulty walking or sitting
- Have nightmares or wet the bed
- Become pregnant or contract a venereal disease
- Run away from home

Adults who sexually abuse children may:

- Be very protective of the child or limit the child's contact with other children, especially of the opposite sex
- Tend to keep to themselves
- Be jealous or controlling with family members

There are three types of adult sexual abuse of children:

- Touching sexual abuse
- Non-touching sexual abuse
- Sexual exploitation

Whenever you learn that an adult is doing any of the following things, you must report it:

Touching sexual abuse

- Fondling a child's genitals, breasts, or buttocks
- Making a child touch another person's sexual organs
- Any penetration of a child's vagina, anus, or mouth by a penis or any other object for no valid medical reason

Non-touching sexual abuse

- Indecent exposure or being naked in public
- Showing children pornographic material
- Masturbating in the presence of a child
- Making sexual comments to a child
- Harassing, encouraging, pressuring, or bargaining with a child to perform sexually
- Achieving sexual arousal by watching an unsuspecting, non-consenting child who is undressing or unclothed

Sexual exploitation

- Using a child for prostitution
- Taking pictures of a child for pornographic use
- Denying age-appropriate privacy to a child who is dressing, undressing, or using the bathroom

Workplace computers

Child pornography found on a workplace computer must, under the law, be reported.

Physical neglect

There are three main types of physical neglect.