

HB 1320  
House Judiciary  
January 20, 2025  
Testimony of Todd N. Ewell, Deputy Director, NDCLCI

Good Morning. Chairman Klemin, members of the Committee, my name is Todd Ewell and I am the Deputy Director of the North Dakota Commission on Legal Counsel for Indigents (hereinafter "the Commission").

Today I offer neutral testimony regarding House Bill 1320 on behalf of the Commission. Everyone can understand that deepfake videos and images can be harmful. However, as written, this bill would have a major impact on free speech. Please consider the following scenario. A video of Tom Cruise goes viral. In the video, Cruise is seen flying off a home into a pool and screaming "I do my own stunts". In reality, the video is not Tom Cruise but is artificially created. It becomes memes and videos of Tom Cruise jumping off cliffs, out of airplanes, the Eiffel Tower, you get the idea. These videos are everywhere: Facebook, Instagram, X, and every other social platform. This legislation would make it a class A misdemeanor to possess every image. By creating a misdemeanor, if the court were considering a penalty of jail time, we could see an unmanageable increase of cases for our agency.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Todd Ewell", is written over a horizontal line.

Todd N. Ewell, Deputy Director

N.D. Comm. on Legal Counsel for Indigents