



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Testimony Supporting Senate Bill 2380

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Good morning, Chairman Barta and honorable members of the Senate Industry and Business Committee. My name is Mark Jorritsma, and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of Senate Bill 2380 and respectfully request that you render a “DO PASS” on this bill.

Our organization and its constituents feel strongly that we must eliminate child access to pornographic materials from online sources. I have heard time and again that parents worry about what their children see on internet sites, despite ad blockers, malware suppression programs, and software designed to let parents prevent their child’s access to these types of sites.

There is ample evidence of the harm from pornography, particularly as it relates to children, such as: “increased rates of depression, anxiety, acting out and violent behavior, younger age of sexual debut, sexual promiscuity, increased risk of teen pregnancy, child sex abuse, sexual trafficking, and a distorted view of relationships between men and women.”¹ It would seem that ensuring our children do not have access to these materials, while simultaneously ensuring that companies producing and displaying it do not have their constitutional rights violated, would be the best possible solution. That is precisely what this bill seeks to do.

Senate Bill 2380 would require age verification for accessing pornographic materials by requiring both the website and operating system/manufacturer to comply. There are currently “age verification” mechanisms for internet pornography sites, but these are self-regulated by the companies and consist of no more than clicking a button that says the viewer is over 18 years of age. That is hardly any type of effective age verification. Instead, this bill would require digital age verification that matches device software with website access.

¹ American College of Pediatricians. <https://acpeds.org/position-statements/the-impact-of-pornography-on-children>



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I would like to address two of the concerns expressed about age verification bills like these. First, we have heard the adage that we should not get to decide what children read and see, but instead, children should be exposed to many different ideas and allowed to form their own opinions. However, we decide what children can read and see all the time. This includes restricting children from watching R-rated movies, seeing the covers of pornographic magazines in stores, deleting phishing scam emails at the server level before they ever reach your inbox, or even stopping threats to public safety such as shutting down internet sites that contain detailed plans on terrorist training. We (and our government) are able to, and in certain cases are morally obligated to, restrict what others can see or read. On top of all that is the fact that parents are the final arbiters of what happens to their children.

Another objection to this type of legislation is sometimes the assertion that it is ultimately the job of a parent/legal guardian to filter content for their child, not the government. We agree, however, children can be exposed to pornography their parents wouldn't approve of before the parents even know about it. In other words, you can't opt out your child from accessing pornographic materials if you don't know where it might exist. The companies who produce these materials certainly have no compulsion nor incentive to inform parents of this. Further, if a child locates a source of pornography, it is very likely that they will at some point share that content with their best friend and perhaps others their age. In fact, experience and an understanding of child social dynamics suggest that the more enticing the subject matter, the higher the likelihood it will be shared.

This bill has nothing to do with trampling constitutional rights or trying to have our children grow up in a bubble. This bill has everything to do with protecting our children from pornography and having their innocence stolen from them by inappropriate materials.

Protecting children from this type of content is something that we at North Dakota Family Alliance Legislative Action agree with wholeheartedly, and we ask that you render a "DO PASS" on Senate Bill 2380.

Thank you for the opportunity to testify and I would be happy to stand for any questions.