

House Judiciary Committee

House Bill 1351

Andrew Alexis Varvel

Written Testimony

Chairman Klemin and Members of the Committee:

My name is Andrew Alexis Varvel.

I live in Bismarck, District 47.

The reason why I am providing **NEUTRAL** testimony on this bill is this:

Deep-fake child pornography created by artificial intelligence is an especially heinous form of defamation. One could even regard this form of bullying to be a variety of virtual rape, as no child can consent to this. So obviously, this behavior should be criminalized.

What leaves me scratching my head are lines 21-23 from page 1 and lines 1-5 from page 2, from “affirmative defense” – what exactly are the beneficial purposes of a deep fake video of a minor, a living breathing minor, depicted as performing sex? Even creating a deep fake video to depict a sexual assault against a minor for purposes of illustration to a jury would probably create more problems than it solves.

Is this to protect those who are creating pornographic adaptations with artificial intelligence of *Lolita* or the works of the Marquis de Sade? What exactly is the bona fide research? What purpose would a member of the clergy have for creating deep-fake kiddie porn? I don't get it.

So, color me confused about this part of the legislation. Thank you.