

SB

119

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 2/28/05

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: _____

Judiciary Committee considered SENATE BILL NO. 119

SB 119 BAN ONLINE DIST. OF PORNOGRAPHY TO MINORS

"An Act relating to dissemination of indecent material to minors."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- Same Title
- New Title

House Bill:

- Same Title
- Technical Title Change
- New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	x			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

ALASKA STATE LEGISLATURE



SENATOR HOLLIS FRENCH

SB 119 – OUTLAWING ELECTRONIC DISTRIBUTION OF INDECENT MATERIAL TO MINORS

Sponsor Statement

SB 119 will make electronic distribution of indecent materials, i.e., pornography, to minors a felony under Alaska law. This bill, along with SB 118, will help provide a “safety net” to help protect Alaska’s children from sexual predators.

Online victimization, which includes sexual enticement/solicitation, unwanted exposure to sexual material, and harassment, is one of the worst byproducts of the age of the Internet. Alaska, being the most “wired” state in the country, offers a particularly rich target for cyberpredators. Alaska also ranks among the highest in its rate of sexual abuse of children, and unfortunately many of these cases begin through contacts made via Internet chat rooms.

A key element in many of these seductions is breaking down a child’s sense of what is “normal” or “right” by exposing the child to pornographic images. SB 119 will give the Alaska law enforcement community a new tool to help fight this type of child victimization.

Please join me in supporting SB 119 and taking another step in making Alaska a safer place for children.

March 3, 2005

AMENDMENT # 1

OFFERED IN THE SENATE

BY SENATOR FRENCH

TO: SB 119

- 1 Page 1, line 6, following "person":
- 2 Insert ", being 18 years of age or older,"
- 3
- 4 Page 1, line 7:
- 5 Delete "(1)"

AMENDMENT #2

OFFERED IN THE SENATE

BY SENATOR FRENCH

TO: SB 119

- 1 Page 1, lines 7 - 8:
- 2 Delete "or other device capable of electronic communication"

SENATE BILL NO. 119

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATORS FRENCH, Kookesh, Bunde, Dyson, Huggins, Seekins, Wilken, Davis, Elton, Ellis, Green, Olson, Stedman, Cowdery, Guess, Therriault

Introduced: 2/28/05
Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to dissemination of indecent material to minors."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 11.61 is amended by adding a new section to read:

4 Sec. 11.61.128. Electronic distribution of indecent material to minors. (a)

5 A person commits the crime of electronic distribution of indecent material to minors if
6 the person ^{#1} ~~is~~ ^{as known} ~~is~~

7 (1) distributes by computer ~~or other device capable of electronic~~
8 ~~communication~~ any material that depicts an act described in AS 11.41.455(a)(1) - (7)

9 to a person the offender believes to be a person under 16 years of age.

10 (b) In this section, it is not a defense that the victim was not actually under 16
11 years of age.

12 (c) Except as provided in (d) of this section, electronic distribution of indecent
13 material to minors is a class C felony.

14 (d) Electronic distribution of indecent material to minors is a class B felony if
15 the defendant was, at the time of the offense, required to register as a sex offender or

2
#4
2/28/05

1 child kidnapper under AS 12.63 or a similar law of another jurisdiction.

2 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 APPLICABILITY. This Act applies to offenses occurring on or after the effective
5 date of this Act.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 119
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
 Title: "An act relating to dissemination of indecent RDU: Institutional Facilities
material to minors." Component: Institution Director's Office
 Sponsor: Senators French, Kookesh, Bunde, Dyson, Huggins,
 Requester: Judiciary, Finance Component No: 524

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Due to the very small number of potential criminal cases, the Department of Corrections does not anticipate a significant fiscal impact with the passage of this legislation.

Prepared by: Sharleen Griffin, Acting Director Phone: 465-4641
 Division: Administrative Services Date/Time: 3/10/05 7:00 AM
 Approved by: Portia C. K. Parker, Deputy Commissioner Date: 3/10/2005
 Agency: Department of Corrections

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 119
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An Act relating to dissemination of RDU: Legal and Advocacy Services
indecent materials to minors. Component: Public Defender Agency
 Sponsor: Senators French, Kookesh
 Requester: Senate Judiciary Component No.: 1631

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill should have minimal fiscal impact on the operations of the Public Defender Agency. The Agency does not expect to handle a significant number of these new offenses.

Prepared by: Linda K. Wilson, Deputy Director Phone: (907)334-4416
 Division: Public Defender Agency Date/Time: 3/8/05 2:06 PM
 Approved by: Michael Tibbles, Deputy Commissioner Date: 3/8/2005
 Agency: Department of Administration

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB 119
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
Title Ban Online Dist. of Pornography to Minors BRU Alaska Court System
Component Trial Courts
Sponsor Senator French
Requester _____ Component No. 768

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The court system does not anticipate any fiscal impact from the passage of SB 119.

Prepared by: Douglas Wooliver, Administrative Attorney Phone 463-4750
Division: Alaska Court System Date/Time 3/7/05 11:24 AM
Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date 3/7/2005
Agency: Alaska Court System

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB119-DPS-AST-3-9-05
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title: "An Act relating to dissemination of indecent material
to minors." RDU: Alaska State Troopers
 Component: AST Detachments
 Sponsor: Senator French
 Requester: _____ Component No.: 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill adds a new section that will prohibit a person from distributing by computer or similar device, material that depicts sexual acts described in AS 11.41.455, to a person who the offender believes is under 16 years of age. It is not a defense in this crime that the victim was not actually under 16 years of age. The bill specifies that a violation under this new section is a class C Felony unless the person committing the offense is at the time a person required to be a registered sex offender or child kidnapper which would then raise the penalty to a class B Felony.

Passage of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lieutenant Todd Sharp Phone 907-465-3223
 Division: Alaska State Troopers Date/Time 3/9/05 3:56 PM
 Approved by: Commissioner William Tandeske Date 3/9/2005
 Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB119-LAW-CDCO-3-9-
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to dissemination of indecent RDU CRIMINAL
materials to minors." Component Criminal Justice Litigation
 Sponsor Senator French Component No. _____
 Requester Senate Judiciary

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill adds a new section under AS 11.61 (Offenses Against Public Order) prohibiting the electronic distribution of indecent material to minors. Indecent material is defined in the bill as materials depicting acts defined as unlawful exploitation of a minor as spelled out in AS 11.41.455(a)(1) - (7). The bill applies to distribution of indecent materials by a defendant to persons under the age of 16 or whom the defendant believed to be under the age of 16. The bill makes the offense a class C felony unless, at the time of the offense, the defendant was required to register as a sex offender of child kidnapper, in which case the offense would be a class B felony.

The Department of Law does not anticipate many cases will be prosecuted as a result of passage of this legislation and estimate no fiscal impact as a result.

Prepared by: Kathryn Daughhete, Director Phone 465-3673
 Division Administrative Services Division Date/Time 3/9/05 5:02 PM
 Approved by: K. Daughhete for Scott Nordstram, J., Acting Attorney General Date 3/9/2005
 Agency Department of Law

**Online Victimization:
A Report on the Nation's Youth**

BY THE CRIMES AGAINST CHILDREN RESEARCH CENTER

DAVID FINKELHOR
KIMBERLY J. MITCHELL
JANIS WOLAK

JUNE 2000

FUNDED BY THE U.S. CONGRESS THROUGH A GRANT TO THE
NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN

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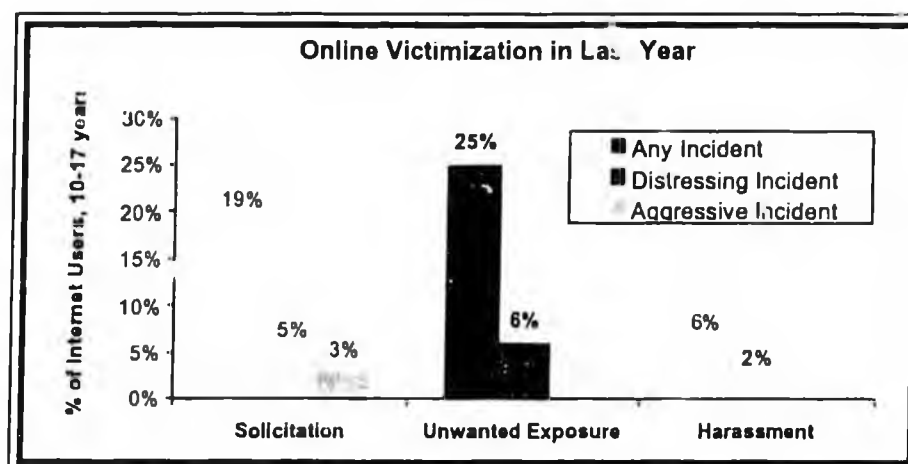
2. Unwanted Exposure to Sexual Material

While it is easy to access pornography on the Internet, what makes the Internet appear particularly risky to many parents is the impression that young people can encounter pornography there inadvertently. It is common to hear stories about children researching school reports or looking up movie stars and finding themselves subjected to offensive depictions or descriptions.

In this part of the survey, we were interested in **unwanted** exposures to sexual material, those that occurred when the youth were not looking for or expecting sexual material. We were interested in material that came up while doing searches online and surfing the world wide web, as well as material that might have appeared when a youth was opening E-mail or clicking on message links. In this section on sexual material, we focus on unwanted exposure to **pictorial images of naked people or people having sex**.

A quarter (25%) of the youth had at least one unwanted exposure to sexual pictures in the last year. (See Figure 2-1 with incidence rates for unwanted exposure to sexual material emphasized.) Seventy-one per cent of these exposures occurred while the youth was searching or surfing the Internet, and 28% happened while opening E-mail or clicking on links in E-mail or Instant Messages.

Figure 2-1



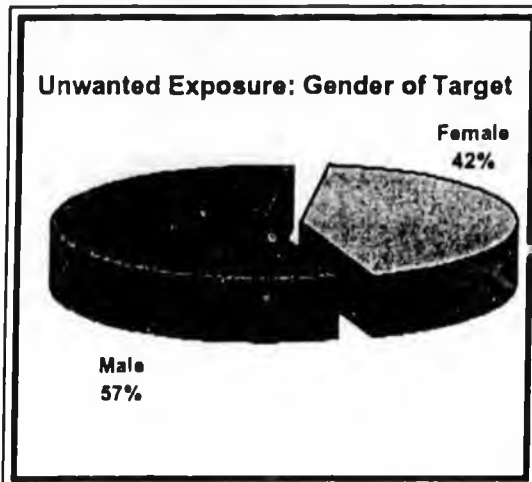
Exposure to sexual material, even when unwanted, is not necessarily upsetting to people. So we have designated a category of **distressing exposures** in which the youth said they found the exposure very or extremely upsetting. Six per cent of regular Internet users said they had a distressing exposure to unwanted sexual pictures on the Internet in the last year.

Which youth had the unwanted exposures?

- Boys outnumbered girls slightly (57% to 42%). (See Figure 2-2.)
- More than 60% of the unwanted exposures occurred to youth 15 years of age or older. (See Figure 2-3.)
- 7% of the unwanted exposures were to 11 and 12 year old youth.
- None of the 10 year olds reported unwanted exposures.

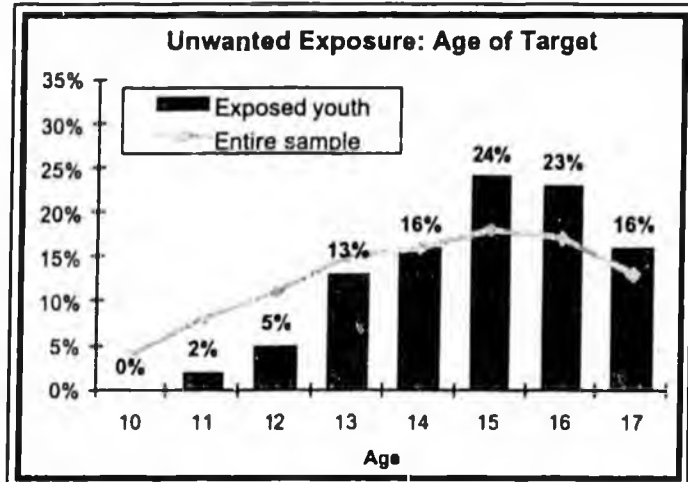
The somewhat greater exposure of boys to unwanted sexual material may reflect the reality that boys tend to allow their curiosity to draw them closer to such encounters. But the relatively small difference should not be over-emphasized. Approximately a quarter of both boys and girls had such exposures. Boys were slightly more likely than girls to say the exposure was distressing.

Figure 2-2



Note: Adds to less than 100% due to rounding and/or missing data.

Figure 2-3



Note: Adds to less than 100% due to rounding and/or missing data.

What was the content and source of the unwanted exposure?

- 94% of the images were of naked persons
- 38% showed people having sex
- 8% involved violence, in addition to nudity and/or sex
- Most of the unwanted exposures (67%) happened at home, but 15% happened at school, and 3% happened in libraries

Unfortunately, we do not know how many of the exposures involved child pornography. Important as this question is, we had decided that our youth respondents could not be reliable informants about the ages of individuals appearing in the pictures they viewed.

For the youth who encountered the material while surfing, it came up as a result of

- Searches (47%)
- Misspelled addresses (17%)
- Links in web sites (17%)

For youth who encountered the material through E-mail

- 63% of unwanted exposures came to an address used solely by the youth
- In 93% of instances, the sender was unknown to the youth

In 17% of all incidents of unwanted exposure, the youth said they did know the site was X-rated before entering. (These were all encounters described as unwanted or unexpected.) This group of episodes was not distinguishable in any fashion from the other 83% of episodes, including the likelihood of

being distressing. Almost half of these incidents (48%) were disclosed to parents. It is not clear to what extent it was some curiosity or just navigational naivete that resulted in the opening of the sites despite prior knowledge of the illicit content.

Pornography sites are also sometimes programmed to make them difficult to exit. In fact, in some sites the exit buttons take a viewer into other sexually explicit sites. In 26% of the incidents where sexual material was encountered while surfing, youth reported they were brought to another sex site when they tried to exit the site they were in. This happened in one third of distressing incidents encountered while surfing.

Testimony From Youth

- An 11-year-old boy and a friend were searching for game sites. They typed in "fun.com," and a pornography site came up.
- A 15-year-old boy looking for information about his family's car typed "escort" into a search engine, and a site about an escort service came up.
- Another 15-year-old boy came across a bestiality site while he was writing a paper about wolves for school. He saw a picture of a woman having sex with a wolf.
- A 16-year-old girl came upon a pornography site when she mistyped "teen.com." She typed "teen" instead.
- A 13-year-old boy who loved wrestling got an E-mail message with a subject line that said it was about wrestling. When he opened the message, it contained pornography.
- A 12-year-old girl received an E-mail message with a subject line that said "Free Beanie Babies." When she opened it, she saw a picture of naked people.

How did the youth respond to the exposure?

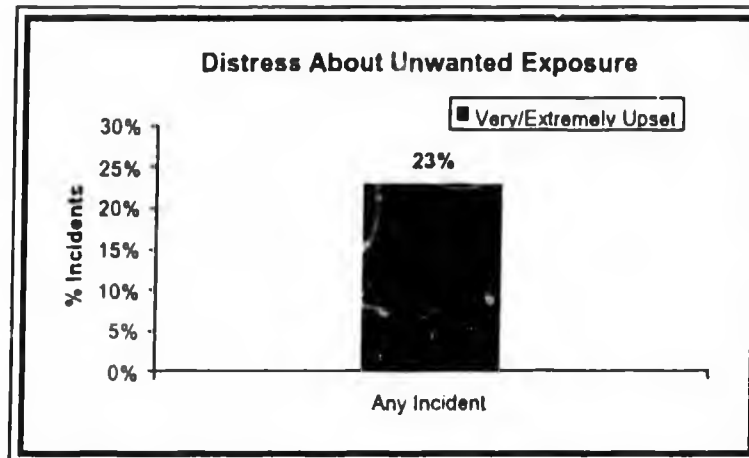
- Parents were told in 39% of the episodes.
- Youth disclosed to no one in 44% of incidents.
- In a few cases authorities were notified, most frequently a teacher or school official (3% of incidents), and Internet service providers (3%). None of these incidents were reported to a law-enforcement agency.
- Only 2% of youth who encountered sexual material while surfing said they returned later to the site of the exposure. None of the youth with distressing exposures who encountered the material while surfing returned to the site.

The fact that so many youth did not mention their exposure to anyone, even a friend, even to laugh or talk about it as an adventure, is noteworthy. It probably reflects some degree of guilt or embarrassment on the part of many youth. It might be healthier and helpful to youth if they were talking about it more.

How did the exposure affect the youth?

- 23% of youth who reported exposure incidents were very or extremely upset by the exposure. This amounts to 6% of the youth we interviewed. (See Figure 2-4.)
- 20% of youth were very or extremely embarrassed.
- 20% reported at least one symptom of stress.

Figure 2-4



Summary

Unwanted exposure to sexual material does appear to be widespread, occurring to a quarter of all youth who used the Internet regularly in the last year. While it is not a new thing for young people to be exposed to sexual material, the degree of sudden and unexpected exposure in an unwanted fashion may be an experience made much more common by the widespread use of the Internet. Such exposure occurs primarily to the group age 15 and older, but some youth as young as 11 had experiences to report. Even in the older group, the exposure does not merely evoke laughs or mild discomfort. About a quarter of the exposed youth, or 6% of all regular Internet users said they were very or extremely upset by an exposure. As with sexual solicitations, most exposure incidents, even the distressing ones, do not get reported to adults or authorities, although a proportion of these are disclosed to friends and siblings.

The experiences conform readily to anecdotal accounts from both youth and adult users. Unwanted exposures mostly occur when doing Internet searches, misspelling addresses, or clicking on links. More than a third of the imagery was of sexual acts, rather than simply naked people, and 8% involved some violence in addition to nudity and/or sex.

From a social-scientific view, the issues about youth exposure to unwanted sexual material are difficult to evaluate, in part, because there is almost no prior research on the matter. No one knows the effects of such exposure. The research on exposure to advertising and media violence makes it clear that media exposure can have effects. Media can affect attitudes, engender fears, and model behaviors (both pro and antisocial).

Previous research on exposure to pornography is not relevant to the many issues of concern here. That research has been done with adults and is based on an assumption of voluntary exposure. The present survey shows that in the case of unwanted exposure there are strong negative, subjective feelings for

certain youth and certain youth who manifest symptoms of stress. We do not know how long these feelings or symptoms last or what ramifications they have, but they should mobilize our concern. Questions that should be of particular interest and need attention for future investigation are

- Do any of youth so exposed have full-fledged, clinical-level traumatic reactions or other highly disturbed reactions?
- Is there any influence, traumatic or otherwise, on developing attitudes and feelings about sex?
- Do youth who have experienced unwanted exposure relate to future Internet sexual material in different ways — either more avoidant or more attracted?
- Do Internet exposures to sexual material figure negatively in family dynamics, creating conflicts or barriers in any way?

Nonetheless, for many people, the issues about youth exposure are even more basic than its effects. Whatever the effects, they would argue that people in general and young people in particular have a right to be free from unwanted intrusion of sexual material in a public forum such as the Internet. On this point, some of the constitutional debate about the Internet has concerned what kind of forum the Internet is. Is it a forum like a bookstore, where if it is signposted, people can readily stay away from the sexually explicit material if they so choose, or more like a television channel, where people are much more captive of the material that is projected at them? Clearly, the Internet has aspects of both. But the present research does suggest that, in its current form, it is not simple for those who want to avoid sexual material on the Internet to do so.

Internet Dangers

Parent's Safety Guide

Youth Safety Guide

Safety Tools

Harms of Porn

How Porn Harms Kids

Science of Porn

Teen Testimonials

Just Harmless Fun

Centerfold Syndrome

Pattern of Addiction

Higher Ground

Addiction Resources

Resources for Family

Child Sexual Abuse

Report a Cybercrime

Big Cheese Sites

Donna Rice Hughes

Kids Online

Public Policy Updates

MouseClick Maze (home)



How Pornography Harms Children



Excerpted in part from Kids Online: Protecting Your Children In Cyberspace
by Donna Rice Hughes (Revell, September 1998)

While there are many ways that pornography harms children, I want to assure you that every child who views pornography will not necessarily be affected and, at worst, traumatized in the same way. The effects of pornography are progressive and addictive for many people. Just as every person who takes a drink does not automatically become an alcoholic, every child who is exposed to pornography does not automatically become a sexual deviant or sex addict. However, since pornography has a new door to the home, school, and library through the Internet, it is important for us to look at the many ways that pornography can potentially harm our children.

Exposure to Pornography Threatens to Make Children Victims of Sexual Violence

The Internet has proven a useful tool for pedophiles and sexual predators as they distribute child pornography, engage in sexually explicit conversations with children, and seek victims in chat rooms. The more pornography these individuals access, the higher the risk of their acting out what they see, including sexual assault, rape, and child molestation.

- **Pornography's Relationship to Rape and Sexual Violence**
According to one study, early exposure (under fourteen years of age) to pornography is related to greater involvement in deviant sexual practice, particularly rape. Slightly more than one-third of the child molesters and rapists in this study claimed to have at least occasionally been incited to commit an offense by exposure to pornography. Among the child molesters incited, the study reported that 53 percent of them deliberately used the stimuli of pornography as they prepared to offend. '

The habitual consumption of pornography can result in a diminished satisfaction with mild forms of pornography and a correspondingly strong desire for more deviant and violent material."

- **Pornography's Relationship to Child Molestation**

In a study of convicted child molesters, 77 percent of those who molested boys and 87 percent of those who molested girls admitted to the habitual use of pornography in the commission of their crimes.¹³ Besides stimulating the perpetrator, pornography facilitates child molestation in several ways. For example, pedophiles use pornographic photos to demonstrate to their victims what they want them to do. They also use them to arouse a child or to lower a child's inhibitions and communicate to the unsuspecting child that a particular sexual activity is okay: "This person is enjoying it; so will you."

Exposure to Pornography Frequently Results in Sexual Illnesses, Unplanned Pregnancies, and Sexual Addiction

As more and more children are exposed not only to soft-core pornography, but also to explicit deviant sexual material, they are learning an extremely dangerous message from pornographers: *Sex without responsibility is acceptable and desirable*. Because pornography encourages sexual expression without responsibility, it endangers children's health.

One of the grimmer consequences of adult-like sexual activity among children has been a steady increase in the extent to which youth are afflicted with venereal disease.¹⁴ In the United States about one in four sexually experienced teenagers acquires a sexually transmitted disease (STD) every year, resulting in three million cases of teenage STDs. Infectious syphilis rates have more than doubled among teenagers since the mid-1980s. More children contract sexually transmitted diseases each year than all the victims of polio in its eleven-year epidemic, 1942-1953.¹⁵

Another obvious result of children involved in adult sexual activity is the increased rate of pregnancy among teenagers.

Research has shown that "males who are exposed to a great deal of erotica before the age of 14 are more sexually active and engage in more varied sexual behaviors as adults than is true for males not so exposed."¹⁶ One study reveals that among 932 sex addicts, 90 percent of the men and 77 percent of the women reported that pornography was significant to their addiction.¹⁷

Exposure to Pornography May Incite Children to Act Out Sexually against Other Children

Children often imitate what they've seen, read, or heard. Studies suggest that exposure to pornography can prompt kids to act out sexually against younger, smaller, and more vulnerable children. Experts in the field of childhood sexual abuse report that any

premature sexual activity in children always suggests two possible stimulants: experience and exposure. This means that the sexually deviant child may have been molested or simply exposed to sexuality through pornography.^{viii}

In a study of six hundred American males and females of junior high school age and above, researcher Dr. Jennings Bryant found that 91 percent of the males and 82 percent of the females admitted having been exposed to X-rated, hard-core pornography. Over 66 percent of the males and 40 percent of the females reported wanting to try out some of the sexual behaviors they had witnessed. And among high schoolers, 31 percent of the males and 18 percent of the females admitted actually *doing* some of the things they had seen in the pornography within a few days after exposure.^{ix}

Exposure to Pornography Shapes Attitudes and Values

Most of us caring, responsible parents want to instill in our children our own personal values about relationships, sex, intimacy, love, and marriage. Unfortunately, the powerful irresponsible messages of pornography may be educating our children on these very important life issues. Just as thirty-second commercials can influence whether or not we choose one popular soft drink over another, exposure to pornography shapes our attitudes and values and, often, our behavior.

Photographs, videos, magazines, virtual games, and Internet pornography that depict rape and the dehumanization of females in sexual scenes constitute powerful but deforming tools of sex education. The danger to children stems at least partly from the disturbing changes in attitude that are facilitated by pornography. Replicated studies⁴ have demonstrated that exposure to significant amounts of increasingly graphic forms of pornography has a dramatic effect on how adult consumers view women, sexual abuse, sexual relationships, and sex in general. These studies are virtually unanimous in their conclusions: When male subjects were exposed to as little as six weeks' worth of standard hard-core pornography, they:

- developed an increased sexual callousness toward women
- began to trivialize rape as a criminal offense or no longer considered it a crime at all
- developed distorted perceptions about sexuality
- developed an appetite for more deviant, bizarre, or violent types of pornography (normal sex no longer seemed to do the job)
- devalued the importance of monogamy and lacked confidence in marriage as either a viable or lasting institution

- viewed nonmonogamous relationships as normal and natural behavior^{xi}

Exposure to Pornography Interferes with a Child's Development and Identity

During certain critical periods of childhood, a child's brain is being programmed for sexual orientation. During this period, the mind appears to be developing a "hardwire" for what the person will be aroused by or attracted to. Exposure to healthy sexual norms and attitudes during this critical period can result in the child developing a healthy sexual orientation. In contrast, if there is exposure to pornography during this period, sexual deviance may become imprinted on the child's "hard drive" and become a permanent part of his or her sexual orientation.^{xii}

Psychologist Dr. Victor Cline's findings suggest that memories of experiences that occurred at times of emotional arousal (which could include sexual arousal) are imprinted on the brain by epinephrine, an adrenal gland hormone, and are difficult to erase. (This may partly explain pornography's addicting effect.) Viewing pornography can potentially condition some viewers to have recurring sexual fantasies during which they masturbate. Later they may be tempted to act out the fantasies as sexual advances.

Sexual identity develops gradually through childhood and adolescence. In fact, children generally do not have a *natural* sexual capacity until between the ages of ten and twelve. As they grow up, children are especially susceptible to influences affecting their development. Information about sex in most homes and schools, comes, presumably, in age-appropriate incremental stages based on what parents, educators, physicians, and social scientists have learned about child development. But pornography short-circuits and/or distorts the normal personality development process and supplies misinformation about a child's sexuality, sense of self, and body that leaves the child confused, changed, and damaged.^{xiii}

Pornography often introduces children prematurely to sexual sensations that they are developmentally unprepared to contend with. This awareness of sexual sensation can be confusing and overstimulating for children.

The sexual excitement and eventual release obtained through pornography are mood altering. For example, if a young boy's early stimulus was pornographic photographs, he can be conditioned to become aroused through photographs. Once this pairing is rewarded a number of times, it is likely to become permanent.^{xiv} The result is that it becomes difficult for the individual to experience sexual satisfaction

apart from pornographic images.

Most of us find it difficult to talk to our children about sex in general, let alone the harmful effects of pornography, as graphically described in this chapter. We want to protect the innocence and purity of childhood for as long as possible.

ⁱ W. L. Marshall, "The Use of Sexually Explicit Stimuli by Rapists, Child Molesters, and Nonoffenders," *The Journal of Sex Research* 25, no. 2 (May 1988): 267-88.

ⁱⁱ See H.J. Eysenck, "Robustness of Experimental Support for the General Theory of Desensitization," in Neil M. Malamuth and Edward Donnerstein, eds., *Pornography and Sexual Aggression* (Orlando, Florida: Academic Press, 1984), 314. D. Zillmann, "Effects of Prolonged Consumption of Pornography," in *Pornography: Research Advances and Policy Considerations*, eds. D. Zillman and J. Bryant (Hillsdale, N.J.: Erlbaum, 1989), 129.

ⁱⁱⁱ *Take Action Manual* (Washington, D.C.: Enough is Enough, 1995-96), 9.

^{iv} Neil Postman, *The Disappearance of Childhood* (New York: Vintage, 1994), 137.

^v Tom Minnery, *Pornography: A Human Tragedy* (Wheaton: Tyndale House).

^{vi} K.E. Davis and G.N. Braucht, *Exposure to Pornography, Character and Sexual Deviance*, Technical Reports of the Commission on Obscenity and Pornography (1970), 7.

^{vii} Patrick Carnes, *Don't Call It Love: Recovery from Sexual Addictions* (New York: Bantam, 1991).

^{viii} Stephen J. Kavanagh, *Protecting Children in Cyberspace* (Springfield, VA: Behavioral Psychotherapy Center, 1997), 58-59.

^{ix} Victor B. Cline, *Pornography's Effects on Adults and Children* (New York: Morality in Media, 1990), 11.

^x Edward Donnerstein, "Ordinances to Add Pornography to Discrimination against Women," statement at Public Hearing of Minneapolis City Council Session (12 December 1983). See also Luis T. Garcia, "Exposure to Pornography and Attitudes about Women and Rape: A Correlative Study," *AG* 22 (1986), 382-83. This study found "subjects with a greater degree of exposure to violent sexual materials tended to believe that: (a) women are responsible for preventing their own rape, (b) rapists should not be severely punished, and (c) women should not resist a rape attack. In addition, researchers found that exposure to violent sexual material correlated significantly with the belief that rapists are normal. See also Zillman, "Effects of Prolonged Consumption," 129, and N. Malamuth and J. Centi, 129-37. "Study...results consistently showed a relationship between one's reported likelihood to rape and responses associated with convicted rapists such as sexual arousal to rape stimuli, callous attitudes toward rape, beliefs in the rape myths, and hostility towards women."

^{xi} Cline, *Pornography's Effects*, 8.

^{xii} Kavanagh, *Protecting Children in Cyberspace*, 58-59.

^{xiii} Interview with Ann Burgess, professor of nursing, University of Pennsylvania, 15 January 1997. "Pornography - Victims and Perpetrators," Symposium on Media Violence & Pornography, Proceedings Resource Book and Research Guide, ed. D. Scott (1984).

^{xiv} Jerry Bergman, Ph.D., "The Influence of Pornography on Sexual Development: Three Case Histories," *Family Therapy* IX, no. 3 (1982): 265.



**Alaska State
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FOR IMMEDIATE RELEASE · February 28, 2005

French, Kookesh File Bills to Protect Children
Legislation outlaws Internet victimization, seeks admissibility of interviews

JUNEAU – Sens. Hollis French, D-Anchorage, and Albert Kookesh, D-Angoon, introduced a package of bills today to protect children from crime and its effects.

Two of the bills, Senate Bills 118 and 119, make it a crime to entice minors on the Internet and to send them indecent material electronically..

“These bills will help provide a ‘safety Net’ for Alaska’s children,” said Senator French. “No parent should have to live in fear that a child will receive pornography by e-mail or be lured into a dangerous relationship by a predator. SB 118 and SB 119 will help Alaska’s police and prosecutors bring an end to these terrible acts.”

A third bill in the package, Senate Bill 117, makes recorded statements of victims under 16 admissible in court if they were conducted under certain conditions. These “forensic interviews,” which are conducted in child advocacy centers around the state, are now admissible only if the child victim contradicts his or her earlier statement or cannot remember the event.

“Alaska’s rate of child sexual abuse is among the highest in the nation. We know that the Internet is playing an increasing role in child victimization here as well as around the globe,” said Senator Kookesh. “These bills will help protect Alaska’s children and bring swifter justice for them.”

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PRESS ADVISORY: On Tuesday, March 1, Detective Kevin Vandegriff, Special Assault Unit, Anchorage Police Department, and Michelle Monts, Program Manager, S.A.F.E. Child Advocacy Center in Juneau, will join Senators French and Kookesh at a press availability to discuss the legislation and its impact on child victims. The press availability will be in the Beltz Room at 10:30 a.m.###



**Alaska State
Legislature**
House and Senate
Democrats

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FOR IMMEDIATE RELEASE · March 1, 2005

Police Officer, Interviewer Support Child Protection Bills

Package by French, Kookesh aims at Internet, statements

JUNEAU -- Detective Kevin Vandegriff of the Anchorage Police Department's crimes against children unit, and Michelle Monts, a forensic interviewer and program manager with Juneau's child advocacy center, appeared Tuesday at a Senate Democrats' press conference to endorse a package of child protection bills sponsored by Sen. Hollis French, D-Anchorage, and Sen. Albert Kookesh, D-Angoon.

Two of the bills, Senate Bills 118 and 119, make it a crime to entice minors on the Internet and to send them indecent material electronically. The third bill in the package, Senate Bill 117, makes recorded statements of victims under 16 admissible in court if they were conducted under certain conditions. These "forensic interviews," which are conducted in child advocacy centers around the state, are now admissible only if the child victim contradicts his or her earlier statement or cannot remember the event.

Vandegriff spoke about sexual predation on the Internet.

MP3 actuality: http://akdemocrats.org/Audio/030105_sexpredator1.mp3

He also described his own experiences posing as a minor in a training class in Seattle.

MP3 actuality: http://akdemocrats.org/Audio/030105_sexpredator2.mp3

He also described the effects of predators sending pornography to minors electronically.

MP3 actuality: http://akdemocrats.org/Audio/030105_sexpredator3.mp3

Monts spoke to the reasons for allowing statements made to forensic interviewers to be introduced into evidence.

MP3 actuality: http://akdemocrats.org/Audio/030105_sexpredator4.mp3



Sen. French's introduction
3 minutes - Mpeg4 - 5 MBytes



Michelle Monts' statement
3 minutes - Mpeg4 - 5 MBytes

The bills, introduced Monday, are currently in the Senate Judiciary Committee.

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Putting Alaskans First · Moving Alaska Forward 2005

Sen. Bettye Davis, Sen. Johnny Ellis, Sen. Kim Elton, Sen. Hollis French, Sen. Gretchen Guess, Sen. Lyman Hoffman, Sen. Albert Kookesh, Sen. Donny Olson, Rep. Ethan Berkowitz, Rep. Sharon Cissna, Rep. Harry Crawford, Rep. Eric Croft, Rep. Les Gara, Rep. Berta Gardner, Rep. Max Gruenberg, Rep. David Guttenberg, Rep. Reggie Joule, Rep. Mary Kapsner, Rep. Beth Kerttula, Rep. Carl Moses, Rep. Woodie Salmon