

# The Campaign to Protect Children from Internet Pornography 2018

## 8 Reasons for Lawmakers to Act

**1 – Younger and younger children are accessing internet pornography.** Former UK Prime Minister David Cameron called it “**corroding childhood.**” The average age of first exposure to pornography is 11-years-old (Randel and Sanchez, 2016). However, security technology company Bitdefender found that “children under the age of 10 now account for 22% of online porn consumption under 18 years of age” (British Journal of School Nursing 2017).

A 2008 study found that 14.4% of boys were exposed to porn prior to age 13. By 2011 it had jumped to 48.7% (Your Brain on Porn). The UK’s National Society for the Prevention of Cruelty to Children (NSPCC) found that 28% of 11-12 year-olds have viewed online porn and 53% of 11–16 year-olds have seen explicit material online. Another study found that 10% of 12 -13 year-olds fear they are addicted to pornography (Howse, BBC News, March 2015). From 2014 to 2016 35,310 youth with significant problems with pornography completed a US online treatment program: 87%-male, 13%-female, 75% first viewed porn between 9 and 13 (Fortify Programs). A study in Australia and New Zealand found that 84% of 15-29 year-olds watch pornography daily or weekly. The average age of first exposure was 13 and the most common type was “hard-core.” (Lim, et. al., Australia New Zealand Journal of Public Health, 2017).

**2 – Internet pornography has become sex education for many children.** An article in Child Abuse Review (Flood 2009) stated, “**Particularly among younger children, exposure to pornography may be disturbing or upsetting. While children and young people are sexual beings and deserve age-appropriate materials on sex and sexuality, pornography is a poor, and indeed dangerous, sex educator.**” The journal Pediatrics (Rich 2009) stated, “**...youth accept, learn from, and may emulate behaviors portrayed as normative, attractive, and without risk**” The Journal of the American Academy of Child & Adolescent Psychiatry (Villani 2001) noted that such content “**skews children’s world view, increases high-risk behaviors, and alters their capacity for successful and sustained human relationships.**”

**3 – Children are accessing pornography via mobile devices.** In its “Year in Review” Pornhub, the world’s largest pornography site, said its users watched 4.6 billion hours of pornography in 2016, **61% via smartphone**. Just 28% viewed porn on a desktop computer, 11% on a tablet. The British Journal of School Nursing (2017) noted, “**This new generation is the first to be dealing with such easy to access pornography, effectively by the click of a button on a device that fits into a pocket – the smartphone.**” A 2016 report by Pew Research found that just 16% of US parents use filters or parental controls on mobile devices.

**4 – The exposure of children to internet pornography is causing significant harm to their developing brains.** In the Journal of the American Medical Association Psychiatry, researchers wrote, “**Pornography consumption is associated with decreased brain volume in the right striatum, decreased left striatum activation, and lower functional connectivity to the prefrontal cortex... This could mean that regular consumption of pornography dulls the reward system.**” Dr. Simone Kuhn and Dr. Jurgen Gallinat, the Max Planck Institute” 2014.

In Psychology Today (March 1, 2016) Stanford University Psychologist Dr. Philip Zimbardo wrote “**Plenty of people, including teens and pre-teens with highly plastic brains, find they are compulsively using high-speed Internet porn with their porn tastes becoming out of sync with their real-life sexuality...if we continue to deny that porn can be a problem, we are effectively denying these people, many of them underage, help and guidance.**”

In 2013 in the journal Socioaffective Neuroscience & Psychology, University of Texas Neurosurgeon Dr. Donald J. Hilton, Jr. wrote, “**Addiction is a risk for children and youth who continually access**

**pornographic materials...an extension of reward-based learning that can physically alter the brain and affect later behavior.”**

In 2016 Middlesex University Criminologist Dr. Elena Martellozzo wrote that internet pornography use is linked to increases in problematic sexual activity at younger ages, that **“44% of males aged 11-16 reported that online pornography gave them ideas about the type of sex to try.”** A 2013 report in Computers in Criminal Behavior by Dr. Kathryn Siegfried-Spellar of Purdue University found, **“those who intentionally sought pornography at a younger age are significantly more likely to be users of deviant pornography in the future.”**

A September 2017 report to the British Psychological Society by Elysia Walker and Dr. Emily Doe of the University of Buckingham found that **“the age participants were when they first looked at sexually explicit material predicted the likelihood to engage in sexual behavior at a younger age...exposure to sexually explicit material started on average at twelve years old, with initiation of sexual behavior happening around a year later.”**

A national longitudinal study on sexual violence reviewed 1,586 10-21 year-olds over a six-year period. The study found that **the average age of first perpetration of sexual violence was 15-16 and was strongly associated with two factors:** prior exposure to parental spousal abuse **and current exposure to pornography.** (Ybarra, ML & Thompson, RE, Prevention Science (2017).

**5 – The content has changed.** So-called “soft porn” has all-but-disappeared, replaced by graphic, extreme, degrading content that is damaging the developing brains of children, and affecting what children view as normal. The journal Violence Against Women (Bridges, et. al., 2010) **reported physical aggression in 88.2% of leading pornography scenes and verbal aggression in 48.7% with 94.4% of such aggression directed towards women and girls.**

**6 – The business model of the pornography industry has changed.** Today, many porn sites are free, using the same business model as leading internet companies based on paid advertising. New York Magazine reported that a decade ago total daily adult site traffic averaged less than 1 million unique visitors per day on the entire internet. In 2015 The Economist reported that free pornography tube sites operated by Mindgeek (the world’s largest porn company) alone receive 100 million unique visitors per day. In 2016 Esquire Magazine reported that **users watched 92 billion videos on Pornhub, Mindgeek’s largest site, “23 billion visits to the site in a single year and 4.599 billion hours of porn watched.”** Many visitors to free porn sites are kids.

**7 – The use of filters by parents has not worked. Parents need help.** In the 2002 Supreme Court decision, Ashcroft v. ACLU, Justice Anthony Kennedy suggested that filters would “do the trick.” It is now sixteen years later. That approach has failed. In 2005 Pew Research found that 54% of parents used filters and parental control software. In 2016 Pew reported usage at 39%, just 16% on mobile devices. McAfee reported that of parents who install parental control software, 4 of 5 never actually turn it on. Placing the burden on parents has not worked.

**8 -- We can protect children from internet pornography in a legal, constitutional manner that does not deny access by any adult to any legal content.** In the 2002 Ashcroft decision the Supreme Court struck down parts of the 1998 Child Online Protection Act. The Court agreed it is a legitimate function of government to protect minors from certain internet content, but that it must use the “least restrictive means available.”

The Court did not conclude that Congress is incapable of enacting any regulation of the internet to prevent minors from gaining access to harmful materials. Justice Kennedy wrote **“further evidence might be introduced on the relative restrictiveness and effectiveness of alternatives.”** He also cited the **“current technological reality, a serious flaw in any case involving the internet...the technology of the internet evolves at a rapid pace.”**

Indeed the internet has evolved at a rapid pace, but our approach to protecting children from internet pornography has not. In 2016 Pornhub reported that 61% of its users used smartphones. In 2002 the iPhone didn't exist. The first iPhone was not sold by Apple until 2007. The world has changed. Today, there are new technologies that will keep children off these sites.

**A Model: Age Verification.** On April 24, 2017 the UK Parliament mandated age verification for access to pornography sites. It required all commercial publishers and distributors of pornography online to implement age verification ensuring that those under 18 are not able to gain access. The requirement applies to internet sites wherever in the world they are located and whether or not they sell content directly or are free sites. If they are in business to make money, whether through sale/subscription of content, advertising or other means, they must comply.

The system will be overseen by a regulator. The system will utilize the latest technologies and protect the privacy of users. Thus, site operators will never learn who the user is, only that he or she is at least 18 years of age. The system will not regulate content, it will only prevent access by children. However, the law emphasized that complying with the age verification requirement does not mean that illegal content (child pornography, obscenity, etc.) is protected. Illegal content is still illegal even if sites fully comply with the age verification requirement.

If sites fail to comply, they may be fined by the regulator. If non-compliance continues, the regulator may direct payment providers and ancillary services to deny services to the site. If the site is persistently non-compliant, the regulator may direct ISPs to block access to the site.

Many pornography companies, including Mindgeek, support the new British law and are taking steps to comply, including developing their own age verification systems, subject to the approval of the UK regulator. And there is precedent. Today, online gambling sites use age verification.

**Conclusion.** The UK approach is an excellent model and should be replicated. However, if there are better solutions, we welcome them. It is time for Congress to act. Canadian researcher Dr. Michael Seto called this situation, **“the largest unregulated social experiment in history.”** It is an experiment for which our society is paying a severe price and will pay an even greater price in the future if we fail to act.

Author: Ernie Allen, attorney, served as the President & CEO of the National Center for Missing & Exploited Children (NCMEC) for 23 years until June 2012, and the International Centre for Missing & Exploited Children (ICMEC) until 2014.



**Support HB 1082**