



BILL NO: SB 113
TITLE: Sexual Solicitation of a Minor Through Child Pornography--Prohibition
COMMITTEE: Judicial Proceedings
HEARING DATE: January 25, 2024
POSITION: SUPPORT

Dear Chair Smith, Vice Chair Waldstreicher and Members of the Judicial Proceedings Committee:

I am writing to express support for Senate Bill 113 (SB 113) and to request a favorable report. This legislation ensures that solicitation of a child *and* solicitation of consent of a child's parent, guardian or custodian with the intent to engage in the production or distribution of child pornography with the child, is statutorily prohibited in Maryland. By explicitly codifying solicitation with the intent to commit the production or distribution of child pornography—*more appropriately referred to as child sexual abuse material*—SB 113 improves Maryland law to address the modern methods perpetrators use to solicit, exploit, and victimize children.

The National Center for Missing & Exploited Children (NCMEC) was born in response to an unthinkable tragedy. In 1981, 6-year-old Adam Walsh was shopping with his mother when he vanished without a trace. His devastated parents, John and Revé Walsh, had nowhere to turn for help in finding Adam. Despite his parents' desperate search, ten days after Adam was abducted, he was found murdered more than 100 miles away. John and Revé channeled the painful experience of losing Adam to create NCMEC in 1984. Over the past 40 years, NCMEC has become the leading private, nonprofit organization working to help find missing children, reduce child sexual exploitation and prevent child victimization. NCMEC operates the CyberTipline, the national mechanism for members of the public and online companies to report suspected child sexual exploitation. **Between 2021 and 2022 alone, 16,479 reports of apparent child pornography, and 691 CyberTipline reports of online enticement/sexortion were made available to law enforcement in Maryland from the CyberTipline.**

In NCMEC's experience, child sexual abuse material has a profound and lasting impact on the child victims depicted in the imagery—an impact that extends beyond the trauma caused by the initial production. Distribution of child sexual abuse material perpetuates the victim's abuse, and the existence of this harmful content invades the child's privacy indefinitely. Survivors not only fear the memorialization of their abuse online but also endure perpetual revictimization when the imagery is shared. SB 113 recognizes the effect of sexual exploitation on child victims and sends

a clear message that solicitation of a child with the intent to produce or distribute sexually explicit imagery of the child is a violation of Maryland law.

In light of the known effects of the production and distribution of child pornography—*child sexual abuse material*—on victims, and the troubling efforts of perpetrators soliciting minors for those purposes, NCMEC asks the Judiciary Proceedings Committee to provide SB 113 with a favorable report.

Respectfully submitted,

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