

Written Testimony for **HB 394**: Civil Actions - Distribution of Obscene Material to Minors and Age Verification Information - Please **VOTE YES** to support this bill.

Dear Judiciary Committee:

This bill states “...Establishing that a commercial entity that distributes obscene material to minors on the Internet from certain websites is liable for certain damages; and prohibiting a commercial entity or third party that performs a certain age verification of an individual from retaining any identifying information of an individual under certain circumstances...”

“...REASONABLE AGE VERIFICATION METHODS” INCLUDES VERIFYING THAT A PERSON SEEKING TO ACCESS MATERIAL IS AT LEAST 18 YEARS OLD BY REQUIRING THE PERSON ATTEMPTING TO ACCESS THE MATERIAL TO COMPLY WITH A COMMERCIAL AGE VERIFICATION SYSTEM THAT VERIFIES IN AT LEAST ONE OF THE FOLLOWING WAYS: GOVERNMENT–ISSUED IDENTIFICATION; OR ANY COMMERCIALLY REASONABLE METHOD THAT RELIES ON PUBLIC OR PRIVATE TRANSACTIONAL DATA TO VERIFY THAT THE PERSON ATTEMPTING TO ACCESS THE INFORMATION IS AT LEAST 18 YEARS OLD...”

“...A COMMERCIAL ENTITY THAT KNOWINGLY AND INTENTIONALLY DISTRIBUTES OBSCENE MATERIAL ON THE INTERNET FROM A WEBSITE THAT CONTAINS A SUBSTANTIAL PORTION OF OBSCENE MATERIAL SHALL PERFORM REASONABLE AGE VERIFICATION METHODS TO VERIFY THE AGE OF INDIVIDUALS ATTEMPTING TO ACCESS THE MATERIAL. A COMMERCIAL ENTITY OR THIRD PARTY THAT PERFORMS AN AGE VERIFICATION REQUIRED UNDER THIS SUBSECTION MAY NOT RETAIN ANY IDENTIFYING INFORMATION ABOUT INDIVIDUALS ATTEMPTING TO ACCESS OBSCENE MATERIAL AFTER ACCESS TO THE MATERIAL HAS BEEN GRANTED OR DENIED...”

“...A PERSON MAY BRING AN ACTION AGAINST A COMMERCIAL ENTITY THAT VIOLATES SUBSECTION (C) OF THIS SECTION FOR DAMAGES RESULTING FROM: A MINOR’S ACCESSING OF OBSCENE MATERIAL; OR THE RETENTION OF IDENTIFYING INFORMATION OF AN INDIVIDUAL. A COURT MAY AWARD COSTS AND REASONABLE ATTORNEY’S FEES TO A PREVAILING PLAINTIFF UNDER THIS SECTION...”

This is the kind of bill that needs to be voted into law and one that I can support . I like that commercial entities must use “reasonable age verification methods” to make sure

that a person seeking to access the information is at least 18 years old. I like that the commercial entity cannot retain any identifying information about a person seeking access to this information. These stipulations hold the entity accountable. I also like that if a commercial entity breaks either of these stipulations that there are consequences to these actions. The consequences to violating these stipulations are reasonable.

This is a well-written bill that is very much needed in order to protect our children from obtaining obscene materials and viewing images their brains should not have to try to process.

Please read below as to what viewing obscene material does to the brains of minor children.

Regardless of your political affiliation, I think we can all agree that pornographic, obscene, inappropriate material, whatever term you want to use, is very damaging to minor children! Here are a few objective resources and their citations.

“Pornographic content can harm children. Exposure to pornography at a young age may lead to poor mental health, sexism and objectification, sexual violence, and other negative outcomes. Among other risks, when children view pornography that portrays abusive and misogynistic acts, they may come to view such behaviour as normal and acceptable.”

<https://www.unicef.org/harmful-content-online#:~:text=Pornographic%20content%20can%20harm%20children&text=Exposure%20to%20pornography%20at%20a,violence%2C%20and%20other%20negative%20outcomes>.

“Consumption of pornography is associated with many negative emotional, psychological, and physical health outcomes. These include increased rates of depression, anxiety, acting out and violent behavior, younger age of sexual debut, sexual promiscuity, increased risk of teen pregnancy, and a distorted view of relationships between men and women. For adults, pornography results in an increased likelihood of divorce which is also harmful to children. The American College of Pediatricians urges healthcare professionals to communicate the risks of pornography use to patients and their families and to offer resources both to protect

children from viewing pornography and to treat individuals suffering from its negative effects...

Sexual predators have purposefully exposed young children to pornography for the purpose of grooming the children for sexual exploitation.¹⁴ Pornography exposure at these young ages often results in anxiety for the child.¹⁵ Children also report feelings of disgust, shock, embarrassment, anger, fear, and sadness after viewing pornography.¹⁶ These children can suffer all of the symptoms of anxiety and depression. They may become obsessed with acting out adult sexual acts that they have seen, and this can be very disruptive and disturbing to the child's peers who witness or are victimized by this behavior. Children under twelve years old who have viewed pornography are statistically more likely to sexually assault their peers.¹⁷ In sum, children exposed to pornographic material are at risk for a broad range of maladaptive behaviors and psychopathology...

There is evidence that society's acceptance of pornography creates unique problems for women. The use of pornography can result in violent and sexually aggressive attitudes towards women. Men who consume pornography are more likely to adopt rape myth ideology, which is that women cause rape or actually enjoy rape or sexual assault...

Pornography use by adolescents and young adults often leads to a distorted view of sexuality and its role in fostering healthy personal relationships. These distortions include the overestimation of the prevalence of sexual activity in the community, the belief that sexual promiscuity is normal, and the belief that sexual abstinence is unhealthy.³⁴ These perspectives are likely to make it more difficult for young people to form lasting, meaningful relationships with the opposite sex, which will ultimately result in more anxiety, depression, and overall life dissatisfaction...

Children suffer many negative effects due to modern society's exposure to and acceptance of pornography. These negative effects include mental disturbance and unrest for the young school age child, including acting out and violent behavior. Because of its harmfulness to children, pornography must never be used as a tool to

teach children human sexuality. For older adolescents and young adults, pornography teaches a false narrative regarding human sexuality and how men and women form healthy sexual relationships. This makes it more difficult for young men and women to form authentic, stable relationships. For parents, pornography is divisive resulting in a decreased quality of marriage and increasing the likelihood of divorce and separation which has been well documented to be harmful to children...”

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

According to an article from The Bark Team date January 30, 2023:

“Here are just a few of the effects porn has on young brains:

- **Porn alters the structure and development of immature brains.** Studies show that porn can [damage a developing prefrontal cortex](#). The area of your brain is critical for decision-making and impulse control—when damaged, children are more likely to act impulsive and make rash decisions. Porn can also damage the dopamine reward system, making it more difficult to find excitement or fulfillment in healthy relationships.
- **Viewing porn skews reality thanks to mirror neurons.** Dr. Sharon Cooper, a forensic pediatrician and faculty member at the University of North Carolina School of Medicine, argues that children are more vulnerable to pornographic images than adults because of [mirror neurons in the brain](#). Mirror neurons play an important role in how children learn and convince people that they are actually experiencing what they see. Because these observed encounters seem so real to children, they are likely to believe this is how sex and relationships work in the real world—when that’s often far from the truth.
- **Mainstream porn normalizes and reinforces sexist ideas and harmful gender roles.** Experts say that [by age 10, gender stereotypes are established](#) in the minds of children. Considering the average age kids are exposed to porn is between 9-11 years old, much of what they see can be cemented into their long-lasting ideas on gender roles. Unfortunately, these images aren’t usually positive. A study of adolescent porn use concluded that the [major messages presented by porn](#) are male domination, hypermasculinity and making male sexual pleasure the top priority. These stereotypes, when pushed to the extreme, as they often are in porn, include men being dominating, unemotional and controlling and women being submissive,

emotional and weak. When acted upon, these gender stereotypes can lead to an increase in violent and risky behavior for boys and depression and exposure to violence for girls.

- **The Dangers of Porn**

The effects of porn on the brain can lead to real dangers and damages in the present and long term. Surveys show that the earlier children are exposed to porn, the more likely they will regularly view it and experience more of its effects and dangers.

Here are a few of the potential dangers that come from early exposure to porn:

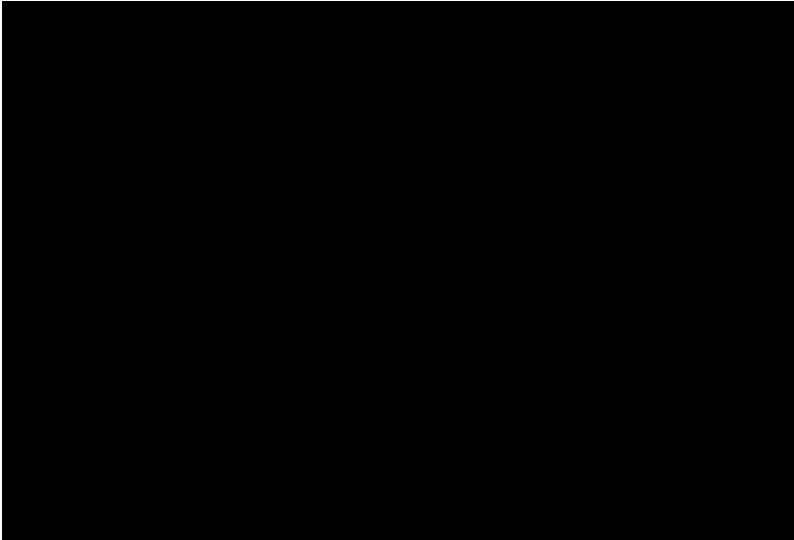
- **Porn can keep people from forming and maintaining healthy relationships.** Because porn skews children's view of what a normal relationship, sexually and otherwise, looks like, they are often bound to expect things that aren't reasonable or healthy from their partner. When these expectations aren't met or enforced without consent, one or both sides of the relationship will fail.

Sexual violence is perpetuated by porn. A review of mainstream porn has shown that [physical aggression occurred in 88.2% of scenes and verbal aggression in 48.7%](#). Men committed 70.3% of all aggressive acts and 94.4% of aggression was directed toward women. This repetitive reinforcement of gender stereotypes, violence and a male-centered narrative in pornography can lead to an increase in sexual violence toward women in the future.

- **Brains that have been rewired by viewing porn can lead to poor decision-making.** In relationships and beyond, desensitization to high dopamine levels can make even the highest-best moments a little less exciting. Plus, increased impulsivity means that when important decisions are

to be made, people are more likely to jump to conclusions than make an informed decision.”

[A Child's Brain on Porn: The Dangers and Damages](#)



A Child's Brain on Porn: The Dangers and Damages

The Bark Team

Did you know 90.73% of teens have encountered nudity or content of a sexual nature online? Learn more about your...

I could have listed many more citations, but I felt like this was certainly enough for all of you to get the idea of how dangerous obscene pornographic, inappropriate material is for minor children. In my research, I have not seen any website or other

resource where there were positive outcomes from minor children being exposed to pornographic material.

Therefore, I implore you to **SUPPORT** this bill and keep this pornographic material away from our children. Their futures depend on you doing so.

Thank you for your courtesy and cooperation.

Trudy Tibbals, A Very Concerned Mother of 3 and Maryland resident