



TESTIMONY FOR SB0736 Criminal Law - Obscene Matter - Visual Representation of Child

Bill Sponsor: Senator Benson

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0736 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Protecting children is hard today with social media and AI. Child pornography has been a problem for decades, but with newer technology, it is imperative that we set strict laws to protect a child from predators and also from being exploited in ways that their friends and neighbors can gain access.

This bill, if enacted, would raise the penalties from 5 to 10 years in jail and the fine from \$2,500 to \$25,000 for anyone who intentionally accesses and views a film, videotape, photograph, or other visual representation showing an actual child or a computer-generated image that is indistinguishable from an actual and identifiable child who is engaged as a subject of sadomasochistic abuse; engaged in sexual conduct; or in a state of sexual excitement. It also raises the age for the definition of a child from 16 to 18 years of age. For persons with prior convictions, the penalty goes from 10 to 20 years and the fine from \$10,000 to \$50,000.

The child may bring a civil suit in these cases and may be awarded –

- actual damages
- punitive damages not exceeding \$250,000
- reasonable attorney's fees and costs
- any other appropriate relief

Our members feel that these stricter penalties and the ability to sue for damages are more in line with the kinds of protections that our children need and deserve.

We strongly support this bill and recommend a **FAVORABLE** report in committee.