

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-1439

AN ACT CONCERNING THE DEFINITION OF "CHILD SEXUAL ABUSE

Title: MATERIAL".

Vote Date: 4/8/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/10/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

To maintain consistency with federal law, this bill aligns the Connecticut definition of "child sexual abuse material" in C.G.S. §53a-193 with the federal definition of "child pornography," mainly by adding "indistinguishable" to the statute.

SUBSTITUTE LANGUAGE:

At the request of the Division of Criminal Justice (DCJ), the substitute language amends line 90 with a technical change and summarizes the language in lines 92 through 95 to say that this definition doesn't apply to drawings, cartoons, sculptures, or paintings.

RESPONSE FROM ADMINISTRATION/AGENCY:

Patrick Griffin, Chief State's Attorney's Office, Division of Criminal Justice (DCJ): DCJ supports the legislative effort to amend the states' general statutes aligning Connecticut's definition of "child sexual abuse material" with the federal definition of "child pornography." They do suggest a technical change in line 90, saying that the second "of" in the sentence should be removed from the text. They also say lines 92 through 95 can be simplified to: "This definition does not apply to visual depictions that are drawings, cartoons, sculptures, or paintings depicting persons under sixteen years of age."

John R. DelBarba, Assistant Legal Counsel, Office of the Chief Public Defender (OCPD): OCPD opposes this bill because they believe that it's regarding a very important issue that, at a minimum, should be examined further by either a working group and/or the

Connecticut Sentencing Commission. They note that the Sentencing Commission had developed a similar proposal in recent years, but it was not raised for a public hearing. They oppose the bill as drafted and ask the committee to take no action on it.

NATURE AND SOURCES OF SUPPORT:

Mark Conway, Detective, Watertown Police Department: Mark Conway supports this bill because he has been investigating child sexual abuse and child exploitation cases for over sixteen years, and he believes that the current definition of child sexual abuse material (CSAM) needs to be revised. Due to the rise of artificial intelligence (AI) in CSAM that they've seen in their line of work, they believe that the bill's proposed language regarding the definition of CSAM as material including a person under 16 and persons who appear indistinguishable from persons under 16 aligns with the longstanding federal definition of child pornography, and aligning Connecticut with many other states would be helpful.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Alex Sferrazza

Date: April 17, 2025