



**BILL NO:** HB 1143  
**COMMITTEE:** Courts of Justice  
**SESSION:** 2024 Regular Session  
**POSITION:** SUPPORT

To the Honorable Chair and Esteemed Members of the Courts of Justice Committee:

I write on behalf of the National Center for Missing & Exploited Children in strong support of HB 1143, legislation that replaces the term "child pornography" with the term "child sexual abuse material" throughout the Virginia Code. The term *child sexual abuse material* more accurately communicates the true, and devastating impact that producing, possessing, receiving, and distributing sexually explicit material depicting minors has on the child victims whose sexual abuse is memorialized in these harmful images.

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. Today, NCMEC serves as the Congressionally designated national clearinghouse on issues related to missing and exploited children, and assists families, law enforcement, and members of the public to find missing children and reduce child victimization.

For over twenty years, NCMEC has operated the CyberTipline—the national mechanism for the public and electronic service providers (ESPs) to report child sexual exploitation—and has handled over 152 million reports relating to child sexual abuse material. In 2022 alone, NCMEC received more than 32.1 million CyberTipline reports containing over 88 million images, videos, and other content related to suspected child sexual exploitation; and **12,104 CyberTipline reports related to apparent child sexual abuse material were made available to law enforcement in Virginia.**

**We know that words have power.** Pornography implies consent, and the term "child pornography" implies consent that a child cannot legally provide. Revising state law to call this abusive content exactly what it is—child sexual abuse material—will further ensure that Virginia's statutory law unequivocally recognizes the devastating impact of sexual abuse material on children. NCMEC has long advocated for use of the phrase, "child sexual abuse material," because terminology like "child pornography" is both inadequate and inaccurate to describe the rape and sexual abuse of children. **Child sexual abuse material** more clearly

describes this content than the current legal term, child pornography:

- The term child sexual abuse material communicates the actual circumstances of a child's abuse and the trauma inflicted on them by the filming of the abuse and the distribution of abusive images and videos by offenders online.
- Images and videos of the rape and sexual abuse of children are crime scene photos, and Virginia's statutory term should reflect the actual crime, rather than the euphemistic reference to pornography, which connotes legal sexual activity.
- Removing the term pornography from the legal definition appropriately conveys that the child victim has no consent, no control and no choice relating to their sexual victimization or the recording and dissemination of materials documenting their abuse.
- The continued colloquial use of terms like "child pornography", "kiddie porn" or "sex with a child" culturally normalize the abuse and can desensitize others to think of the abuse as "just pictures." By changing the term to child sexual abuse material, Virginia will accurately describe these images as illegal contraband and statutorily convey the damaging trauma inflicted on children by the circulation of their abusive images.

Prompt action by the General Assembly will ensure that Virginia remains at the forefront of child protection law. State legislatures are actively revising "child pornography" statutes to ensure that the language of the law reflects the nature of the harm. Nine States already use a term other than "child pornography" to statutorily address sexual depictions of minors (Arkansas, Maine, Montana, Nevada, New Hampshire, New Mexico, Utah, Vermont *and* Washington State), and currently [Missouri](#), [Oklahoma](#), and [Pennsylvania](#) are advancing similar legislation. **In Congress**, two active bills include changes to federal law that specifically adopt the term "Child Sexual Abuse Material" as replacement for "child pornography" (see [S. 1199 referred to as the Stop CSAM Act](#) and [S. 1207 commonly referred to as the Earn It Act](#)).

A survivor of child sexual abuse may never resolve the physical anguish caused by the degradation of their bodies or recover from mental injuries caused by their abusers, but with the passage of HB 1143, child survivors in Virginia will know that memorialization of their abuse will be called exactly what it is—**child sexual abuse material**. I urge the members of this Committee to provide a favorable report for HB 1143.

Respectfully submitted,

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State Policy Counsel