



Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 382 with Sponsor Amendments
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The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 382 with Sponsor Amendments.

Senate Bill 382 –Age Verification - Display of Obscene Materials to Minors

This bill requires a website operator or other person who displays, exhibits, sells, shows, or advertises for sale obscene items to verify the age of the user. The sponsor's office has advised MCASA that sponsor amendments will clarify that these requirements apply to digital materials.

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 behavior as normal and acceptable. UNICEF, <https://www.unicef.org/harmful-content-online>.

Maryland law prohibiting exposing children to obscene materials dates from the pre-Internet era. SB382 modernizes the law by requiring that those using digital obscene materials take steps to ensure those viewing the materials are adults. The bill offers two options to verify age, described in the accompanying fiscal note as:

The IEEE standard establishes a framework for the design, specification, evaluation, and deployment of age verification systems. IEEE defines age verification as a system that relies on hard identifiers and/or verified sources of identification that provide a high degree of certainty in determining the age of a user. The IEEE standard was published in November 2021.

The ISO is a worldwide federation of national standards bodies. ISO defines age verification as a subset of age assurance (i.e., methods to determine a person's minimum,

maximum, or actual age or age range) that refers to the process of age determination by reference to identity attributes associated with a person. Currently, ISO has a draft standard that (1) has been distributed for review and comment; (2) is subject to change without notice; and (3) may not be referred to as an international standard.

MCASA takes no position on these standards, however, strongly supports modernizing the law to require age verification in the digital realm prior to permitting access to obscene materials.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 382 with Sponsor Amendments**