



The Georgia Green Party

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Ecological Wisdom • Grassroots Democracy • Social Justice • Peace and Non-Violence
Decentralization • Community-Based Economics • Feminism • Respect for Diversity
Personal and Global Responsibility • Future Focus on Sustainability

Testimony on behalf of the
Georgia Green Party
on HB-910 (LC 56 0039)

CONDITIONAL SUPPORT

January 31st, 2024

The Georgia Green Party is a registered political body under the Georgia Election Code, empowering us to nominate candidates for public office. Our members affirm Green Values as a basis for organizing, and particularly relevant for this testimony including feminism and social justice. Our 1998 Nominating Convention hosted in Wrightsville Georgia, adopted a Platform which expresses positions on matters of public policy that we expect our members to advocate for as candidates for public office and as publicly elected officials when they are elected. We continue to revise this document at our annual conventions.

Since the adoption of the Family plank at our 2001 Athens Annual Convention, our state party Platform has asserted “that the State has an equal responsibility to utilize every appropriate means possible to protect children from deprivation and abuse.” The officers of our party believe that exposure to pornographic material is a form of child abuse. We are extremely concerned that the average age of first exposure to pornographic materials, according to a 2023 New York Times article on the subject¹, is 12 years old and that 75% of teenagers have seen online pornography by age 17.

We write to express our broad support for this bill’s intention to protect Georgia children from child abuse and our conditional support for the particulars of this bill.

We assume that ‘material harmful to minors’ is intended here to refer to pornographic materials. We are concerned, however, that in the absence of a precise definition for that term, that this legislation poses a risk of scope creep which might in the future be leveraged to proscribe what we believe should be protected political speech.

1 Three-Quarters of Teenagers Have Seen Online Pornography by Age 17 --
<https://www.nytimes.com/2023/01/10/technology/porn-teens-online-report.html>

As a place to start, we'd suggest language adapted from 18 US Code 2257, to add a new subsection, re-designating the existing subsections as appropriate:

(a) As used in this Code Section, the term 'material harmful to minors' shall mean any book, magazine, periodical, film, videotape, digital image, digital - or computer-manipulated image of an actual human being, picture, or other matter which contains one or more visual depictions of actual sexually explicit conduct. The term shall not mean such images produced and distributed to advance legitimate sexual education purposes.

Our members share concerns for an enveloping security state and, while we fully support efforts to protect young people from exposure to pornography, we are concerned that it not be done in a way which undermines Georgians' rights to privacy on the internet. We appreciate that HB-910 seems to take some steps to guard against this threat, and we'd like to better understand how these mechanisms will protect our privacy rights.

The trafficking and pornography industry threaten far more than minors. We understand the limited scope of this bill allows us to examine these broad harms in a discrete bite-sized piece. Still, we would welcome an opportunity to consider legislation which seeks to remedy the harms to the so-called 'performers' who the evidence suggests are often victims of trafficking and exploitation, to the consumers (regardless of age), to their families and to the treatment and status of women and girls, generally.

We welcome the fact that Georgia's Attorney General Christopher M. Carr joined South Carolina Attorney General Alan Wilson and twenty-four other Attorneys General in a letter² asking Aylo, the parent company of Pornhub, to address a loophole in the platform's moderation process which a company employee acknowledged allows content featuring children and victims of human trafficking on the site. This admission was recorded with one-party consent by Arden Young, an investigative journalist with Sound Investigations which has published a growing number of video reports on its investigation of the Ottawa Ontario based company. Pornhub is the largest online pornography platform on the web. Its parent company is vertically integrated encompassing production and distribution and exercises monopoly control over the pornography industry.

We note that many experts in the field have observed that when we fail in their best interests to provide our young with comprehensive and age-appropriate sex education, that we abandon that task to the pornography industry. The industry serves its shareholders' views of our young as a market to be exploited. As a state, we have a responsibility to see them as a vulnerable population deserving our protection.

2 Re: Adult Entertainment and Exploitation of Children A September 29, 2023 letter from 26 Attorneys General of US states to Aylo's Vice President of Compliance -- <https://www.scag.gov/media/bnblihi/attorneys-general-letter-to-aylo-and-ecp-loophole-in-content-moderation-signed-9-29-2023.pdf>

While our convention has not previously considered these questions, among our officers is one who has over the past thirty years studied the pornography industry and its adverse impacts and who urges that we also look at:

- the McKinnon-Dworkin model legislation³ on the subject as a point of departure for further consideration; and
- refinements to the sex education curricula used in Georgia's public schools with an eye to incorporating lesson plans⁴ which critically examine pornography and the adverse impacts of this exploitative industry.

Our officers urge that your committee invite the oral testimony of subject matter experts, including some within our ranks, on the pornography industry and its harms. We are prepared to recommend suitable witnesses to the sponsors of this legislation and the chairs of the committees which might consider it.

With 11% of respondents to a 2019 nationally representative sample of adult Internet users self-reporting an addictive relationship with pornography⁵, we urge the formation of a study committee to examine the industry and to recommend for consideration in the coming legislative term appropriate comprehensive state regulation to protect the health and welfare of Georgia citizens.

Thank you for this opportunity to comment on HB-910.

For a just and sustainable future,

s/ Denice Traina, Co-Chair
s/ Kristin Zebrowski, Co-Chair
s/ Ayman Fadel, Treasurer
s/ Hugh Esco, Secretary

on behalf of the Georgia Green Party

3 The ordinance has been introduced six times, enacted twice, was discussed at length by one of its authors in this article: <https://www.tandfonline.com/doi/full/10.1080/10811680.2020.1805948> and the version introduced into the Massachusetts Assembly, was entitled, "An Act to protect the civil rights of women and children", and archived here: <http://www.nostatusquo.com/ACLU/dworkin/OrdinanceMassComplete.html>

4 Pornography-Critical Sex Ed Curriculum -- <https://culturereframed.org/courses/>

5 Self-reported addiction to pornography in a nationally representative sample: The roles of use habits, religiousness, and moral incongruence -- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7044607/>