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April 11, 2017

Representative Taylor Barras
Speaker of the House of Representatives
P.O. Box 94062
Baton Rouge, Louisiana 70804

Senator John A. Alario, Jr.
President of the Senate
P.O. Box 94183
Baton Rouge, Louisiana 70804

RE: HCR 12 OF 2011

Dear Mr. Speaker and Mr. President:

The Louisiana State Law Institute respectfully submits herewith its report to the legislature relative to childhood addiction to pornography.

Sincerely,

A handwritten signature in cursive script that reads "William E. Crawford".

William E. Crawford
Director

WEC/puc

Enclosure

cc: Representative Tim Burns

email cc: David R. Poynter Legislative Research Library
drplibrary@legis.la.us
Secretary of State, Mr. Tom Schedler
admin@sos.louisiana.gov

**LOUISIANA STATE LAW INSTITUTE
CHILDHOOD ADDICTION TO PORNOGRAPHY TASK FORCE**

**REPORT TO THE LEGISLATURE
IN RESPONSE TO HCR 12 OF THE 2011 REGULAR SESSION**

Relative to childhood addiction to pornography

Prepared for the
Louisiana Legislature on

April 11, 2017

Baton Rouge, Louisiana

**LOUISIANA STATE LAW INSTITUTE
CHILDHOOD ADDICTION TO PORNOGRAPHY TASK FORCE**

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Regular Session, 2011

HOUSE CONCURRENT RESOLUTION NO. 12

REPRESENTATIVE TIM BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to appoint and convene a task force to evaluate Louisiana's existing laws, programs, and services that address childhood addiction to pornography and to report its findings and recommendations for additional steps necessary to further address this issue to the Legislature of Louisiana.

WHEREAS, the Legislature of Louisiana has recognized the need for intervention in the lives of children to help provide them with safe, healthy, successful, and productive lives; and

WHEREAS, the Internet provides a constant, ever-changing source of information and entertainment, where email, blogs, social networks, and message boards allow for both public and anonymous communication about any topic; and

WHEREAS, according to statistics published by Family Safe Media, in 2006, there were over four million pornographic websites, which is twelve percent of the total number of websites available on the Internet; and

WHEREAS, approximately twenty-five percent of daily search engine requests involve searches for pornographic material, over forty-two percent of Internet users are viewing pornographic material, and thirty-four percent of Internet users have received unwanted exposure to sexual material through the Internet; and

WHEREAS, the average child sees his first pornographic image at the age of eleven, and according to researchers, about ninety percent of children between the ages of eight and sixteen have viewed pornography; and

WHEREAS, children with significant exposure to sexuality in the media were shown to be significantly more likely to have had intercourse at ages fourteen to sixteen, and such exposure has been shown to lead to physical sexuality, an increase in the spread of sexual diseases, and an increase of unwanted pregnancies by young children; and

WHEREAS, neurological studies, including brain scans, of children who have become addicted to Internet pornography has revealed that the physiological changes in the brain of a pornography addict closely resemble those who are addicted to alcohol and drugs, and that this addiction has an especially deep impact on children between the ages of eight and twelve whose brains are still developing; and

WHEREAS, a study published in *The Journal of Sex Research* found that children under the age of fourteen years who are habitually exposed to pornographic material have an increased likelihood of becoming sexual predators, especially rapists; and among child molesters, research found that fifty-three percent used pornography as a prelude to their molestation; and

WHEREAS, the Louisiana Legislature has recognized the devastating impact of childhood addiction to pornography and has recognized the important need to evaluate Louisiana's current ability to address this issue and to revise current measures and implement new measures to properly address this growing issue; and

WHEREAS, in conducting this evaluation, it is necessary that the Louisiana State Law Institute appoint and convene a task force composed of representatives of each of the following: the Department of Children and Family Services; the Children's Cabinet; the Governor's Advisory Board of Juvenile Justice and Delinquency Prevention; the Louisiana Commission on Addictive Disorders; the Department of Education; the Department of Health and Hospitals, office of behavioral health; the Louisiana Information Technology Board; the Juvenile Justice Reform Act Implementation Commission; the Children's Code Committee of the Louisiana State Law Institute; the Criminal Code Committee of the Louisiana State Law Institute; the Louisiana District Attorneys Association; the Louisiana Public Defender Board; the Louisiana Sheriff's Association; the Department of Public Safety and Corrections, office of juvenile justice; the Louisiana Commission on Marriage and Family; the Louisiana House of Representatives; the Louisiana Senate; and any other entity concerned with the well-being of children in this state.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to appoint and convene a task force to evaluate Louisiana's existing laws, programs, and services that address childhood addiction

to pornography and to report its findings and recommendations for additional steps necessary to further address this issue to the Legislature of Louisiana.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute report its findings and recommendations to the Legislature of Louisiana no later than January 1, 2013.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana State Law Institute.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

April 11, 2017

To: Representative Taylor F. Barras
Speaker of the House
P.O. Box 94062
Baton Rouge, Louisiana 70804

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**REPORT TO THE LEGISLATURE
IN RESPONSE TO HCR 12 OF THE 2011 REGULAR SESSION**

HCR No. 12 of the 2011 Regular Session urged and requested the Louisiana State Law Institute to appoint and convene a task force to evaluate Louisiana's existing laws, programs, and services that address childhood addiction to pornography and to report its findings and recommendations for additional steps necessary to address this issue. To that end, the Law Institute assembled the Childhood Addiction to Pornography Task Force.

The Task Force has researched the effects that viewing sexually explicit material has on children and found the following:

The widespread prevalence of childhood exposure to sexually explicit material has many detrimental effects that require the issue to be called a public health hazard. Research shows that an increasing number of children view sexually explicit material at a younger age—one in three ten-year-olds views pornography, and half of children ages 12 to 15 view pornography.¹ Childhood viewing of sexually explicit material alters brain development and is linked to engaging in early sexual behavior.²

Further, adolescents who viewed pornography have been found to be more likely to engage in deviant and casual sex.³ Childhood consumption of pornography has been linked to higher rates of sexual crimes, difficulties in intimate relationships, promotion and acceptance of

¹ Jochen Peter & Patti M. Valkenburg (2016) Adolescents and Pornography: A Review of 20 Years of Research, *The Journal of Sex Research*, 53:4-5, 509-531, DOI:10.1080/0224499.2016.1143441. <http://www.onenewsnow.com/culture/2015/07/20/1-of-3-10-year-olds-view-porn>.

² Owens, E.W., Behun, R., Manning, J., & Reid, R. (2012). The impact of Internet pornography on adolescents: A review of the research. *Sexual Addiction and Compulsivity* 19, 99-122. Hilton, D.L., & Watts, C. (2011). "Pornography Addiction: A Neuroscience Perspective." *Surgical Neurology International*, 2, 19.

³ Häggström-Nordin, E., Hanson, U., and Tydén, T. (2005). Associations between Pornography Consumption and Sexual Practices among Adolescents in Sweden. *International Journal of STD & AIDS*, 16, 104-105.

the “rape myth,” and breakdowns in families.⁴ The viewing of violent pornography has also caused a six-fold increase in the rate of self-reported sexual aggressiveness.⁵ Finally, this increased consumption leads to addiction, which has been found by some studies to be similar to drug addiction.⁶ This increased viewing of sexually explicit material among children and adolescents is a public health hazard because of the many deleterious personal effects it has not only on the individual, but also on the individual’s family members and society as a whole, especially those who could become victims of an individual’s aggressive behavior.⁷

The Task Force proposes the following recommendations to address this issue:

1. Recognize and label childhood exposure to sexually explicit material as a public health hazard leading to a broad spectrum of individual, societal, and public health impacts. Begin a statewide public service campaign about childhood exposure to sexually explicit material. For example, the Office for Victims of Crime (“OVC”) Human Trafficking’s website provides a series of videos on the different aspects of human trafficking, including information on the different kinds of trafficking that exist and information on effective victim services.⁸ Additionally, Louisiana has websites dedicated to human trafficking and safe haven laws that include hotlines to call for help or more information.⁹ The legislature should consider devoting a website to the dangers of childhood exposure to sexually explicit material and providing informational and educating videos to the public. The legislature should also consider establishing a hotline to help combat childhood exposure to sexually explicit material.

2. Institute a school curriculum requirement and an educational program similar to D.A.R.E. to address this issue in classrooms for children of the appropriate age. Post additional information to the websites of state government and schools, and also post age-appropriate posters in the classrooms to educate students about the proper response to pornographic materials. Publish a book in the series *Know More Louisiana*, which targets teenagers.¹⁰ The series includes topics such as bullying, suicide, peer pressure, and sexual assault, and the addition of a book on childhood exposure to sexually explicit material would fit neatly into the series’ existing subjects.¹¹ Require filters on all electronic devices children have access to through school.

⁴ Paolucci-Oddone, E., Genuis, M., & Violato, C. (2000). A meta-analysis of the published research on the effects of pornography. In C. Violato, E. Paolucci-Oddone, & M. Genuis (Eds). *The Changing Family and Child Development* (pp. 48-59). Aldershot, England: Ashgate Publishing.

⁵ <https://www.ncbi.nlm.nih.gov/pubmed/21046607>.

⁶ *The Impact and Effect of Obsessive Exposure to Pornography with the Potential of Dysfunctional Transference Towards the Sexual Exploitation of Children*, Bureau of Market Research, University of South Africa, 2015. Hilton, Donald, M.D., *Pornography Addiction-A Supranormal Stimulus Considered in the Context of Neuroplasticity, Socioaffective Neuroscience & Psychology* (2013). Angres, D.H., and Bettinardi-Angres, K. “The Disease of Addiction: Origins, Treatment, and Recovery.” *Disease-a-month* 54 (2008): 696-721.

⁷ *Pornography & Public Health: Research Summary*, National Center on Sexual Exploitation, 2016.

⁸ Office for Victims of Crime Human Trafficking, accessed January 30, 2017 <https://ovc.ncjrs.gov/humantrafficking/publicawareness.html>.

⁹ *The Louisiana Human Trafficking Report*, <http://www.modernslaveryresearch.org/the-louisiana-human-trafficking-report> (accessed February 6, 2017); Department of Children and Family Services, <http://www.dss.state.la.us/index.cfm?md=pagebuilder&tmp=home&pid=206>.

¹⁰ *Know More Louisiana*, <http://www.knowmorelouisiana.com/educational-resources> (accessed February 6, 2017).

¹¹ *Id.*

3. Focus on parental education. The Attorney General's Cyber Crimes Unit should continue to offer parental education. Its website currently has a page dedicated to cyber safety that focuses on educating parents about keeping their children safe on the Internet not only from predators, but also from inappropriate content, and about setting appropriate rules for computer use and communication about Internet material.¹² Posting educational information at public locations such as health clinics and libraries would also be beneficial.

4. Seek technological solutions from all such providers. Require filters on all electronic devices sold in Louisiana to protect children from observing pornography. The United States Supreme Court case of *Ashcroft v. ACLU*¹³ held that requiring filters is a less restrictive means of protecting children from pornography on the Internet. Another tactic would involve asking large technological companies such as Apple as well as Internet providers such as Google to filter inappropriate material themselves. Former Prime Minister David Cameron of the United Kingdom opined that companies have a "moral duty" to filter this type of obscene content.¹⁴

5. Require age verification to websites. Stringent age-verification processes are already in place for online sales in the tobacco industry. The process includes requiring the purchaser's full name, date of birth and residential address, as well as verifying the purchaser's age on a third-party website whose information comes from government sources.¹⁵

6. Require all public free Wi-Fi to block adult content.

In conclusion, the Task Force believes that the best way to combat childhood exposure to sexually explicit material at this time is through education and training.

¹² Louisiana Department of Justice Attorney General's Office, <https://www.ag.state.la.us/Article.aspx/45?catId=0> (accessed February 6, 2017).

¹³ *Ashcroft v. ACLU*, 542 U.S. 656, 666–670 (2004).

¹⁴ The Guardian, <https://www.theguardian.com/technology/2013/jul/22/david-cameron-crackdown-internet-pornography> (accessed February 6, 2017).

¹⁵ Fierce Retail, <http://www.fierceretail.com/operations/online-age-verification-no-longer-impossible-fact-it-s-required> (access February 6, 2017).