



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

Testimony of the Division of Criminal Justice

In Support of:

S.B. No. 34 An Act Concerning Computer Crimes Against Children

H.B. No. 5533 (RAISED) An Act Concerning Sexting

Joint Committee on Judiciary

March 22, 2010

The Division of Criminal Justice respectfully recommends and requests the Committee's Joint Favorable report for Governor's Bill S.B. No. 34, *An Act Concerning Computer Crimes Against Children*, which amends General Statutes § 53a-90a. The Division of Criminal Justice also respectfully recommends and requests the Committee's Joint Favorable report for H.B. No. 5533, *An Act Concerning Sexting*. The Division of Criminal Justice recommends, however, that H.B. No. 5533 be amended such that any persons subject to prosecution under Section 1 would be exempt from prosecution pursuant to Connecticut General Statutes § 53a-90a.

Read together, H.B. No. 5533 and S.B. No. 34 expand protections for persons under the age of sixteen who are persuaded, induced, enticed, or coerced into displaying intimate parts of their bodies through electronic communication devices. S.B. No. 34 amends General Statutes § 53a-90a to include circumstances in which a person entices a minor to display his or her intimate body parts through electronic transmission. As provided in Section 53a-90a(b)(1), any person who entices a minor over the age of thirteen to engage in such conduct is guilty of a class D felony for a first offense.

H.B. N. 5533 addresses the same conduct, but provides that when the offender is between the ages of thirteen and eighteen he or she shall be guilty of a class A misdemeanor.

The Division of Criminal Justice believes that a separate, less severe penalty, for persons under the age of eighteen who engage in this type of conduct for the first time is appropriate. Therefore the Division recommends that Subsection 1(b) of H.B. No. 5533 be amended such that its provisions supersede those found in General Statutes § 53a-90a.

Respectfully submitted,

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