

CCDLA
"READY IN THE DEFENSE OF LIBERTY"
FOUNDED IN 1988

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February 21, 2013

Sen. Joan V. Hartley, Co-Chair
Rep. Stephen D. Dargan, Co-Chair
Public Safety and Security Committee
Room 3600, Legislative Office Building
Hartford, Connecticut 06106

Re: Raised Bill 6376

Dear Senator Hartley and Representative Dargan:

CCDLA is a not-for-profit organization of approximately three hundred lawyers who are dedicated to defending persons accused of criminal offenses. Founded in 1988, CCDLA is the only statewide criminal defense lawyers' organization in Connecticut. An affiliate of the National Association of Criminal Defense Lawyers, CCDLA works to improve the criminal justice system by insuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not diminished.

CCDLA opposes Raised Bill No. 6376 which amends Section 1 of the Child Pornography statute (CGS 53a-193). The purpose of this bill is to add a definition to the word "possess" to CGS 53-193. CCDLA objects to the passage of this bill because it contains terms that are impermissibly vague. Specifically, CCDLA objects to the dependent clause that reads "...and includes access to visual depictions of child pornography in any format or location." This language is extraordinarily ambiguous and broad. From a literal standpoint anyone who uses a computer or any other electronic device and logs onto the internet has "access" to visual depictions of child pornography. Because this bill provides no restrictive language, guidance or notice as to what constitutes "access to visual depictions of child pornography in any format or location," this amendment would have the effect of casting an infinitely wide net. It arguably would ensnare individuals who unwittingly use file sharing programs or search engines with links to various other sites or internet locations that contain child pornography. It also would ensnare children and adolescents who share photographs through social media.

For the reasons stated above, CCDLA strongly urges the Public Safety and Security Committee to delete the above referenced language from Raised Bill No. 6376.

Please feel free to contact me at 860-655-9434 if you have any questions. Thank you for your time and consideration.

Sincerely,

Elisa L. Villa
Board Member, CCDLA