Ohio Association of Chiefs of Police
Senate Bill 393 – Proponent Testimony
Senate Judiciary Committee

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 393 on behalf of the Ohio Association of Chiefs of Police.

The Ohio Association of Chiefs of Police represents law enforcement executives from across the state who are responsible for protecting and providing safety services to our communities. Senate Bill 393 represents a thoughtful and necessary modernization of Ohio law addressing sexually oriented offenses—particularly those involving juvenile victims—and we strongly support its passage.

First and foremost, this legislation appropriately strengthens penalties for those who create, distribute, and possess child sexual abuse material. As noted in sponsor testimony, current Ohio law does not adequately distinguish between low-volume and high-volume offenders, nor does it sufficiently account for the severity of content or the age of victims.

From a law enforcement perspective, this is a critical gap. Investigations routinely reveal offenders possessing hundreds or thousands of images and videos, often involving very young children and acts of violence. These are not passive crimes—each image represents the abuse of a child, and the continued circulation of that material perpetuates victimization.

Senate Bill 393 addresses this by:

- Enhancing penalties based on the quantity of material
- Recognizing particularly egregious content (including victims under age 13 and violent acts)
- Aligning Ohio law with federal standards by equating videos to image counts

These changes will allow law enforcement and prosecutors to more effectively target the most dangerous offenders and ensure that sentencing reflects the true scope of harm.

The bill also updates Ohio law to include "artificially generated depictions of minors," an increasingly urgent issue with the rise of AI-generated exploitation material.

Law enforcement agencies across Ohio are already encountering cases involving digitally manipulated or fully synthetic images that depict minors in sexual contexts. While these cases present unique evidentiary challenges, the harm is real—both in normalizing exploitation and in the use of real children's likenesses without consent.

By explicitly incorporating this conduct into statute, Senate Bill 393 ensures Ohio law keeps pace with technological realities and provides officers and prosecutors with the tools needed to intervene.

The bill also corrects a significant gap in Ohio law regarding bestiality-related offenses. Current statutes inadequately address not only the act itself but also the creation and distribution of related material.

From an investigative standpoint, these cases often intersect with broader patterns of abuse and exploitation. Elevating the act of bestiality to a felony and criminalizing the production and possession of such material provides clearer authority for law enforcement to intervene and disrupt harmful conduct.

Importantly, Senate Bill 393 also demonstrates balance and discretion in its treatment of juvenile behavior. As highlighted in sponsor testimony, current law can result in felony-level charges for consensual "sexting" between minors.

Law enforcement officers frequently encounter these situations and recognize the disconnect between the severity of the charge and the nature of the conduct. This bill:

- Allows for misdemeanor-level charges in appropriate cases
- Preserves prosecutorial discretion
- Maintains the ability to pursue serious charges where coercion or exploitation is present.

This approach better aligns legal consequences with real-world behavior while still discouraging risky and harmful conduct among juveniles.

The bill also addresses Ohio's current lack of a "close-in-age" exemption, which puts our state outside the national norm.

By raising the age of consent to 18 while incorporating a reasonably close-in-age exemption, Senate Bill 393:

- Enhances protections for minors
- Reduces unintended criminalization of peer relationships
- Provides clearer guidance for enforcement

For officers on the ground, clarity in statute is essential. This provision reduces ambiguity and supports consistent, fair enforcement across jurisdictions.

Senate Bill 393 is a comprehensive, balanced, and forward-looking piece of legislation. It strengthens penalties for the most serious offenders, modernizes Ohio law to address emerging technologies, closes statutory gaps, and introduces appropriate discretion where needed.

From the perspective of Ohio's law enforcement leaders, this bill will:

- Improve our ability to investigate and prosecute serious crimes against children
- Ensure penalties are proportionate to harm
- Provide clearer statutory guidance for officers and prosecutors

For these reasons, the Ohio Association of Chiefs of Police respectfully urges the Committee to report Senate Bill 393 favorably.

Thank you for your time and consideration.

Respectfully submitted,

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Chair, OACP Legislative Committee