



**State Representative Brian D. Hill**  
**Sub. H.B. 355 Sponsor Testimony**  
Senate Judiciary Committee  
November 27<sup>th</sup>, 2018

Chairman Bacon, Vice-Chair Dolan, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for allowing me to offer sponsor testimony on Substitute House Bill 355.

If enacted, this bill will provide a second chance for teens who have engaged in “sexting,” or the distribution of sexually explicit digital material. In these situations, where it is simply the sending or receiving of sexually explicit digital material, teens under the age of nineteen, where the victim is less than four years younger than the offender and is over the age of thirteen, may be eligible for a sexting educational diversion program or another diversionary-type program that is feasible. Additionally, this is only available for teens without a prior adjudication (or conviction if over the age of 18, but not 19 yet) for committing a sex-related offense.

Quite simply, this bill will allow for judges, prosecutors, and defense attorneys to determine who are actually guilty of pandering obscene material of minors and who are just teenagers making a bad choice. It creates that middle ground that allows teens to learn from their mistakes and understand the dangers of their actions, while at the same time, if they do not successfully complete the diversion program, they can be brought to trial or before the juvenile court.

The idea for this bill, unfortunately, originated in my district. A young man, Camden Ross, was a great son, brother, student-athlete, and friend; but unfortunately, Camden made a mistake. On his phone, were explicit pictures of his now ex-girlfriend that Camden regrettably shared with his friends. Law enforcement approached Camden with the evidence found on his phone. Ashamed and embarrassed, facing the possibility of being labeled as a sex-offender, Camden Ross took his own life later that day.

I hope this bill gives young people involved in situations like this a second chance with a diversion program, rather than being permanently labeled as felons and sex offenders. The goal is for these diversion programs to engage both the offender to stop engaging in this kind of behavior, and parents, to encourage them to take an active role in their teenager’s online activities.

Thank you for allowing me to testify today. I am happy to answer any questions at this time.