Senate Bill 239 Manning

Chairman Eklund, Vice- Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for allowing me to offer proponent testimony on Senate Bill 239.

I want to thank Vice- Chair Manning for reintroducing this piece of legislation from the last GA that I carried from when I was a House member. 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 may be eligible for a sexting educational diversion program or another diversionary-type program that is feasible. This legislation is only available for teens without a prior adjudication for committing a sex-related offense.

Quite simply, this bill will allow 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.

This bill before you is I believe the same as the Sub HB355 from last GA and the idea for me came from an unfortunate tragedy in my old House 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-girl friend 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 took his life later that day.

I want to make it clear that I do not support the passing of sexually explicit pictures that involve minors and believe that If my children were involved in this activity that prompt action from their dad would take place. However, I don’t believe that on first offense they should be threatened with a felony. 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 for parents, to encourage them, to take an active role in their teenager’s online activities.

Thank you for allowing me to testify today, and I would be happy to answer any questions at this time.