



Senator Andrew O. Brenner – 19th District
Senate Judiciary Committee
June 26th, 2024
Senate Bill 263, Braden’s Law – Sponsor Testimony

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, thank you for providing me the opportunity to give sponsor testimony on Senate Bill 263, Braden’s Law. On October 17, 2021, Olentangy High School sophomore Braden Markus was contacted on social media by a person posing as a 15 year-old girl. “She” was sending Braden lewd photos, convincing Braden to send photos back. The individual then demanded \$1,800 or threatened to the release the photos online. Twenty-seven short minutes later, Braden died by suicide, a victim to the ever-growing threat of online sexual extortion.

Online sexual extortion is not contained to this event and it will happen again. From October 2021 to March 2023, the FBI and Homeland Security Investigators received over 13,000 reports of online financial sexual extortion involving minors. Of these 13,000 reports, there are believed to be 12,600 victims, tragically resulting in at least 20 suicides. As Chairman of the Senate Education Committee, I often hear the concerns of parents from across the state that their children are being targeted by predators online.

Braden’s Law seeks to address these concerns by doing the following:

- Sexual extortion will become a first degree felony if the victim is an minor, elder, or disabled person. It becomes a third degree felony for first offense and second degree felony on the third offense. In the outcome of injury or death of the victim, the charge would be considered “aggravated” sexual extortion and would result in an additional 10 year penalty.
- The bill would require expedient review by a Common Court of Pleas to adjudicate an application for digital access to a device if filed by the parent or guardian of a deceased guardian. Jenn and Jarod Markus, Braden’s parents, were made to wait 10 months to find out what had happened to their son as tech giants refused to provide a passcode to Braden’s phone.
- This legislation would also include sexual extortion as an eligible offense for victims and families to access the Crime Victim’s Compensation Program at the Attorney General’s office. Jenn and Jarod Markus were denied funds to pay for counseling for their 13-year-old daughter, Ella, who found Braden that day.

- Lastly, the bill would provide immunity for victims of sexual extortion who send private images as a proximate result of sexual extortion. Telecommunications carriers would also be provided immunity.

Thank you again Chair Manning and members of the Senate Judiciary Committee for allowing me the opportunity to provide sponsor testimony on Braden's Law. I welcome any questions.