

TO: Honorable Members of the Joint Committee on the Judiciary

FROM: Marci Hamilton, Founder & CEO, CHILD USA; Professor in the Fels Institute of Government, University of Pennsylvania and Kathryn Robb, Executive Director, CHILD USAAdvocacy

RE: S.2543, An Act relative to banning child sex dolls

DATE: December 6, 2021

Dear Honorable Members of the Joint Committee on the Judiciary,

Thank you for allowing us to submit testimony in support of S.2543, which will prohibit the possession and sale of child sex dolls in Massachusetts. **If this legislation is passed, Massachusetts—with just three other statesⁱ—would lead the nation in keeping child sex dolls out of the hands of child predators.**

By way of introduction, Professor Marci Hamilton is a First Amendment constitutional scholar at the University of Pennsylvania who has led the national movement to reform statutes of limitations to reflect the science of delayed disclosure of childhood sexual abuse and who founded CHILD USA, a national nonprofit think tank devoted to ending child abuse and neglect. Kathryn Robb is the Executive Director of CHILD USAAdvocacy, an advocacy organization dedicated to protecting children's civil liberties and keeping children safe from abuse and neglect. Kathryn is also an outspoken survivor of child sex abuse.

We commend the Committee for taking up S.2443, which is critical to ensuring that the children of Massachusetts live in a state that takes every measure necessary to prevent child sexual assault. **By depriving child predators of an object that encourages sexual violence against children,ⁱⁱ** this legislation would indeed strengthen existing Massachusetts laws aimed at combatting child sexual abuse and establish the state at the forefront of child sexual abuse prevention policy.

In the United States, approximately 1 in 5 girls and 1 in 13 boys are sexually abused before the age of 18.ⁱⁱⁱ **The trauma stemming from sexual assault is complex and individualized, and it impacts victims throughout their lifetimes:^{iv}**

- Trauma related to child sexual assault can have devastating impacts on the young adult brain, including posttraumatic stress disorder, disrupted neurodevelopment and impaired social, emotional, and cognitive development.^v
- Child victims are at greatest risk for future revictimization.^{vi}

- The physical health implications of experiencing sexual violence are often underappreciated, yet they often exacerbate the significant and pervasive emotional and financial costs associated with victimization, especially for those with chronic health conditions.^{vii}

The trauma attendant to sexual assault also gravely impacts victims' ability to participate and succeed in school, and ultimately, their future career path:

- Approximately 40% of victims who report sexual violence to their schools experience a substantial disruption in their educations.^{viii}
- Nearly 10% of victims drop out of school entirely.^{ix}
- For those victims who remain enrolled, the vast majority experience adverse academic effects which, in turn, negatively impact their financial wellbeing.^x

When child predators practice child sex abuse on lifelike child sex dolls, they can become desensitized to the violence inherent in committing child sex abuse.^{xi} This can lower a predator's inhibitions, making it easier for them to sexually abuse a real child. It is illegal to sell children for sexual gratification—real life imitations that encourage and facilitate their sexual objectification must also be prohibited.

Moreover, the costs of child sex abuse are staggering, generating expenses that impact the nation's health care, education, criminal justice, and welfare systems, costing nearly \$2 trillion annually.^{xii} Numerous scholarly studies have concluded that **the average cost of child maltreatment is approximately \$830,928 per victim.**^{xiii} Child sexual abuse is a serious and costly public health problem across our country and we must work together as a community to create laws and policies that keep children safe.

Once again, we commend you for supporting S.2543, will help ensure that the children of Massachusetts are protected from the sexual objectification promoted by child sex dolls, as well as from the sexual abuse encouraged by their use. Massachusetts has the opportunity in S.2543 to be a leader in child protection by establishing itself as among the first states to pass legislation banning the possession and sale of child sex dolls, in what is sure to quickly become the trend across the nation. Please do not hesitate to contact us if we can be of assistance on this or any other child protection issues.

Sincerely,



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ⁱ Florida, Kentucky, and Tennessee are currently the only states that ban the possession and/or sale of child sex dolls. *CREEPER Act to be re-introduced after Florida girl's likeness used for child sex doll*, WTSP (Sept. 3, 2020), <https://www.wtsp.com/article/news/regional/florida/creeper-act-child-sex-dolls-congress/67-3c459ede-00e6-4cd6-9965-553883a096a4>.

ⁱⁱ See *id.*; Rick Brown & Jane Shelling, *Exploring the implications of child sex dolls*, 570 TRENDS & ISSUES IN CRIME & CRIM. JUST. 1, 6 (2019) (Austl.), https://www.aic.gov.au/sites/default/files/2020-05/ti570_exploring_the_implications_of_child_sex_dolls.pdf; Marie-Helen Maras & Lauren R. Shapiro, *Child Sex Dolls and Robots: More Than Just an Uncanny Valley*, J. INTERNET LAW 3, 5–7 (Dec. 2017), https://www.researchgate.net/publication/321137227_Child_Sex_Dolls_and_Robots_More_Than_Just_an_Uncanny_Valley.

ⁱⁱⁱ G. Moody, et. al., *Establishing the international prevalence of self-reported child maltreatment: a systematic review by maltreatment type and gender*, 18 BMC PUBLIC HEALTH (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6180456/> (finding a 20.4% prevalence rate of child sexual abuse among North American girls); M. Stoltenborgh, et. al., *A Global Perspective on Child Sexual Abuse: Meta-Analysis of Prevalence Around the World*, 16 CHILD MALTREATMENT 79 (2011) (finding a 20.1% prevalence rate of child sexual abuse among North American girls); N. Pereda, et. al., *The prevalence of child sexual abuse in community and student samples: A meta-analysis*, 29 CLINICAL PSYCH. REV. 328, 334 (2009) (finding a 7.5% and 25.3% prevalence rate of child sexual abuse among North American boys and girls respectively).

^{iv} B A van der Kolk, *The Body Keeps the Score: Memory & the Evolving Psychobiology of Posttraumatic Stress*, 1(5) HARVARD REV. OF PSYCHIATRY 253-65 (1994); Jim Hopper, *Why Can't Christine Blasey Ford Remember How She Got Home?*, SCIENTIFIC AMER. (Oct. 5, 2018), <https://blogs.scientificamerican.com/observations/why-cant-christine-blasey-ford-remember-how-she-got-home/>; see also Hoskell, L. & Randall, M., *The Impact of Trauma on Adult Sexual Assault Victims*, JUSTICE CANADA (2019), https://www.justice.gc.ca/eng/rp-pr/jr/trauma/trauma_eng.pdf (hereinafter “Hoskell”).

^{iv} Angi Jacobs-Kayam & Rachel Lev-Weisel, *In Limbo: Time Perspective and Memory Deficit Among Female Survivors of Sexual Abuse*, FRONTIERS IN PSYCHOL. (April 24, 2019), <https://www.frontiersin.org/articles/10.3389/fpsyg.2019.00912/full>.

^v Angi Jacobs-Kayam & Rachel Lev-Weisel, *In Limbo: Time Perspective and Memory Deficit Among Female Survivors of Sexual Abuse*, FRONTIERS IN PSYCHOL. (April 24, 2019), <https://www.frontiersin.org/articles/10.3389/fpsyg.2019.00912/full>; Dana Bolger, *Gender Violence Costs: Schools' Financial Obligations Under Title IX*, 125 YALE L. J. 2106, 2110 (2016); see, e.g., Felitti, et al., *Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study*, 14(4) AM. J. PREVENTATIVE. MED. 245 (1998) (hereinafter Felitti); S.R. Dube et al., *Childhood Abuse, Household Dysfunction, and the Risk of Attempted Suicide Throughout the Life Span: Findings from the Adverse Childhood Experiences Study*, 286 JAMA 3089 (2001) (explaining that childhood trauma can lead to negative health outcomes).

^{vi} CENTERS FOR DISEASE CONTROL & PREVENTION, *THE ADVERSE CHILDHOOD EXPERIENCES (ACES) STUDY* (1997), <https://www.cdc.gov/violenceprevention/childabuseandneglect/acestudy/>.

^{vii} M. Merricka, et. al, *Unpacking the Impact of Adverse Childhood Experiences on Adult Mental Health*, 69 J. CHILD ABUSE & NEGLECT 10-19 (2017).

^{viii} See Sage Carson, *The Cost of Reporting: Perpetrator Retaliation, Institutional Betrayal, and Student Survivor Pushout*, KNOW YOUR IX (May 14, 2020), <https://www.knowyourix.org/wp-content/uploads/2021/03/KnowYourIX-2021-Report-Final-Copy.pdf>.

^{ix} *Id.*

^x *Id.*

^{xi} See Ryan Nicol, *Governor signs bill outlawing child-like sex dolls*, FLORIDA POLITICS (May 23, 2019), <https://floridapolitics.com/archives/297216-governor-signs-bill-sex-dolls/>; Brown & Shelling, *supra* note ii; Maras & Shapiro, *supra* note ii.

^{xii} Fang, et. al., *The Economic Burden of Child Maltreatment in the United States & Implications for Prevention*, 36 J. CHILD ABUSE & NEGLECT 156-165 (2012).

^{xiii} See generally, *Fiscal Impact of SOL Reform*, CHILD USA (2018), <https://www.childusa.org/fiscalimpact>.