



PRESIDENT
Derek Schmidt
Kansas Attorney General

PRESIDENT-ELECT
Jeff Landry
Louisiana Attorney General

VICE PRESIDENT
Tim Fox
Montana Attorney General

IMMEDIATE PAST PRESIDENT
George Jepsen
Connecticut Attorney General

EXECUTIVE DIRECTOR
Chris Toth

March 6, 2018

The Honorable Paul Ryan
Speaker of the House
H-232 The Capitol
Washington, DC 20515

The Honorable Bob Goodlatte
Chairman, Judiciary Comm.
2309 Rayburn House Office Bldg.
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
233 Cannon House Office Bldg.
Washington, DC 20515

The Honorable Jerry Nadler
Ranking Member, Judiciary Comm.
2109 Rayburn House Office Bldg.
Washington, DC 20515

Dear Speaker Ryan, Leader Pelosi, Chair Goodlatte, and Ranking Member Nadler:

In 2014, forty-four state attorneys general wrote to express support for the Amy and Vicky Child Pornography Victim Restitution Improvement Act. Although the Senate passed the bill in 2015, the bill did not pass the House of Representatives in the 114th Congress. We write now to respectfully request that you pass the bipartisan Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2017 (S. 2152).

This bipartisan bill was introduced by Senators Orrin Hatch, Dianne Feinstein, and Pat Toomey. The bill combines components of bills formerly introduced as the Amy and Vicky Child Pornography Victim Restitution Improvement Act and the Justice for Child Victims Act. It establishes guidelines for restitution and seeks to ensure that victims receive timely and meaningful restitution. On January 23, 2018, the bill passed the Senate by unanimous consent and is now before the House Judiciary Committee for consideration. The need for this legislation stems from the U.S. Supreme Court's 2014 decision in *Paroline v. United States*, which held that although victims of child pornography are entitled to restitution, each defendant is statutorily liable only for the proximate injury his possession of the images caused. This decision was contrary to an amicus brief submitted by thirty-five state attorneys general urging the Court to allow full restitution to victims of child pornography.

Unfortunately, the Supreme Court's decision puts an enormous burden on victims of child pornography. In order to receive restitution, a victim must pursue every case in which a defendant was found to possess images of the victim. As the Supreme Court recognized, digital images of each child victim are trafficked worldwide, and there may be thousands of defendants found to possess each victim's images. As a result, victims are only able to receive a small amount of restitution from each defendant and must pursue thousands of cases in order to receive full restitution. Preventing victims from collecting

1850 M Street, NW
Twelfth Floor
Washington, DC 20036
Phone: (202) 326-6000
<http://www.naag.org/>

full restitution protects defendants, who are shielded from having to pay meaningful costs to those they have harmed.

The surge in child pornography on the Internet has led to increased victimization and trafficking to meet the demand for new pictures and live video of sexual violence against increasingly younger children. The highest “value” images traded online are those which depict the youngest victims and the most horrific sex acts. Additionally, the FBI reports there are now more investigations of child exploitation with a connection to the Internet than ever before. In December 2013, the FBI had more than 7,000 pending investigations involving child exploitation, including child pornography and sex trafficking.

While nothing can undo the harm done to these victims by perpetrators who produce, share and view these images, Congress can act to make it easier for victims to receive meaningful restitution. The Amy, Vicky, and Andy Child Pornography Victim Assistance Act will improve the law by:

- Clarifying congressional intent that victims be fully compensated for all the harms resulting from every perpetrator who contributed to their trauma;
- Establishing a more meaningful definition of “full amount of a victim’s losses;”
- Clarifying restitution owed to victims;
- Establishing a process for victims to receive compensation from the Child Pornography Victims Reserve within the federal Crime Victims Fund and requiring judicial appointment of a guardian ad litem for victims of child pornography production;
- Allowing victims and their attorneys access to images in which they are depicted which is crucial for victim identification, expert testimony, forensic review, treatment, and the prevention and prosecution of future crimes; and
- Requiring the U.S. Department of Justice to report on implementation within two years.

As long as the scourge of child pornography persists, it is imperative that necessary changes are made to improve the assistance that victims can receive when defendants are held accountable.

We respectfully urge the swift passage of Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2017 by the Judiciary Committee and the House of Representatives.

Thank you for your consideration.

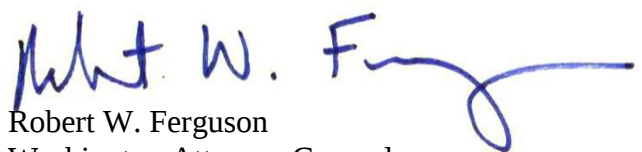
Sincerely,



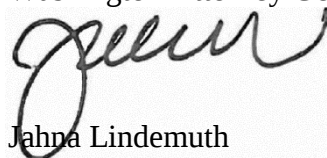
Sean Reyes
Utah Attorney General



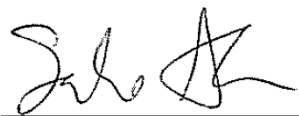
Steve Marshall
Alabama Attorney General



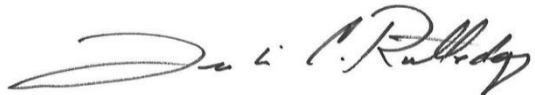
Robert W. Ferguson
Washington Attorney General



Jahna Lindemuth
Alaska Attorney General



Elesalo V. Ale
American Samoa Attorney General



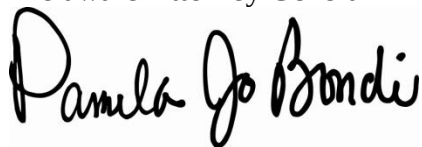
Leslie Rutledge
Arkansas Attorney General



Cynthia H. Coffman
Colorado Attorney General



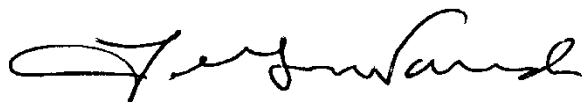
Matthew P. Denn
Delaware Attorney General



Pamela Jo Bondi
Florida Attorney General



Elizabeth Barrett-Anderson
Guam Attorney General



Lawrence Wasden
Idaho Attorney General



Curtis T. Hill Jr.
Indiana Attorney General



Derek Schmidt
Kansas Attorney General



Mark Brnovich
Arizona Attorney General



Xavier Becerra
California Attorney General



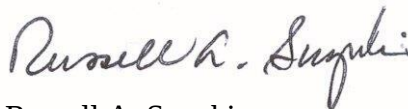
George Jepsen
Connecticut Attorney General



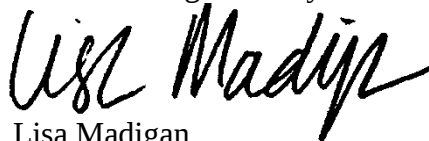
Karl A. Racine
District of Columbia Attorney General



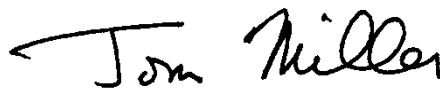
Christopher M. Carr
Georgia Attorney General



Russell A. Suzuki
Hawaii Acting Attorney General



Lisa Madigan
Illinois Attorney General



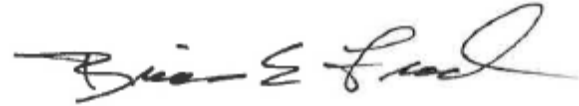
Tom Miller
Iowa Attorney General



Andy Beshear
Kentucky Attorney General



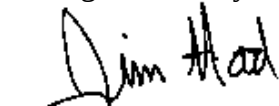
Jeff Landry
Louisiana Attorney General



Brian Frosh
Maryland Attorney General



Bill Schuette
Michigan Attorney General



Jim Hood
Mississippi Attorney General



Tim Fox
Montana Attorney General



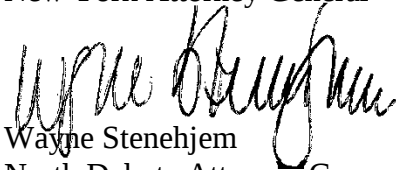
Adam Paul Laxalt
Nevada Attorney General



Gurbir S. Grewal
New Jersey Attorney General



Eric T. Schneiderman
New York Attorney General



Wayne Stenehjem
North Dakota Attorney General



Janet Mills
Maine Attorney General



Maura Healey
Massachusetts Attorney General



Lori Swanson
Minnesota Attorney General



Josh Hawley
Missouri Attorney General



Douglas Peterson
Nebraska Attorney General



Gordon MacDonald
New Hampshire Attorney General



Hector Balderas
New Mexico Attorney General



Josh Stein
North Carolina Attorney General



Mike DeWine
Ohio Attorney General



Mike Hunter
Oklahoma Attorney General



Josh Shapiro
Pennsylvania Attorney General



Peter F. Kilmartin
Rhode Island Attorney General



Marty J. Jackley
South Dakota Attorney General



Ken Paxton
Texas Attorney General



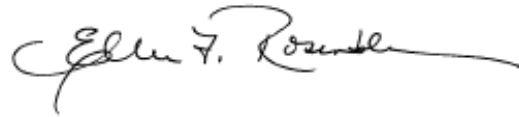
Claude Earl Walker
Virgin Islands Attorney General



Patrick Morrissey
West Virginia Attorney General



Peter K. Michael
Wyoming Attorney General



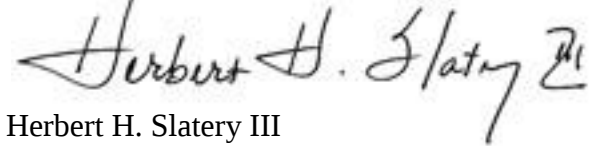
Ellen F. Rosenblum
Oregon Attorney General



Wanda Vázquez Garced
Puerto Rico Attorney General



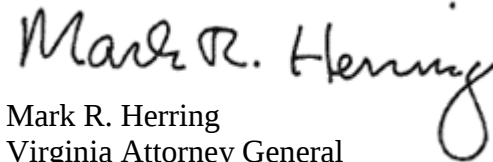
Alan Wilson
South Carolina Attorney General



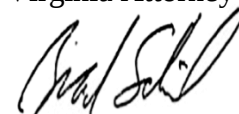
Herbert H. Slatery III
Tennessee Attorney General



T.J. Donovan
Vermont Attorney General



Mark R. Herring
Virginia Attorney General



Brad Schimel
Wisconsin Attorney General