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January 27, 2015

To: House Judiciary Committee
From: Todd Thompson
Date: January 27th, 2015

Re: Support for HB 2002

Hon. Chairman Barker and members of the House Judiciary Committee:

Thank you for the opportunity to provide testimony in support of SB. My name is Todd Thompson, the County Attorney of Leavenworth.

This bill redefines the definition of *sexually explicit* conduct in the sexual exploitation of a child statute, KSA 21-5510. Presently the statute defines sexually explicit to be an exhibition in the nude. What we ask is to change this to appearance in the nude with or without knowledge. An exhibition generally means to purposefully be on display. The problem is often times the defendants that we convict aren't filming or photographing children that are in exhibition. They will set up secret cameras and videotape or photograph them without their knowledge and use this for a sexual purpose.

Several years ago I proposed bill that eventually got passed to increase the punishment to those who knowingly film or photograph those in the nude and use for a sexual purpose. This bill is not to prosecute those who take cute pictures of their babies on a bearskin rug or other adorable poses, but the deviants that do so for their own sexual gratification. Right now the punishment is the same for those who are adults and children. No one

should have their rights violated by this, but those who do it to children should in my opinion receive a greater punishment.

In Leavenworth, we had a Godfather of a child come to see their God-child in their first communion. This God- father stayed the night with the weekend with the family for this celebration. One morning, the 16 year old daughter walked into the bathroom to take a shower and saw a red blinking light flashing from a black bag. When she went to see what it was, she found it to be her God-father's video camera recording her undressing to shower and use the bathroom. The police then also found that this God-father also filmed the 14 year old sibling and the mother.

This not cases we see often, but when we do we want some teeth in prosecuting them. People who do this to anyone need punishment, but the fact they would do this to children need harsher consequences.

Thank you for your time and attention to this very important matter. I ask that the committee pass this bill favorably and work for its passage from the legislature during the 2015 session.

Respectfully submitted,

Todd Thompson
Leavenworth County Attorney