STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
300 S.W. TENTH AVENUE
TOPEKA, KANSAS 66612
(785) 296-7557
brad.barrett@house.ks.gov

DISTRICT ADDRESS
P.O. BOX 139
OSAGE CITY, KS 66523

BRAD BARRETT
76TH DISTRICT

Members of the Senate Judiciary Committee,

I am writing to respectfully urge your support for House Bill 2183, which seeks to update Kansas criminal statutes by including artificial intelligence (AI) generated and digitally altered material in the definitions of visual depictions for crimes related to child sexual exploitation, as well as unlawful transmission of nude images and video under the breach of privacy statute. As technology evolves, so too must our laws to protect our communities from increasingly sophisticated threats.

When I'm not serving in the legislature, I work as a criminal investigator, where I've had the opportunity to assist local, state, and federal agencies on child exploitation crimes. In addition to this field experience, I've had the opportunity to travel across the country to attend training from world-renowned experts on child exploitation crimes. These experiences have shown me firsthand how predators are leveraging AI technology to harm others, often without direct interaction with their victims.

AI is now being exploited to create child sexual abuse material (CSAM), with perpetrators producing synthetic depictions of children engaged in sexually explicit conduct. Whether these images may involve a real child or not during their creation, they serve the same purpose in facilitating abuse and encouraging deviant behaviors. Furthermore, studies show that individuals arrested for possession of CSAM have most likely already sexually abused a child. These findings emphasize the link between the consumption of CSAM and active child exploitation.

In committee, we added the obscenity standard for AI-generated CSAM and clarified that it must be indistinguishable from a real child. These additions were added to alleviate concerns from a few in committee who questioned the lack of updated case law relating to 100% AI-generated CSAM. With this addition, we are following the guidance of U.S. Supreme Court caselaw, Miller v. California, which clarifies that obscene material is not constitutionally protected.

Additionally, the misuse of AI technology extends beyond CSAM. AI is now being used to generate "deepfake" nude images of individuals, often without their knowledge or consent. These images are then weaponized in extortion schemes, where victims are blackmailed with threats of public exposure. This form of digital harassment and exploitation causes severe psychological harm, with devastating impacts on mental health, safety, and reputations. House Bill 2183 addresses these issues by ensuring that AI-manipulated content is treated under the same legal standards as traditionally created material.

By including AI-generated images in the definitions of visual depictions for crimes such as sexual exploitation of a child and unlawful transmission of nude images, this legislation provides law enforcement and prosecutors with the tools needed to hold offenders accountable.

This bill passed the House with **119/3**. Please join us in protecting children in Kansas!

Sincerely,

Brad Barrett

Representative Brad Barrett
Kansas House District 76