



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 114<sup>th</sup> 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.

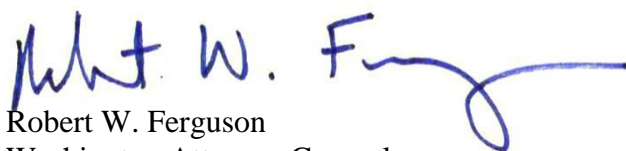
Sincerely,



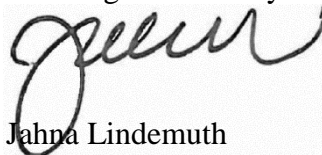
Sean Reyes  
Utah Attorney General



Steve Marshall  
Alabama Attorney General



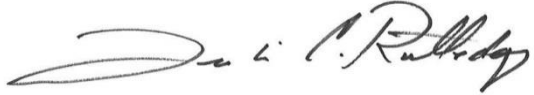
Robert W. Ferguson  
Washington Attorney General



Jahna Lindemuth  
Alaska Attorney General



Elesalo V. Ale  
American Samoa Attorney General



Leslie Rutledge  
Arkansas Attorney General



Cynthia H. Coffman  
Colorado Attorney General



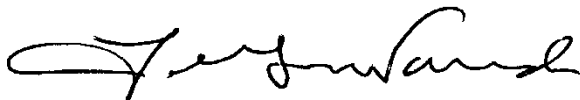
Matthew P. Denn  
Delaware Attorney General



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



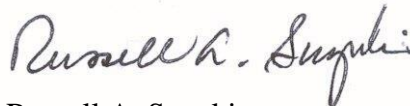
George Jepsen  
Connecticut Attorney General



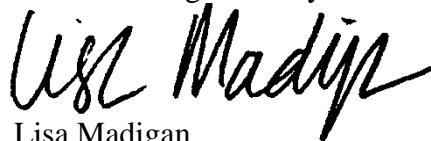
Karl A. Racine  
District of Columbia Attorney General



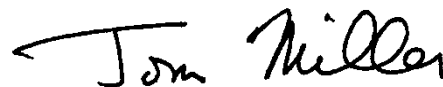
Christopher M. Carr  
Georgia Attorney General



Russell A. Suzuki  
Hawaii Acting Attorney General



Lisa Madigan  
Illinois Attorney General



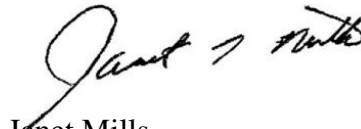
Tom Miller  
Iowa Attorney General



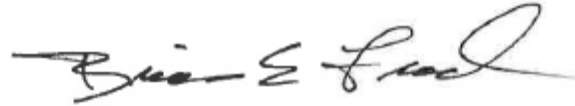
Andy Beshear  
Kentucky Attorney General



Jeff Landry  
Louisiana Attorney General



Janet Mills  
Maine Attorney General



Brian Frosh  
Maryland Attorney General



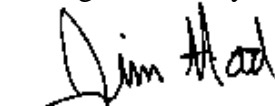
Maura Healey  
Massachusetts Attorney General



Bill Schuette  
Michigan Attorney General



Lori Swanson  
Minnesota Attorney General



Jim Hood  
Mississippi Attorney General



Josh Hawley  
Missouri Attorney General



Tim Fox  
Montana Attorney General



Douglas Peterson  
Nebraska Attorney General



Adam Paul Laxalt  
Nevada Attorney General



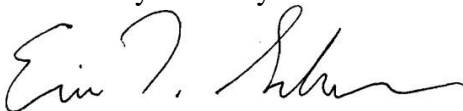
Gordon MacDonald  
New Hampshire Attorney General



Gurbir S. Grewal  
New Jersey Attorney General



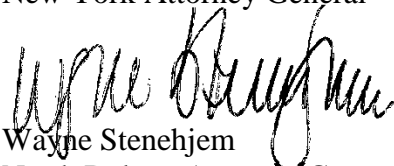
Hector Balderas  
New Mexico Attorney General



Eric T. Schneiderman  
New York Attorney General



Josh Stein  
North Carolina Attorney General



Wayne Stenehjem  
North Dakota 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



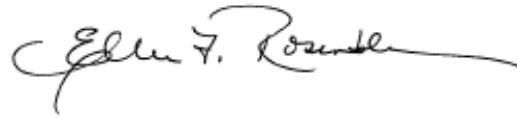
Claude Earl Walker  
Virgin Islands Attorney General



Patrick Morrissey  
West Virginia Attorney General



Peter K. Michael  
Wyoming Attorney General



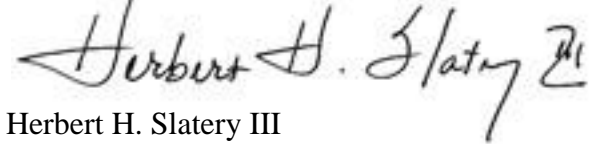
Ellen F. Rosenblum  
Oregon Attorney General



Wanda Vázquez Garced  
Puerto Rico Attorney General



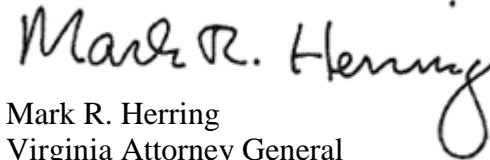
Alan Wilson  
South Carolina Attorney General



Herbert H. Slatery III  
Tennessee Attorney General



T.J. Donovan  
Vermont Attorney General



Mark R. Herring  
Virginia Attorney General



Brad Schimel  
Wisconsin Attorney General