



FAMILY ISSUE FACT SHEET

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HB 2129- Age Misrepresentation on the Internet

EXECUTIVE SUMMARY

There are numerous stories of minors talking with someone over the Internet, believing they are communicating with someone their own age. Too often the person they are talking with is lying about their age. As a result, children are lured into dangerous situations. This bill simply makes it illegal in Arizona to misrepresent your age on the Internet for the purposes of committing a sexual offense against a minor.

BACKGROUND

Arizona statutes provide some protection for minors against online explicit material. A.R.S. 13.3506.01 makes it illegal to electronically send any information deemed harmful to minors. A.R.S. 13-3554 states that it is illegal to lure a minor for the purposes of sexual exploitation.

In 2007, the Arizona Legislature passed a law that requires sex offenders to register any online identities, e-mail addresses, etc. with law enforcement. The Department of Public Safety has created an online database so parents may check and see if any of their children's online "friends" are registered sex offenders in Arizona.

This bill expands this program by targeting those who misrepresent their age online. There are many examples of violent crimes being committed using the Internet, particularly regarding luring children. According to the National Center for Missing and Exploited Children, one in seven minors have received a sexual advance over the Internet.ⁱ A study conducted in 2004 by the University of New Hampshire Crimes against Children Research Center found that approximately 5 percent of adults who lured minors over the Internet claimed to be a minor themselves. An additional 25 percent admitted to being adults, but lied about their actual age.ⁱⁱ

TALKING POINTS

- **This provides law enforcement and prosecutors with an additional charge to deter online predators.** Arizona law currently states that sending explicit material to a minor is a felony. This bill would allow for an additional felony charge if the person was an adult misleading the minor about their actual age.
- **This provides an additional protection for children.** Anecdotal evidence shows that online sex offenses are becoming more prevalent. This complements last year's legislation requiring the registration of online identities by further protecting children from being lured by those they believe to be friends and peers.

CONCLUSION

The National Council for State Legislators reports that Internet usage is becoming more and more common among America's youth. It is estimated that at least 65 percent of minors in America use the Internet either at home, school, or another location. It is important to protect these children from those who are attempting to sexually exploit them using the Internet. This bill provides another felony charge for online sex offenders by making it illegal to misrepresent their age.

ⁱ National Center for Missing and Exploited Children. 2008.

http://www.ncmec.org/missingkids/servlet/PageServlet?LanguageCountry=en_US&PageId=2810#6

ⁱⁱ Wolak, J., Finklehor, D., & Mitchell, K. (2004). Internet-initiated Sex Crimes against Minors: Implications for Prevention Based on Findings from a National Study. *Journal of Adolescent Health*, 425. Retrieved January 4, 2008, from <http://www.unh.edu/ccrc/pdf/jvq/CV71.pdf>