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October 15, 2014

The Honorable Patrick Leahy
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Jim Sensenbrenner
Chairman, House Judiciary
Subcommittee on Crime, Terrorism,
Homeland Security, and Investigations
US House of Representatives
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable Chuck Grassley
Ranking Member
Committee on the Judiciary
United States Senate
224 Dirksen Senate Building
Washington, DC 20510

The Honorable Bobby Scott
Ranking Member
House Judiciary Subcommittee
on Crime Terrorism, Homeland
Security and Investigations
US House of Representatives
Rayburn House Building
Washington, DC 20515

Dear Chairmen Leahy and Sensenbrenner and Ranking Members Grassley and Scott:

We, the undersigned attorneys general, write to express our support for the Amy and Vicky Child Pornography Victim Restitution Improvement Act of 2014 (S. 2301/H.R. 4981). As attorneys general of 44 states and territories, we respectfully request that you bring the bill to a vote.

On April 23, 2014, the U.S. Supreme Court held in *Paroline v. United States* that victims of child pornography should receive restitution, but defendants should be liable only for the consequences of their actions, not the conduct of others. Unfortunately, this decision was counter to the legal opinions of the attorneys general of 35 states and territories, expressed in an amicus brief urging the Supreme Court to allow full restitution to victims of child pornography.

Despite the common refrain, viewing child pornography is not a victimless crime. The marketing, trading and possession of child pornography perpetuate a market that leads to the harm of increasing numbers of children. In 2010, the U.S. Department of Justice reported that U.S. Attorneys in 2006 handled 82.8 percent more child pornography cases than in 1994. This increase is largely attributed to child pornography images traded online¹. Victims of child pornography are constantly reminded of the abuse of their past, and there is no way to erase the photographs from the Internet or prevent them from being shared by others. In the *Paroline* decision, the majority agreed that continued trade of child pornography negatively impacts those

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¹ <http://www.justice.gov/sites/default/files/psc/docs/natstrategyreport.pdf>

who have been victimized: “The cause of the victim’s general losses is the trade in her images. And Paroline is a part of that cause, for he is one of those who viewed her images.”¹

The Supreme Court decision would force victims to pursue a continuous stream of defendants, recovering very little in each case. The emotional and monetary costs, as well as time required to seek restitution from multiple defendants, disincentivizes victims from seeking the resources they need for therapy, medical care, lost wages and other needed services. However, the decision helps protect defendants from having to pay substantial costs to those they have harmed.

The Amy and Vicky Act provides victims with meaningful restitution from the multiple defendants who produce, distribute or possess images of child pornography, including those who have not been identified. The law also provides for joint and several liability so that multiple defendants may sue each other to spread out restitution costs for the same victim.

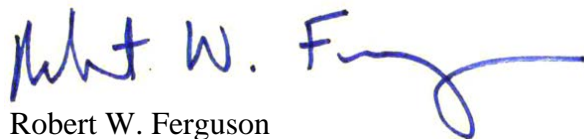
The undersigned attorneys general respectfully request the Senate Judiciary Committee and the House Judiciary Subcommittee to pass the Amy and Vicky Act. Providing timely and meaningful restitution will ensure that the growing number of victims can begin to rebuild their lives by fully recovering the financial losses caused by child pornography.

Thank you for your consideration.

Sincerely,



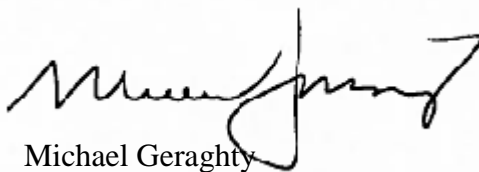
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Robert W. Ferguson
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Luther Strange
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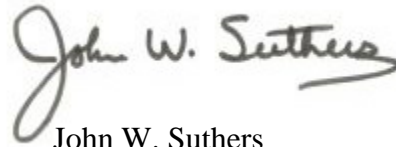
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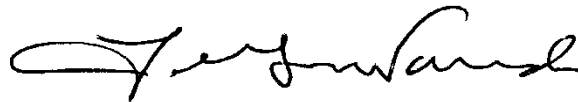
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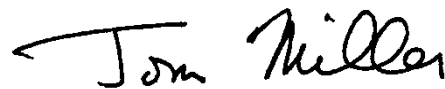
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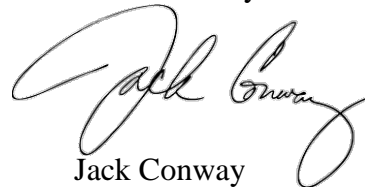
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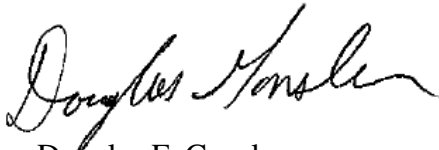
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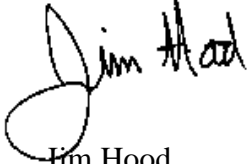
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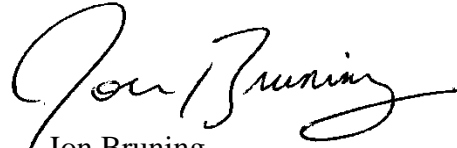
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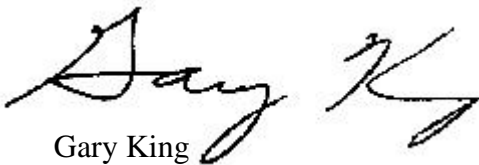
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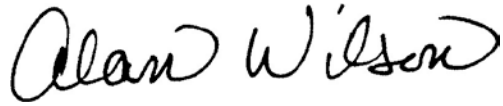
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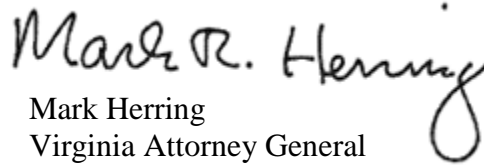
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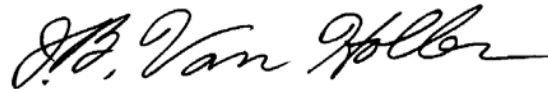
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