

February 19, 2025

Written Testimony of Carrie Goldberg

Founder, C. A. Goldberg, PLLC

Before the U.S. Senate

Committee on the Judiciary

“Children’s Safety in the Digital Era: Strengthening Protections and Addressing Legal Gaps”

Chair Grassley, Ranking Member Durbin and distinguished members of the Senate Committee of the Judiciary.

My name is Carrie Goldberg. I’m a lawyer who represents families catastrophically injured by tech.

I stand for the belief that our courts are the great equalizer. And the people who’ve been injured should have access to the courts. No matter how big, rich, or omniscient the adversary.

I stand against the idea that some bad actors – whether human or corporate are too important to face their victims eye to eye, undergo discovery into how the horror happened, face the stare of a jury, or pay for their harms. Companies that mint money off the backs of the masses can’t later claim when their product hurts people – KIDS – in predictable – or even known ways -- that it’s not their fault, they’re just a passive publisher.

I want to tell you about a few of the cases I work on every day.

- The family of Bianca Devins from upstate NY who was 17 when her murder was live posted on Snap and Instagram; Instagram refused to remove the murderer’s profile as it went viral. and her family is harassed daily by people who defile her murder pictures. In her death, Instagram went from 2k to almost 200k and TO THIS DAY Meta refuses to give control of the account to her estate. To make matters worse, when the local prosecutor’s office in Oneida County distributed the murder videos and CSAM of Bianca to YouTubers and documentary makers, the Northern District of New York ruled that her estate did not have standing to bring claims under 2255 and 2252A for CSAM because the estate could not be injured from Bianca’s CSAM distribution. *Estate of Bianca Devins v. Oneida County, et al.*NDNY, 6:21-cv-00802 (2021)
- 11-year-old A.M. from Michigan who used Omegle after a slumber party. This website matches strangers for livestreaming. Omegle matched A.M. with one of the thousands of predators. For 3 years she became his online sex slave at the beckon call of he and his friends to perform sexually. Sometimes interrupting her at school

or the dinner table; even forcing her to go back on Omegle to recruit more kids. The abuse eventually ended when his home which he shared with his wife's daycare was raided and images of A.M. and other young girls were found. We overcame section 230 on our product liability and trafficking claims in the District of Oregon. In a settlement with A.M., Omegle shut down last November and declared bankruptcy.

- I'm the originating attorney in a case against Snap where our clients' children were matched with drug dealers and sold counterfeit fentanyl laced drugs that killed them. The case, which overcame Snap's demurrer, now has 90 families in it from all over this country – including families of 17 yo Daniel Puerta, 14 yo Alexander Neville and 19 yo Devin Norring.
- L.S. was 13 using the site, BandLab, which has no age restrictions, to livestream with a boy she thought was 17 but really was 40-year-old Noah Madrona a pedophile from Portland Oregon. He posted openly on the music sharing platform including songs called Pedophile in A Minor. On June 24, 2022, Madrona drove 15 hours to her home, abducted her on her way to school, stuffed her in the trunk of the car and raped and abused her for 8 days. While there was a national manhunt, Bandlab refused to provide law enforcement key information that could have led to her faster rescue because they wanted to respect Madrano's privacy.
- A class of children whose CSAM went viral on Snapchat as a result of criminals accessing a known security defect about which families were not warned of.
- John Doe, a 15 yo with profound Autism who got funneled into Grindr's marketing campaigns on TikTok and Instagram. In their social media posts they use children in PE class and other school settings. John Doe uploaded the product from the Appstore at school and over the next four days was recommended to adult men, four of whom raped him over four consecutive days. 3 were prosecuted. Grindr is a hookup app. And in court they said they had no duty to restrict children's access. On February 18, 2025, the 9th Circuit affirmed the district court, holding that Grindr was immune from liability for the non-trafficking claims because of Section 230, and saying John Doe did not show Grindr had actual knowledge of the trafficking despite John Doe pleading Grindr knew about the trafficking from repeated lawsuits, media articles, its own campaigns to children on social media, over 100 criminal cases, media articles, and a peer-reviewed study from the Journal of Adolescent Health finding that half of sexually active gay boys had their first sexual encounter with an adult they met on Grindr.
- The family of 16 yo Ayden Wallin from Colorado who in July 2020 discovered a website glorifying suicide and learned about a product he could get from Amazon which he used to end his life. In Sept 2020 Meredith Mitchell his mom exchanged 57 messages with Amazon. Amazon knew the product had no use besides suicide. And kept promoting, selling, and delivering it. I represent 27 other families in 9 (soon to be 10) cases in Washington State whose children bought the suicide chemical after Amazon sold it to Ayden.

In all my cases, Defendants raise two main defenses. Section 230 of course. But also that they didn't have specific or actual knowledge of my client or their abuser, their account, their picture. They did not *intend* to harm my client they claim.

I was here a year ago, on January 31, 2024 when this Committee questioned the CEOs of Meta, Twitter, Discord, Snap, and TikTok. You said you were done with discussions and desperate for solutions.

But the most important thing I can say as an attorney who represents victims of extreme harms online, is that details matter. We can't have solutions that swap in one obstacle for families with another. For instance, it just won't work if we remove Section 230 immunity, but replace it with the requirement that a plaintiff must plead the platform had actual knowledge of the specific incident of CSAM or trafficking.

I. ANALYSIS OF 2255A'S ACTUAL KNOWLEDGE STANDARD ON CIVIL CSAM LITIGATION

Currently, Section 2255(a)(2) of the proposed STOP CSAM ACT creates a civil remedy for victims of the "intentional or knowing hosting," "storing," or "making . . . available" of child sexual abuse material by an interactive computer service.

Exhibit A contains letters from victims whose justice would be curtailed by an actual knowledge standard. Some are people with pending litigation.

Section 2255A(f)(2) defines "knowing" as "knowledge of the instance when, or the course of conduct during which, the provider" "hosted," "stored," or "made available the CSAM "at issue."

This definition of "knowing" is known as the "actual knowledge" standard. The Actual Knowledge standard is the most stringent for a victim to plead. To prevail, a plaintiff must show a provider was "in fact. . . aware" of the specific incident.

Practically, an Actual Knowledge standard will make it almost certain that a victim's case will be thrown out at the earliest stage in litigation, a motion to dismiss. That's because of two reasons: 1) platforms historically have taken a head-in-the-sand approach to harms that occur to victims. Platforms make it difficult to report, the reports go nowhere, victims don't get receipts, if a victim does report at what point does knowledge get imputed to the platform especially when they use AI? 2) asymmetry of information – it's only through discovery that a plaintiff is likely to learn the extent of a platform's knowledge, but a case will never get to discovery because it will be thrown out before that for failure to allege facts sufficient to show the platform had actual knowledge.

As the dissent in *M.H. v. Omegle* explained, 2255 actual knowledge for CSAM cases is not necessary. In *Tilton v. Playboy* (11th Cir 2009), the knowledge element can be demonstrated through actual knowledge OR deliberate ignorance. Knowledge through deliberate indifference occurs when a party acts "with an awareness of the high probability of the existence of the fact in question." (*US v. Hristov*, 11th Cir. 2006). This "deliberate indifference" rule exists to prevent a party who has had his "suspicion aroused but then deliberately omits to make further enquiries [] because he wishes to remain in ignorance" from "skirting liability" *Id.*

Where courts have applied actual knowledge standards, victims have lost:

- *Doe v. Twitter*, N.D.Cal Dec 11, 2023 Involved the CSAM of two minor boys. John Doe #1 provided evidence that Twitter knew the victims were underage, reported the video to Twitter, stated he was a minor, showed his driver's license, showed that his mother submitted two previous complaint. **Despite this mountain of evidence**, the court said this was not enough to prove "actual knowledge" and instead amounted to "turning a blind eye" rather than active participating in sex trafficking.
- *M.H. v. Omegle, LLC* the 11th Circuit found there was no actual knowledge despite extensive pleadings that on Omegle the use of the website for advertising, creating, posting and sharing child sexual abuse material was so pervasive" as to be the actual business model.
- *Does v. Reddit*, the 9th Circuit said there was no actual knowledge despite evidence that Reddit had received reports of the CSAM.
- In *Doe v. Grindr* the plaintiff pleaded that Grindr actively advertised to children on Instagram and TikTok using child models at school settings. The pleadings exhaustively explained Grindr's knowledge of its trafficking to children -- prior criminal and civil cases involving them recommending children to adults for in-person sex, media articles about the sexual abuse of children, and a peer-reviewed article in the Journal of Adolescent Health that found that 50% of sexually active gay children have their first sexual encounter with an adult they met on Grindr. On February 18, 2025, the 9th Circuit affirmed the district court saying, Grindr's knowledge was too attenuated.

In no other type of case is the standard so high. Such a high standard just provides a new benefit to tech platforms.

If the breaks of a car go out, a beam falls on somebody's head in a construction zone, or a door flies off a plane, the injured people don't have to prove the defendant had actual knowledge of the problem beforehand and intended for the injury to occur to the exact person.

Cases where victims have overcome Motions to Dismiss without importing this Actual Knowledge standard from criminal law:

- *AM v. Omegle* in the District of Oregon for product liability relating to the defective design and failure to warn inherent in matching adults and children for sex streaming
- *AM v. Omegle* relating to Omegle's knowledge that it was operating a trafficking venture in that it knowingly recruited children and made money of the scheme
- 5 cases against Amazon for selling suicide chemicals even though they claimed not to have the intent for the decedents to ingest the chemical
- *Neville v. Snap* -- Cases against Snap for operating as a cartel for counterfeit fentanyl pills
- *A.B. v. Salesforce* – Plaintiffs allege that Salesforce enabled Backpage to process credit cards, text potential and past clients, and gather information about sex

traffickers. Plaintiffs' case overall rested on the notion that Salesforce provided back-office business services to a company "it knew or should have known was engaged in sex trafficking." On December 19, 2024 the Fifth Circuit ruled for Plaintiffs, affirming the district court's denial of summary judgment and remanding the case to trial court.

- *Doe v. MG Freesites, LTD* – On December 19, 2024 the Northern District of Alabama Western Division ruled in favor of plaintiffs, denying Pornhub's motion for summary judgment on claims relating to trafficking and CSAM. Plaintiffs pleaded that Pornhub's algorithm and system of reviewing, categorizing, tagging, and disseminating images and videos depicting the rape of minors satisfied the pleading standard. Defendants use their algorithm both to help users find CSAM and helped users advertising CSAM to advertise it.

II. ESSENTIAL FACTORS IF THE TRUE GOAL IS TO PROTECT CHILD VICTIMS FROM ONLINE EXPLOITATION

The following propositions are anti-victim and no properly counseled victim will ever support legislation with this language:

- Creating an "actual knowledge" standard in civil causes of action. As discussed already, the actual knowledge standard is one imported from criminal law and almost never is used in civil cases. The proper standard is negligence. The compromise is recklessness where the defendant knew or should have known they were creating a risk. It makes sense to have a higher standard in criminal law where due process supports the notion that people should only be criminally liable for intentional conduct. That standard does not work in civil cases where the purpose is to make injured people whole for harm where somebody negligently or recklessly caused their harm or whose affirmative conduct increased the likelihood of harm.
- Sanctions. Sanctions standards are already set in state and federal rules of civil procedure. Establishing new more lax standards will encourage bullying by big tech during litigation. Already Snap has a pattern and practice of filing frivolous sanctions motions against victims and their attorneys with demands that plaintiffs change their pleadings. For instance, on September 25, 2023, Snap, an \$18b company moved to sanction my clients, grieving parents of children who died from their product connecting them with drug dealers, and me. Why? Because we had the audacity to sue them – claiming they failed to cooperate with law enforcement and their features facilitated drug deals – Quick Add, Snap May and My Eyes Only. We won the motion to dismiss for this complaint they alleged was frivolous and are now in discovery. Our research in defending this motion revealed Snap usually files sanctions motions against victims. Lee Davis is forced to defend a sanctions motion by Snap. Most attorneys never move for sanctions in their entire career. Snap does it at the beginning of almost every lawsuit just to intimidate and bully victims.
- "Impossibility" defense. No law relating to trafficking or CSAM should have a defense where platforms can say it is technologically impossible to disable access to or remove CSAM or stop trafficking. If a platform does not have the technology

to remove CSAM or stop abusive accounts, it is an inherently dangerous product and should not be in the stream of commerce for American people. Period.

III. WHY GETTING TO DISCOVERY IS KEY

Discovery puts parties on equal footing because the facts of the case are laid bare for both parties. This puts parties on equal footing to evaluate the strengths and weaknesses of the case. The purpose of discovery is to ensure both parties have access to all facts surrounding their dispute so they can make informed decisions during trial proceedings.

The trouble is that discovery only happens when parties are on the other side of a motion to dismiss. In cases where a case is dismissed on grounds of Section 230 or lack of actual notice to the platform, the case never gets to discovery. This deprives the victims of key facts that they need at the pleading stage to win a motion to dismiss. So it's a Catch – 22 for victims: because their case is dismissed for lack of specific facts in their pleadings about the platforms, they don't get to advance into discovery to collect those facts. The end result is that platforms can continue to harm so long as they never get to discovery where it would be revealed.

Discovery is particularly important in cases where there is asymmetry of information as in cases against corporations relating to products. Here our defendants are social media companies with more data than we can imagine. They hold all the cards about how their products work, the extent of their knowledge, prior similar incidents, the intentionality of the design that led to the injury, whether things were reported, prior misuse by the offender

For many grieving parents, discovery IS the point of litigation because they want to . They want the harm to never happen to another family. Discovery is where transparency happens. It's far more threatening to tech companies than money damages.

In one rare case that advance into discovery, *A.M. v. Omegle*, in the district of Oregon we obtained about 60,000 documents of discovery from Omegle. And right as I was taking depositions, Omegle folded, shuttered their website in November 8, 2023 and declared bankruptcy. Their RIP website page now says "I thank A.M. for opening my eyes to the human cost of Omegle." Interestingly On December 19, 2023 – just one month after Omegle shutdown, I received an offer from a "nonprofit" called Tech Coalition that is actually run by the executives of TikTok, Meta, Google, Amazon, Microsoft, and Roblox. They asked to buy my Omegle discovery to train their AI but only if I signed an NDA. I said I'd give it to them free and they weren't interested. I also pointed out that the only reason I had the discovery was because I won the motion to dismiss twice – which is something their coalition members always plead

Case studies of matters dismissed under Section 230

IV. SOME OF MY CASES DISMISSED UNDER SECTION 230

A. Immunity for distributing suicide kits

McCarthy, et al., v. Amazon.com (Pending in the 9th Circuit)

In February 2021, I was hired by Ruth Scott. Two months prior, her only child, Mikael, had discovered a pro-suicide website where people could encourage each other to die and they could live-post it. Users on the site recommended a specific chemical for sale on Amazon, Sodium Nitrite, that was only twenty dollars, and ensured a fast death delivered to your doorstep. Indeed, a teaspoon of the powder mixed with water ends a life in about 20 minutes. On Amazon's website I saw pictures of the product and lots of user reviews from heartbroken parents and toxicologists saying the product had killed their kid.

I expected the case to just be a pro bono letter. Surely Amazon was just too big to realize it was selling a suicide kit. And I say kit, because it recommended that users who purchase the chemical also buy attending products to guarantee death – including a small scale to measure the dose, Tagamet anti-emetic pills to prevent vomiting, and an Amazon edition suicide manual with an entire chapter on how to die from Sodium Nitrite. Mikael had also the scale and Tagamet was found in his room.

Unlike the other products Amazon sells, the 99% pure Sodium Nitrite it sold to Mikael has no household use. [Contrast to curing salts which are 6% pure and dyed pink for safety because even that purity is dangerous].

To my surprise, when Amazon's lawyers responded in May, rather than taking the product off the market, they doubled down and said they have no duty to restrict sales just because somebody was "misusing." They said they could not be held liable anyway.

I ended up suing Amazon. And other parents joined the fight. I now represent 24 families to whom Amazon knowingly sold this chemical. We have six cases filed. One of the cases is on behalf of the families of a 16 year old girl, Kristine Jónsson from Ohio and 17 year old Ethan McCarthy from West Virginia

In that case, I sued saying that Amazon was negligent for selling and distributing Sodium Nitrite when it knew that the product was regularly used for death. I explained in the long pleadings all the different sources of Amazon's knowledge that it was selling the chemical – including it receiving a letter from Congress demanding answers. I explained that Amazon removed one-star reviews to manipulate the ranking of the product and suppressed the warnings that parents left.

The lawsuit sues Amazon for its role as a seller – not as a platform. It was a basic seller negligence case. But the judge said that since I had mentioned user reviews – i.e. content posted by another user, Section 230 applied and the claim should be thrown out. This was one sentence in a 42 page complaint and none of the claims even relied on that fact. The Court dismissed the case with prejudice and said Amazon was immune from liability for intentionally concealing the harms connected to the product because the lawsuit included language that discussed the posting of third party content.

B. Immunity for marketing a hook-up app to children

John Doe v. Grindr (dismissed with prejudice, 9th Circuit)

Grindr is the world’s biggest hook-up app for LGBTQ+ individuals. In recent years, it has begun campaigns on TikTok and Instagram clearly marketed to children. Not only are these platforms primarily used by children, but the content Grindr posted showed videos of adolescent-appearing kids in school gymnasiums and high school or middle school settings.

In April, 2019, John Doe, a closeted 15 year old gay boy living with Autism and ADHD in a rural community fell victim to Grindr’s juvenile-targeting marketing. He was desperate to meet other gay kids and naively thought he could find friends on Grindr. Without his parent’s knowledge or permission, he downloaded the app, complied with a prompt that told him he needed to be 18 or older and created a profile, choosing whatever birthday he wanted. Grindr extracted John Doe’s location data from his phone and offered proximately located users to him and offered him to nearby adults. The day he downloaded Grindr, he matched with an adult nearby his school, met up with him and was raped. Stunned, traumatized, and confused, Doe returned to Grindr. Over four consecutive days in total, Grindr matched Doe with four adults, each who raped him with varying degrees of force and violence. Three of the four were criminally convicted. Doe experienced significant trauma and distress from the rapes, causing him to attempt suicide, drop out of school, and require inpatient hospitalization.

On March 10, 2023, Doe sued Grindr under theories of strict products liability, negligence, and trafficking. He alleged that Grindr breached its duty of care by aggressively marketing to children and then matching them with adults. Grindr alleged that it is but a forum for “speech.” The District Court dismissed the entire case with prejudice, claiming that but-for the user content, none of the harms that befell Doe would have occurred. The judge lamented that “[t]he facts of this case are indisputably alarming and tragic. No one should endure what Plaintiff has.” Yet, he dismissed the case because, according to the Court, Section 230 immunizes the platform because if not for user content – specifically the location data Grindr extracts from users to match them with other users – none of the harms would have happened to Doe. The trafficking claims were dismissed because the judge said that Grindr merely “turned a blind eye” to the unlawful conduct, which it is allowed to do. On February 18, 2025 (one day before this hearing) the Ninth Circuit ruled against my client affirming the lower courts dismissal. Next step is to petition the Supreme Court of the United States to hear this case, making it the court’s first substantive decision on Section 230.

C. Immunity for Extreme Stalking the Platform Knew About

Matthew Herrick v. Grindr (dismissed with prejudice, 2nd Circuit)

Starting in October 2016, 33-year-old Matthew Herrick began receiving unwanted strangers at his home and work. Sometimes as many as 33 in a day. Matthew knew his ex was behind the strangers – they began showing up a week after their break-up. The

impersonating profiles sent men for fisting, orgies and aggressive sex. In the direct messages, the strangers were told that Matt's resistance was part of the fantasy. Matthew had tried everything he could to take care of the problem on his own. He filed more than a dozen complaints with his local police precinct.

In all, about 50 separate complaints were made to the company reporting the fake profiles, either by Matthew or on his behalf. The only response the company ever sent was an automatically generated email: "Thank you for your report." Over the course of ten months more than 1,400 men, came to his home and workplace expecting sex.

Even though Grindr's terms of service state that Grindr can remove any profile and deny anybody the use of their product at the company's discretion, they refused to help. After Matthew's approximately 50 pleas to Grindr for help were ignored, we sued Grindr in New York State Supreme Court, New York County, and obtained immediate injunctive relief requiring that Grindr ban the malicious user.

It's not clear exactly how Grindr was so easily being used to send the strangers to Matthew—it might have been through a spoofing app that worked with Grindr's geolocation software or something more technical. But the strangers who came to Matthew said they were sent through the Grindr app and would show Matthew the fake profiles with his pictures, geolocation maps showing how far away they were from Matthew, and direct messages telling them which buzzer to ring and what kind of sex Matthew was eager to have.

We sued Grindr under product liability theories. Grindr is a defectively designed and manufactured product insofar as it was easily exploited—presumably by spoofing apps available from Google and Apple—and didn't have the ability, according to the courtroom admissions of Grindr's own lawyers, to identify and exclude abusive users. For a company that served millions of people globally and used geolocating technology to direct those people into offline encounters, it was an arithmetic certainty that at least some of the time the product would be used by abusers, stalkers, predators and rapists. Failing to manufacture the product with safeguards for those inevitabilities, I argued, was negligent.

The SDNY judge dismissed the claim with prejudice declaring that Grindr was immune from liability pursuant to the Communications Decency Act, because according to her, our claims depended on information provided by another information content provider. If not for Matthew's ex using the app, she reasoned, none of this would have happened to Matthew. She reduced all the harm as flowing from the ex's actions, not Grindr's, and therefore reasoned that the company was immune from liability and had no obligation to Matthew.

We appealed to the Second Circuit repeating the argument that because we were suing Grindr for its own product defects, operational failures and broken promises in their terms of service—and not for any content provided by Matthew's ex—Grindr was not eligible to seek safe harbor from Section 230. To rule against Matthew would set a dangerous precedent, establishing that as long as a tech company's product was turned to

malicious purposes by a user, no matter how foreseeable the malicious use, that tech company was beyond the reach of the law and tort system.

On March 27, 2019 the Second Circuit issued a [summary order](#) affirming the district court's dismissal of the complaint. On April 11, we filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc*. On May 9, that too was denied. In October 2019, our writ for certiorari to the Supreme Court, also was denied. It was the end of the road for *Herrick v Grindr*.

In 2020 Justice Clarence Thomas wrote a dissent to a writ for certiorari in the case *Malware Bytes, Inc. v. Enigma Software Group*. He lamented that when Congress enacted Section 230, most of today's major Internet platforms did not exist. Then he condemned how the two and a half decades of lower court decision "eviscerated the narrow liability shield" Congress had intended. Making his point, he cited Matthew's case, furious that courts so extravagantly interpreted Section 230 that it even granted immunity in a product liability case "concerning a dating application that allegedly lacked basic safety features to prevent harassment and impersonation."

IV. CONCLUSION

What is illegal online, should be illegal offline. Americans are being injured by tech companies running amuck, unconstrained by regulation, liability for their product, or the threat of litigation. Everyday people lost their fundamental right to the courts to vindicate their injuries because of Section 230. In fixing it, Congress must use care to not pass so-called protections that would do more harm than good. For instance, creating an "actual knowledge" pleading standard would be even more deadly to cases than Section 230 is. Court will be even more unfriendly to victims if new laws provide lax rules for defendants to sanction victims and new defenses for platforms to claim a fix is "impossible." When Congress passed Section 230, it never imagined what the Internet would become or the complexity of future products. Now it knows it birthed a monster. Through careful legislative reform, Congress can fix what corporations won't because of greed and courts can't because of bad accumulated case law. Anybody could become my next client.

EXHIBIT A

Dear Senators,

I go by A.M. to protect my identity as I stand up against what has happened to me and so many others. I would appreciate your time to hear my story as I urge you to reconsider the STOP CSAM Act.

While living in Michigan at the age of eleven, I went on to Omegle expecting a site designed for people to meet others. Within an instant, I met my abuser who then spent years sexually coercing me with the threat of killing my family. Faced with fear, I spent years silently being torn apart. This was not one instance, but countless messages, photos, and videos I was forced to hand over. Even being sent back to Omegle in an attempt for my abuser to use me as bait to find other underage girls.

Due to this abuse, my family and myself have suffered immensely. I have faced severe PTSD, unable to even hear a phone ringing without having a panic attack. I am constantly flooded with flashbacks that can cause such distress that I have seizures to try and stop the memory. Forever having to explain to others pieces of what I went through so they can understand the nightmares, or the seizures, or the strains within my family system.

The horrors I faced are unrepeatable. The list of ways this has impacted me is miles long. It forced me to have to publicly come out with my abuse and allow it to be used as an example of the dangers of this site and so many others. Placing myself at the mercy of the court system and the public eye in order to have a chance at protecting other young people like me.

If I had to plead that Omegle knew about my specific abuse at the time it happened, my case would have been thrown out for that reason alone, even if I had won on Section 230 grounds. As a direct result of my case, Omegle has been shut down forever. This means that no child will face what I faced. Yet, this was only possible after I obtained over 60,000 pieces of evidence in the discovery time of my legal battle. That is 60,000 children who faced abuse like mine. 60,000 pieces of evidence that would have stayed unearthed had we continued to let tech companies hide behind their ignorance.

STOP CSAM as drafted with an 'actual knowledge' standard will allow tech companies to hide behind a defense of claiming that they lacked "actual knowledge"

of victims' CSAM or trafficking. It is impossible for a victim or parent to be able to provide that information to a lawyer prior to the filing of the lawsuit. The requisite information resides with the technology companies who knowingly turn a blind eye and who intentionally hide from wanting to know what their platforms are facilitating. Please do not hand them another shield. Children's lives are at stake.

I spent years being tortured. I endured emotional and sexual abuse that will forever impact my life. I will never forget what happened to me. I will never be able to walk away from it. I will never, ever, get my childhood back. I am urging you to please remember me when you make these decisions. Not as the woman I was forced to become, but as the child that could have been saved.

Sincerely,

A.M.

Mother of J
31 Hudson Yards, 11th Fl
New York, NY 10001
February 17, 2025

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510
Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

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135 Hart Senate Office Building
Washington, DC 20510
Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

My name cant be shared to protect my daughter. I am the mother of a CSAM survivor who was abused from days after she got home from the hospital until she was a toddler, and is revictimized every day since as her images recirculate on tech platforms.

This bill, asking tech prove actual knowledge of each image before asking them to clean up their own mess makes a mockery of my daughter's efforts to seek justice. If this bill is all we can pass in the tech controlled political environment we live in now, then do nothing. It's that simple, if you won't help us than at least don't hurt us. Thank you.

Sincerely,
Mother of J

“Amy” of the Misty Series
31 Hudson Yards, 11th Fl
New York, NY 10001
February 17, 2025

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510
Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

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135 Hart Senate Office Building
Washington, DC 20510
Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

The STOP CSAM act has been a reoccurring problem for survivors of this offense and the fact that tech companies support this bill should be the first red flag. This bill is not aptly named. My lawyers are finally making progress to hold tech to account in courts, and I am so worried that the tech industry is planning to impose this heavy burden on survivors and their lawyers before accessing justice. Please take the words of survivors to heart and let's pass a bill that helps seek real justice.

Sincerely,

“Amy” of the Misty Series

“Erika” sister of “Tori”
31 Hudson Yards, 11th Fl
New York, NY 10001
February 17, 2025

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510
Ranking Member Senator Dick Durbin
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Ranking Member Senator Dick Durbin
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Washington, DC 20510

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

This is a pseudonym I have to use for my own safety. My little sister and I wrote to congress together a few years ago to pass the no time limit for justice act. She was the strongest person I know, and she would have never wanted to write you this letter. She would say: Why do victims have to bear the burden of fixing the problems that made us victims? Why did I come here and bear my soul just to beg you to do what is right. She felt we had been through so much that we do not owe this to anyone. But I owe this to her. She isn't here to fight for herself or fight for justice in any way anymore.

We were both victims of child sexual abuse that was memorialized by our first abuser and shared with the world online. Our offline abuse was being captured and shared in a virtual web of pedophiles. One of the second-hand abusers wanted to meet us offline. He became obsessed with us and wanted to make the pictures he saw of us a reality. We were brought from the state we lived in to a hotel to meet this monster multiple times. It was a miserable circle of abuse no kid should ever be put through.

I think back to when she was this sweet beautiful little kid. Her childhood was stolen, captured, and put online for the sick fantasies of pedophiles. Her exploitation was immortalized. What happened to us really couldn't have ever happened without big tech—and big tech will continue to let this run rampant if we do not take action. If you pass STOP CSAM, which is supported by Tech companies like Snap and X and Google, then you will be letting me and my sister down.

What I can't really understand is why you would not pass a bill that will actually help us. Even though she is gone, her online abuse continues forever. This abuse is permanent even though we are not. These digital crimes have outlived my sister.

Right now, there is no way to seek criminal restitution or civil justice after the victim dies. Copyright holders have more rights than that. Big tech treats copyright holders better than victims. And that is why Congress needs to step up and pass real reform instead of STOP CSAM which has such a high burden no victim will be able to seek justice. It's time to do something to start protecting children living and dead, known and unknown.

We need to expand the rights of survivors and limit the rights of tech companies. That is why I came here today. I am here to ask you to hold tech to account for real. Please heed the echoing call to help survivors like myself before it is too late.

Sincerely,
"Erika" sister of "Tori"

February 18, 2025

Dear Senators:

My name is Mrs. M. Smith, and I am a Canadian citizen writing you today to represent the astronomical and increasing number of victims that have been subjected to online harm. Allow me to share with you the story of my daughter's abuse.

At the age of 12, my daughter had a cell phone, which we ensured was equipped with parental controls. She was not on social media at all, her screen time was limited, her contacts needed to be approved, and her father could see all of the activity on her phone. Therefore, it was shocking to us to learn that our daughter, at the age of 12, could be groomed and manipulated online on a school device, which carried the music platform, Bandlab. This platform does not have any age restrictions, and it has a chat function like many. This platform was evidently not monitored adequately by the tech provider, specifically for CSAM, to detect the online predator she was speaking with. For one year, an online predator, who presented himself as a peer, groomed her and published sexually explicit material of our daughter online. In June of 2022, at the age of 13, the predator, a 40-year old man, named Noah Madrano, abducted my daughter right beside her school.

When my daughter did not arrive home on the school bus, I reported her as a missing child. From there, a full scale search for her ensued with volunteer crews on the ground, knocking on doors and putting up posters. The police in our city merged their historical crimes, missing persons, cybercrime, and human trafficking divisions in the hope our daughter would be found safe. For days, we had sleepless and tearful nights, wondering what happened to her. We engaged the media heavily, and our appeals made international news with the New York Post and the UK's Guardian. After an excruciatingly painful week of our daughter missing, I woke to officers at our door, knowing that they had an update. Either they found her alive or we would find out our daughter would be returned to us in a body bag. Naturally, we were overjoyed to learn that our daughter was found. The FBI seized her from a hotel room in Portland, Oregon, and our daughter was being held in the Children's Hospital there where they administered a rape kit and conducted an assessment of the abuse she was subjected to. Immediately, we jumped on a plane to retrieve her from Portland and bring her home.

While the criminal case has moved forward (slowly) and Noah Madrano has accepted a plea deal and has plead guilty to a litany of crimes he committed, we currently await his sentencing date set for April 8, 2025. Her perpetrator faces 25 years to life in prison for a myriad of crimes, some of which include: kidnapping, rape, sodomy, putting a child on display, possessing and developing child pornography, and crossing an international border with sexual intent. My daughter was stuffed into the perpetrator's trunk to cross the border; this act alone could have killed her.

For the last two years, my family has been on a healing journey. The pain and damage of these horrific events is complex and largely irreparable. We are learning to co-exist with it.

I appeal to you today to understand the damage an unregulated Internet creates. Tech companies need to be held accountable and ensure they are acting in a legal and ethical manner. That said, a legal framework must be developed.

I often think about regulation -- To drive a car, one needs a license. To fish or hunt, one needs a license. To go into a porn shop and access pornographic material, one must produce identification. Why is the Internet not regulated the same way where users should have to verify who they are and not hide behind anonymity?

It is time for online reform, otherwise, more children will become victims, and the impact is great for families and communities around the world. Please Stop CSAM as drafted with an actual knowledge standard and stop tech companies that hide behind a defense of claiming that they lacked "actual knowledge" of victims' CSAM. It is impossible for a parent to be able to provide that information to a lawyer prior to the filing of a lawsuit as the requisite information resides with the technology companies who willingly turn a blind eye and who purposefully hide from wanting to know what their platforms host. Please don't let them hide behind another shield.

I must appeal to you to make changes that will have a profound and lasting change for children to be able to navigate the digital landscape without harm because it is my position and our lived experience that no child is safe on the web. If this can happen to us, it can happen to anyone. The abuse my daughter has suffered is unbearable to comprehend, but it could have been prevented and detected. I urge you to make progressive changes, as a matter of duty, to keep children safe.

Sincerely,

M.D. Smith

Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Senator Richard Durbin
711 Hart Senate Office Building
Washington, DC 20510

February 16, 2025

Re: STOP CSAM

Dear Sen. Grassley and Sen. Durbin:

Please do not pass the STOP CSAM law. Please stop and change the language of the Bill so that it will help children and families like my daughter and my family.

When she was 10 years old my daughter was using an app which says it restricts users to 18 and over, but they did nothing to verify my child's age and I did not know she was on it.

While using the app my daughter was groomed and then threatened and forced to send pictures of herself to a man we didn't know. This criminal talked her into taking videos of herself naked and "performing" for the camera. We never did learn who he was. The FBI agent who was helping us and investigating the crime was killed in the line of duty.

Other people sent me videos and photos of my daughter. We were harassed and insulted by strangers. We had to move our family thousands of miles away from our home so we could try to start over. Another law enforcement agent in our new town helped us to find a lawyer who explained what we could do about all of the notices of men being prosecuted for having the sexual pictures and videos of my daughter.

In this process, all of my children were hurt. They had to change schools, leave their home, make a new life, and I had to start my business all over again in a new community. My sweet 10 year old is older now but has had trouble in school she never had before. She is very pretty but is afraid of too much attention. She is withdrawn live never before. Even in our new home, she has had to change to a remote school in order to try to save her grades. She could not go to school in the regular in person sessions like she could before. She tries to be strong but is emotionally fragile. If the topic of her online pictures comes up, she dissolves. She is no longer hoping to be a model as she might have before. Her grades went down so much due to this trauma that her options for college are much more limited.

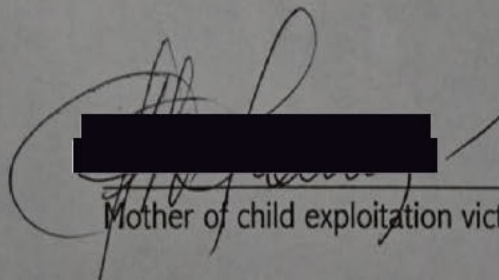
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Our lawyer explained to me that with the STOP CSAM law, as it is written now, that we would have to show that an internet company had specific knowledge of the particular image file of my daughter's CSAM before we could make a claim for them allowing this illegal content on their website. This is impossible. These companies have so many tech engineers and so much knowledge of their internet applications that it is not believable that they did not know about there being CSAM on their sites. It is even less believable that they are not made to do anything about it. As one parent, how can I go against a tech company with all of the information on their side? Parents need government to help them keep children safe.

We get notices of maybe 40 criminal cases a month against men who have downloaded my daughter's images. They have spread all over. The only way we can ever stop this is to get the internet companies to do something. Tech companies should be made to take down the images that law enforcement has already looked at and found to be child pornography.

My daughter's life will never be the same. You can do something to keep other children from being hurt like she has been. You should stand up to the tech companies and make them join the fight against predators; don't give in to the companies and let them get off free when they have hurt children.

Please don't pass the current STOP CSAM Bill.


[REDACTED] 2-17-2025
Mother of child exploitation victim

Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

February 16, 2025

Re: STOP CSAM Legislation

Dear Senators Grassley and Durbin:

I am the adoptive mother of two children, a boy and a girl, who were sexually assaulted by a ring of adult men. These children were two of many children these men victimized. My children were raped and molested so these men could post on the internet the videos and photos of the crimes they committed. They posted this CSAM so they could get photos and videos of other children being raped.

My own brother was one of the men who committed these crimes. This devastated our family. I took the children as my own to keep them from foster care and to give them a second chance at life. I have seen close up the horrendous effects of these crimes. It is the existence on the internet of the CSAM of my son that has made him try to take his own life. It has made him act out against his sister such that I have to protect her from him. All this was done just to trade the CSAM on the internet

I am writing to ask you to reject the STOP CSAM Bill as it is worded now. Neither of my children will ever fully recover. But they should have a chance at justice. It is not just the men who abused them that need to be punished, the websites and the companies that make money from these websites, videos and pictures of my children being bound and raped need to be held accountable. At least my children need a chance to be heard and to show how the platforms have hurt them.

The tech companies have turned their backs on children. They know very well that there is CSAM on their websites. I have learned that the STOP CSAM legislation allows the websites to claim that because they might not know about the particular posting of my son's photos at a particular time that they have no responsibility. But I also understand that these websites, and it was Discord that helped destroy my son, are well aware that pedophiles post CSAM on their websites all the time. My son and my daughter should have a chance to show this.

By passing this STOP CSAM bill as it is you will be depriving my children of their chance for some justice. I know they can't ever completely heal but I want to do all I can for them. I believe you mean well, but this Bill lets tech companies get around having to answer for their actions.

Thank you. I hope you will hear my concerns.



Mother of two CSAM victims

Cc: Chairman Jim Jordan
2056 Rayburn House Office Building
Washington, DC 20515

Ranking Member Jamie Raskin
2242 Rayburn House Office Building
Washington, DC 20515

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

February 16, 2025

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:


I hope you will read my letter and take it to heart. Please do not pass the STOP CSAM law as it is currently drafted. My family has been devastated by CSAM. My sweet daughter was abused as a school-aged child in order to post the unbelievable videos and photos of her sexual torture on the internet. This tore our family apart, made us lose our home, and have to take security measures to protect her, her brother, and me. These awful images—CSAM—were and are so “popular” among the deviant people who want to watch them that they searched her out and sent obscene material to our home. No parent could ever anticipate what we went through.

She went up and down in her recovery. Recovery from the physical abuse is one thing. One can never recover from knowing about the CSAM online so long as it is there. She would do better with the nightmares and anxiety for a while, then find out about the chats about her online and the things people were saying about her. She would then, after while recover a bit again and then find out something else about the CSAM and have another relapse.

I am a professional person; I am not naïve. But, what I have learned in this long journey toward healing and recovery has been shocking. I have learned how prevalent this material is online, how much the photos of my daughter's abuse are sought after and traded. For years I received the notices of the prosecutions involving her images. There are so many. It has been heart-breaking.

I understand that STOP CSAM would make it impossible for my daughter to ever take action against any of these websites that have had the videos and photos of her abuse. I understand that tech companies are given defenses to any claim she might bring that make it difficult for her to ever win such a case. It is so hard to find legal representation, you should add a provision that gives legal fees to a survivor who is successful in suing a platform. I understand that the law as drafted has a penalty for a victim who brings more than one case that is unsuccessful. My daughter's CSAM is on almost every platform that is out there. How can she take a chance at bringing a case when there is such a penalty? How can she have justice when it is the tech companies who are really responsible for giving a home to CSAM. We can never go after all the individual men who download the photos of child sexual torture. There are too many of them. I know because I have gotten the notices. We need to stop the problem farther “upstream” at the place where the predators get their CSAM. My daughter's images are known to law enforcement and can be found. IF law enforcement can find them so can the tech companies.

Thank you for reading my letter and hearing my concerns. I hope that you will use your good intentions to help these children and young adults to hold tech accountable and not let them off the hook for the obscenities that they know are on their websites.


Mother of a CSAM victim

Cc: Chairman Jim Jordan
2056 Rayburn House Office Building
Washington, DC 20515

Ranking Member Jamie Raskin
2242 Rayburn House Office Building
Washington, DC 20515

Mother of Honor
2012 164th Avenue N.E.
Bellevue, WA. 98008
February 16, 2025

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

My sons, who are still minors, are victims of CSAM exploitation crimes. Images of his childhood sexual abuse are distributed across the United States.

STOP CSAM is supposed to be "A Bill: To combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry." Unfortunately, the changes to the Bill, as currently written, will do the opposite and will hurt and not help the victims of CSAM crimes.

I retained attorneys to represent my children and to request and receive restitution in criminal cases in courts across the U.S. In such cases, the lawyers use the pseudonym of "Honor," and "Felipe" which I selected, to identify my sons' images, which have been identified as the "Block PJs Series" and the "Towel Green Series." This is how they are known in all Court filings.

The changes to the original STOP CSAM bill, help those who facilitate the distribution of CSAM. This bill does not provide the intended benefits for victims and survivors. If enacted, this legislation will give online platforms new tools to use against victims, or anyone, seeking to hold these platforms accountable. I

Page 2

February 16, 2025

ask that the knowledge standard and encryption provisions be changed or removed from the bill entirely. This Bill should be about the survivors, not the enablers.

Please reject the bill in its current form, and particularly the language that changes the knowledge standard and encryption defenses as they apply to the companies that profit from the circulation of CSAM images. The bill as it is currently written will actually hurt survivors of CSAM crimes, such as my sons.

If you simply eliminate the language that protects tech platforms and focus on protecting the survivors, you will be helping survivors. If you let the Bill pass in its current form, you will be ignoring the needs of survivors of CSAM crimes, who struggle daily to overcome the harm done to them. I implore you to protect the real victims.

I am not signing my real name to this letter because I seek to protect my sons' privacy, as much as possible under the circumstances, but you may communicate with me at the address listed above. Thank you for your consideration

Very truly yours,

Mother of Honor and Felipe

February 16, 2025

Chairman Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Durbin,

I am a young woman, who is a survivor of child sexual abuse and CSAM. I was abused by my father, as he live-streamed my abuse with other men who enjoyed watching my abuse. Videos of my abuse have been circulated on the internet for eighteen years, and there is no end in sight.

I learned early in my life that personal privacy, even the most intimate kind, can be ignored and disrespected by the adults who are there to love and protect us. I try to protect my personal life, particularly the shameful events that began in my early childhood and continue to this day. I have dealt with this shame for more than 2/3 of my life. It has been impossible for me to find peace about what happened because I know that images of my abuse and exploitation continue to be observed and shared without my permission. It is difficult to describe how violating and hurtful it feels to have pictures of me and my abuse recklessly exposed and exploited by others for their sexual pleasure. The knowledge that countless people today and countless more tomorrow are pleasuring themselves to my abuse, and then trading my images for others to do the same, it deeply painful and humiliating.

The abuse and exploitation continue to impact me in ways that I try to ignore but I can't. It is not surprising that I have difficulty trusting others, even those closest to me, particularly males. I have an underlying fear that I am never truly safe. I am afraid of the dark and being alone. I sleep with the light on and a flashlight near me. I feel uncomfortable in the company of strangers, and I am hyper alert to people around me on public transportation, at the supermarket, mall, or movie theater. I used to have terrors when I was young, now I just have nightmares. I try not to dwell on the negatives, and I suppress my feelings as a coping mechanism. I try to keep the memories tucked away, so I can maintain control of the present. I try to live happily, but the demons are still there, and I am reminded of them each time I am notified that my images and videos have been shared on the internet.

Tech companies seem indifferent to the plight of CSAM victims. These companies are well aware of the images and videos of child abuse being shared on their platforms yet do nothing unless they are forced to. They are part of creating a market for CSAM by ignoring it and turning a blind eye.

I am requesting that you reject the parts of the STOP CSAM Bill regarding civil liability as it keeps the CSAM victims and survivors like me from holding these platforms accountable for their role in enabling the market and spread of CSAM. I understand that the Bill would require me to prove that a platform knew about each image of me that is posted and not that it generally knows and did nothing about the CSAM it hosts on its platform. Along with the other survivors, we would like the opportunity to have our cases heard in court. Unfortunately, if this Bill passes, we will not be able to have this opportunity.

Thank you for trying to help me and the other victims. However, this Bill could easily block our ability to obtain justice against these companies that profit from the images of our abuse. I ask that we have a voice and are represented so that our rights are not infringed upon.

February 16, 2025

Emily

Emily

A pseudonym of a CSAM victim/survivor

CC:

Chairman Jim Jordan
2056 Rayburn House Office Building
Washington, DC 20515

Ranking Member Jamie Raskin
2242 Rayburn House Office Building
Washington, DC 20515

February 17, 2025

Chairman Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Re: STOP CSAM Legislation

Dear Chairman Grassley and Ranking Member Durbin,

I am a CSAM survivor, and I am writing this letter to share my concerns about the STOP CSAM bill. Like many other victims of CSAM, I was exploited online by men preying on children. I was only nine when the abuse began. During my period of abuse, my perpetrators took numerous pictures and videos of me and shared them online with other like-minded men.

The pain I feel as a result of my online exploitation has caused me to resort to coping mechanisms like pulling out my hair, doing drugs, and not eating. Even though I am currently in therapy, there are days I cannot get out of bed. My paranoia creeps in when I think people are looking at me. Although computers are a part of our daily lives, I struggle to be online. When I am home alone, I triple-check the door locks as I fear being raped. Men have stalked me on the internet and requested videos of me performing unspeakable sex acts. I struggle with my self-esteem and have difficulty maintaining healthy relationships. Unfortunately, the trading of my images and videos will not end anytime soon.

The technology companies know CSAM is being traded on their sites, yet they seem to turn a blind eye to the rampant trading of images and videos of children being abused and exploited. This is not something that just happens in some other part of the world, it happens here. It is in our neighborhoods, schools, homes, and even our churches. Wherever the internet reaches, CSAM can be found. Each image shared is one more exploitation of that child. One more notification that someone else seeks pleasure in their abuse.

I ask that you discard the section of the STOP CSAM Bill that would make it my burden to prove that the tech companies knew about each image and video of me that is posted. Currently, these tech companies know CSAM images are on their sites and choose to ignore the increasingly demanding market for these images. As a result, this encourages the trading of my images online. Survivors like me should have the opportunity to be heard in court and hold these tech companies responsible.

Thank you for your time and effort in helping CSAM victims and survivors. With further input from the victims, I am confident new language can be written that protects our rights.

February 17, 2025

Chelsea

Chelsea

A pseudonym of a CSAM victim/survivor

CC:

Chairman Jim Jordan
2056 Rayburn House Office Building
Washington, DC 20515

Ranking Member Jamie Raskin
2242 Rayburn House Office Building
Washington, DC 20515

Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

February 16, 2025

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

We are two sisters who are victims of child sex abuse crimes. These crimes live on today, many years later, because the pictures of our abuse are on the internet. We are asking you to help us by doing all you can to prevent the further spread of the CSAM that shows our abuse.

We were abused and the pictures made in order for our abuser to trade the pictures with other abusers all over the world. These pictures show the most awful and shameful things. We are asking you to make a law which lets us hold the internet websites accountable for how they facilitate the trade in our pictures. The clean-shaven well-dressed men like our abuser who trade these pictures are just a part of the problem. The companies which create websites where the trading take place are also a big part of the problem. Without these websites and internet service providers the trade in our pictures would not exist like it does. We wouldn't have to fear that some man who has seen our pictures wants to find us and do us harm.

We do not want the websites to be able to claim that they do not know that the pictures of our abuse are being traded on their sites. Nothing could be further from the truth. The FBI can find our photographs and so should the websites with their many computer engineers and designers be able to find and take down our photographs. If it is a crime for a human offender to have the photos then it should be a crime for the websites and email services and cloud storage services to have them too. We know that our photos have unique identifiers that allow law enforcement to identify them. There is no reason that tech companies can't do the same thing. They should not be able to close their "eyes" through encryption and pretend they are ignorant of crimes being committed every day using their services. They are making money from their platforms; they should not be allowed to make money from our pain and humiliation. The STOP CSAM bill as drafted will let the tech companies escape any responsibility. They are a big part of the CSAM problem and share the blame. Please do not pass this bill in its present form and let them off the hook.


Our story is just one of thousands. CSAM has many, many victims and for all of us our school performance, work lives, family lives, and mental health are affected and truly harmed. We both have PTSD and severe anxiety much of the time. If tech companies

had some risk of paying for the consequences for their actions and their failure to act, then maybe that would make them do the right thing and filter out the many illegal CSAM photographs that are uploaded every day.

Thank you for listening.

DocuSigned by:


6358231FE02E473...
Aurora (pseudonym)

Signed by:

6717E9AD2EC64D1...
Alice (pseudonym)

Cc: Congressman Jim Jordan
2056 Rayburn House Office Building
Washington, DC 20515

Congressman Jamie Raskin
2242 Rayburn House Office Building
Washington, DC 20515

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Dear Senators Grassley and Durbin:

My name is M.H., and I reside in Essex County, New Jersey. I am writing using my initials to protect the anonymity of my minor daughter who was a victim of sextortion. It is an honor to be writing to you. I write on behalf of my husband, myself and our four children. We believe you have the passion and strength to fight for all children. I write to urge you to reconsider the knowledge standard in the current version of the STOP CSAM Act.

On March 31, 2020, two weeks into our first shutdown the School District distributed Chromebook computers for students, this was just as we were learning that playdates and classes were on hold indefinitely. So, our children were two weeks into experiencing the reality of sustaining relationships was going to occur solely virtually. On that evening, I was sitting on the couch when my 11-year-old daughter came to me clutching her stuffed animal with huge tears soaking her face. She came to me asking if we could talk, she said “Mommy, something VERY bad has happened.”

She went on the website Omegle (their tagline is “Talk to Strangers.”). Immediately, the person on the other end of the website threatened her. He threatened to hack her family’s devices. He named the town she was in and the internet provider she used. He demanded she take off her clothes and touch herself. She cried and pleaded to no avail. He threatened her by saying he would come after her and her family.

Living with the ramifications of that terrible night in March 2020 has not been easy for us. It has not been easy for my family to come forward to defend all the children who have been exploited through the internet. Because of the fight we’re facing, we live with a daily reminder of what happened to our then 11-year-old daughter. But we know that no matter how dark this subject is, it is a reality for thousands of children who are innocently online who then become sexually exploited. As a result, my husband and I filed a lawsuit to hold Omegle accountable.

The toll my daughter’s sexual exploitation has taken on the six of us is horrific. My oldest son has so much anxiety and cannot talk about what happened to his little sister. Her twin brother is so confused as to why this happened and is stuck in anger over it. Her younger brother is now at the age where we all worry that this could happen to him too. My husband is now in therapy trying to make sense of what happened to his daughter. He is now faced with the fact that she no longer feels safe around him or any other men. I am trying to be a good mother and wife. For the first time in my life, I feel like my experience being molested as a child serves a purpose. When my daughter comes to me with so many questions and fears that only a victim of sexual abuse can relate to, I can hear her and not judge her. I understand the panic and being frozen in fear and how it can put us back in the victim role, only to be victimized again. My daughter has good days and bad days but each day her life is profoundly different than March 29, 2020. And sadly, that is what

happens. My child was sexually exploited using a tool that should have assisted her education, should have helped her remain in contact with loved ones and friends during a global pandemic that no one of our generation could have imagined would ever come to fruition. My daughter will never be the carefree 11-year-old she should have been. My other children have watched her emotional struggle and are now living through their own.

I'm incredibly grateful that my daughter told me minutes after this incident happened. However, that does not mean she is willing to see a therapist. She is not in a place where she can trust a therapist with this degrading, humiliating, terrifying trauma. She is already experiencing PTSD, panic attacks and anxiety. She feels guilt that she's no longer in a place where she can run into her father's arms and feel safe. She can't even hug him. Being sexually exploited online during puberty adds a layer of confusion and fear. She has lived in fear for the last five years.

The fear we all quietly have wondering if/when videos/images of her will ever surface looms in our minds and keeps us up at night. It makes my daughter afraid to be alone and fearful of being able to date. I wonder about the volume of children who are being exploited and abused because of meeting strangers on websites like Omegle.

I will not ask you what the adults can do to protect ALL children. You and I know there are laws that protect these websites by granting them immunity. Section 230 of the Communications Decency Act ("Section 230") gives "interactive computer services" significant immunity from civil liability, as well as state criminal liability for third party content on their platforms. Sadly, given this limited liability, many companies do not aggressively go after online child sexual exploitation. Omegle is one of those companies. Section 230 protected Omegle and resulted in the dismissal of the case my family brought to hold Omegle responsible for knowingly allowing predators to use its website to exploit my daughter and so many other children.

Stop CSAM as drafted with an actual knowledge standard will allow Tech to hide behind a defense of claiming that they lacked "actual knowledge" of victims' CSAM. It is impossible for a parent to be able to provide that information to a lawyer prior to the filing of the lawsuit as the requisite information resides with the technology companies who willingly turn a blind eye and who purposefully hide from wanting to know what their platforms host. Please don't let them hide behind another shield, this time of willful ignorance.

When are we going to step up to companies and tell them that our children are valuable? When are we going to tell the world that American children are not a commodity to be traded and used and then disregarded? When are we going to tell the world that we will hold those willingly ignore sexual predators accountable and not let them hide behind shields to avoid liability?

My entire family has moments in the middle of an otherwise normal day where we worry that my daughter's feature in CSAM will become public and known. My daughter does not want to be known as the "Omegle girl" and quite frankly, no one's daughter or son should. So, I write you to urge you to help families like mine across our country hold companies accountable when they do not aggressively pursue their responsibilities and compliance with their obligations.

Lastly, I want you to know that I am not going anywhere. I am ready to advocate for all children, and not just my daughter. No child should be where my daughter finds herself today and I am willing to stand up and speak for those in our society who are most vulnerable: our children.

Thank you for your time and consideration.

Sincerely,

/s/ M.H.

MH

.
Essex County, New Jersey

TO:

Chairman Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

CC:

Chairman Jim Jordan
2056 Rayburn House Office Building
Washington, DC 20515

Ranking Member Jamie Raskin
2242 Rayburn House Office Building
Washington, DC 20515

February 14, 2025

Dear Chairman Grassley and Ranking Member Durbin,

You may call me Gabriel. This of course is not my real name. Gabriel is just a pseudonym that I must use in order to communicate my concerns to you about STOP CSAM. I have to do this, because as you have probably guessed, I am an ongoing victim of a CSAM series that has spread across the internet for decades...

When I was young, I was unfortunate enough to be raised in what was a broken family. My father was a drunk and an abuser, and as is normally the case in this type of situation, my siblings and I were the ones that suffered the most. Not just in the moments of physical and verbal abuse, but for the extent of our entire lives. Me most of all...

This is because, once my mother escaped from my abusive father, a man, who worked under the guise of a professional counselor specializing in helping the children of broken families, identified me, and had no problem grooming my mother and I into seeing him as a safe and responsible father figure. A story I am sure you have heard over and over. And as you imagine what followed next was years of serial abuse starting at age 8 and not ending until I was 15.

He drugged me and raped me until I was in my preteens(easiest way to keep me quiet). Something I wasn't even able to understand until I was much older and began reflecting and regressing in my process of trying to heal. I know this sounds terrible, and it is bad, but this was not the worst of his crimes. When I was in my preteens/early teens, because I wasn't really in his preferred age range for abuse anymore, he began to record and sell images and videos of my abuse to other pedofiles online. This is the true nightmare of my life, the plight I cannot escape, one I have had to deal with for many years...

With all of this said, I do not want to take up too much of your time. And one would think that after all this time and the decades of the sharing of media depicting my torture, I would be grateful for the change that "STOP CSAM," is trying to usher in. Yet, for some reason, I only feel defeated, and sick to my stomach. This is simply not what I thought reform would look like... And now, my only motivation to keep fighting, "Hope" is being shattered.

You have to understand. For all of us that are victims of CSAM, for any amount of time, the media depicting it gets spread at an exponential rate. And for someone like me, decades unchecked, that means it is everywhere... I dare not even fathom how many times my abuse has been shared, because anytime I have done that, it spirals me into a very dark place... It is an exhausting existence, and make no mistake, I hold Big Tech responsible.

Every online platform has CSAM spread on it. They are aware of it, I am aware, as is every other fighting survivor affected by this scourge. Yet no one has ever been held responsible for the existence of it, nor the allowance of its sharing on the platforms. And this is with the technology existing for over a decade to identify it and take it down. No accountability has been assigned. So many thousands of us left helpless to watch and endure endless criminal negligence due to the protection of Section 230...

I guess it is just my lot in life... to be exploited endlessly... Here I am, a mascot, a narrative, a REASON, for this legislation to be passed... Yet me, and those like me, are posthumously being left behind in the language of the proposed bill...

I suppose we should feel grateful...? For being USED as the IMAGES of justice for these reforms. That is our lot isn't it? To be USED... to be IMAGES... Used and discarded. Not dissimilar to the pedofiles that download and share our shame over and over again. Everyone seems to be getting what they want... at our expense...

This bill takes the Section 230 immunity away, but then adds in its place layers of protection that put the burden of proof for victims so high that no action can be taken against the tech companies that have allowed CSAM to spread endlessly for years... I will never be free of the torment of my abuse because of this fact...

The only way to "STOP CSAM" is at the source... which are the platforms themselves... And if they hold no fiscal liability, they will continue to avoid policing and eradicating the CSAM identified on their platforms. Or even worse... like Meta, implement encryption so they can completely turn a blind eye to what is happening on their platforms and claim there is no evidence of wrongdoing even though there are millions of active cases of CSAM that suggest otherwise. Yes, millions of cases... How is this not proof enough of their negligence?

I personally have had thousands of notices from the DOJ identifying me as a victim. The notices keep coming... without end, with every platform you can think of implicated. Many have not ever reported the cases, or attempted to take anything down. Amidst millions???? How can this be?

Please reconsider this bill. Please listen to our representatives. Those that have stood by us for decades trying to pick up the pieces of this broken system. Trying to find a little hope for those of us it has failed, and is now leaving behind.

Thank you,

February 15, 2025

A handwritten signature in black ink, appearing to read "Gabriel", written over a horizontal line.

Gabriel
A pseudonym

Henley
P.O. Box 6503
Bellevue, WA. 98008
February 16, 2025

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

I am a victim/survivor of child pornography crimes. CSAM containing images of my child sexual abuse are circulating throughout the United States. I am now an adult, and a U.S. citizen. I have sought and been awarded restitution through the United States courts across the United States. I am using the same pseudonym I use in my court submissions, and an address that is not my residence address, as I wish to protect my identity from predators who would seek me out. However, I am compelled to write you with my concerns about the pending bill called "STOP CSAM."

I routinely request and receive restitution in criminal cases in courts across the U.S., under the pseudonym of "Henley." The series name assigned to my images is "BluePillow1." The images of my child sexual abuse are contraband that have been and are currently traded, exchanged, and trafficked on multiple platforms by pedophiles throughout the United States. I am powerless to stop the distribution, which is enabled by numerous platforms that have avoided, and wish to continue to avoid accountability. I receive frequent notices from the Department of Justice regarding the circulation of the images of my abuse, and the number of those notices has increased in recent years, enabled by the tech companies that profit from the traffic.

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February 16, 2025

STOP CSAM is described as “A Bill: To combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry.” Since the time the original STOP CSAM bill was introduced, changes were made to the Bill that minimize accountability and transparency to benefit tech companies, and hurt survivors. This bill is no longer a net positive for victims and survivors. If enacted, this legislation will hurt the children, teens, and survivors such as myself, by giving online platforms new tools to use against victims seeking to hold these platforms accountable. We ask that the knowledge standard and encryption provisions be changed or removed from the bill entirely.

Please reject the bill in its current form, and particularly the language that changes the knowledge standard and encryption defenses as they apply to the companies that profit from the circulation of CSAM images. If you simply eliminate the language that protects tech platforms and focus on protecting the survivors, you will be helping, rather than hurting, survivors such as myself. If you let the Bill pass in its current form, you will be dealing yet another blow to the survivors of CSAM crimes.

I urge you to protect me, and others like me, who are the real victims the Bill is designed to protect. The scourge of CSAM must be stopped, not enabled, as this Bill, in its current form, would do. Those who profit from the distribution of CSAM should not be further empowered, at the expense of the victims who are powerless against the billion-dollar companies that provide platforms for criminal behavior.

Thank you for reading my letter, and addressing my concerns.

Very truly yours,

DocuSigned by:
Brie L. Webster
E221E9DA0A0C407...

“Henley”

Kauzie
2012 164th Avenue N.E.
Bellevue, WA. 98008
February 16, 2025

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

I am a victim of CSAM exploitation crimes. Images of my childhood sexual abuse are widely distributed across the United States.

STOP CSAM is described as “A Bill: To combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry.” Unfortunately, the Bill, as currently written, will do exactly the opposite and will benefit the platforms that host CSAM images, including my CSAM, to the detriment of myself, and other victims of childhood sexual abuse.

I retained attorneys to represent me and to request and receive restitution in criminal cases in courts across the U.S. In such cases, the lawyers use the pseudonym of “Kauzie” to identify my images, which have been identified as the “RapJerseys Series.” This is how I am known in all Court filings.

Changes were made to the original STOP CSAM bill that initially introduced, and those changes accountability and transparency to benefit tech companies, and hurt victims. This bill is no longer a positive for victims and survivors. If enacted, this legislation will hurt the children, teens, and survivors such as myself, by giving online platforms new tools to use against victims, or anyone, seeking to hold these platforms accountable. I ask that the knowledge standard and encryption

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provisions be changed or removed from the bill entirely. This Bill should be about the survivors, not the enablers.

I urge you to reject the bill in its current form, and particularly the language that changes the knowledge standard and encryption defenses as they apply to the companies that profit from the circulation of CSAM images. The bill as it is currently written will not help and will actually hurt survivors of CSAM crimes, such as myself.

If you simply eliminate the language that protects tech platforms and focus on protecting the survivors, you will be helping, rather than hurting, survivors. If you let the Bill pass in its current form, you will be dealing yet another blow to the survivors of CSAM crimes, who struggle daily to overcome the harm done to them. I implore you to protect the real victims.

I am not signing my last name to this letter because I seek to protect my privacy, as much as possible under the circumstances, but you may communicate with me at the address listed above. Thank you for your consideration

Very truly yours,

Signed by:

AFD519634949427...
Kauzie



Krisel McSweeney, Esq.
5550 Glades Road
Suite 500 #1086
Boca Raton, FL 33431
Phone: 800.540.0668
Fax: 561.961.5191
kmcsweney@mcsweeneylawfirm.com

February 16, 2025

United States Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Opposition to the STOP CSAM Act's Knowledge Standard Amendment

Dear Sir or Madam,

I write to you as an attorney and advocate for survivors of sexual abuse, including my client, who was subjected to sexual abuse after accessing Grindr when he was only thirteen years old. While I wholeheartedly support legislative efforts to combat child sexual abuse material and protect survivors, I must express strong opposition to the inclusion of the “knowledge” requirement in the STOP CSAM Act of 2024. This provision will have far-reaching consequences that hinder the ability of survivors to seek justice against technology companies that facilitate or fail to prevent the spread of such material.

The revised language requiring “knowledge with respect to each item required” pertaining to each specific CSAM image imposes an unduly high burden on survivors and their legal representatives. H.R. 7949, 117th Cong. §2255A(f)(2) (2024). If this provision is codified, technology companies will use it to argue for the dismissal of claims, asserting that they lacked direct awareness of each individual instance of abuse. This shift in legal standards will create a nearly insurmountable barrier for plaintiffs, effectively shielding platforms from liability and preventing survivors from obtaining the justice they deserve.

I urge you to reconsider and remove this restrictive language from the bill. Survivors of CSAM and their advocates have fought tirelessly for meaningful legal recourse, and this amendment would serve only to undermine those efforts; while also creating the perfect storm for those who benefit from child exploitation, sexual abuse, and sex trafficking. This provision would ignite a catastrophic chain reaction, emboldening predators and dismantling the fragile legal protections that stand between our children and a digital world fraught with unimaginable horrors. The implications would ripple far beyond courtrooms, ensuring that online platforms remain complicit in fostering an environment where exploitation thrives unchecked. The butterfly effect of this provision will cast a long, ominous shadow over our children's future, exposing them to a reality where justice is out of reach and protection is a distant memory.



Krisel McSweeney, Esq.
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kmcsweney@mcsweeneylawfirm.com

I appreciate your willingness to listen to survivors and those who represent them, and I thank you for your continued commitment to addressing online exploitation and abuse.

With hope for the future,

/s/ Krisel McSweeney

Krisel McSweeney, Esq.

Mother of Pia, Mya and Ava
2012 164th Avenue N.E.
Bellevue, WA. 98008
February 16, 2025

Chairman Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Ranking Member Senator Dick Durbin
711 Hart Senate Office Building
Washington, DC 20510

Re: STOP CSAM

Dear Senator Grassley and Senator Durbin:

Three of my children were sexually abused, and the images of their child sexual abuse are contraband that have been and are currently traded, exchanged, and trafficked on multiple internet platforms by numerous individuals. My daughters receive weekly notices from the Department of Justice regarding the circulation of the images of their abuse, and the number of those notices has increased in recent years. One of my daughter's images (created when she was between the ages of 3-5) are among the most widely circulated "child pornography" (otherwise known as CSAM) in the United States.

STOP CSAM is described as "A Bill: To combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry." Unfortunately, changes in the Bill will do exactly the opposite and will benefit the platforms that host CSAM images, including images of my children, to the detriment of my children, and other victims of childhood sexual abuse.

I retained attorneys to represent my children and to request and receive restitution for my children in criminal cases in courts across the U.S. In such cases, the lawyers use the pseudonym of "Pia," "Mya," and "Ava," to identify my

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children, whose images have been named the "Sweet Sugar Series." I have personally testified in court against the predators who were convicted of possessing and distributing my daughters' images.

Since the time the original STOP CSAM bill was introduced, changes were made to the Bill that minimize accountability and transparency to benefit tech companies, and hurt victims. This bill is no longer a net positive for victims and survivors. If enacted, this legislation will hurt the children, teens, and survivors such as my children, by giving online platforms new tools to use against victims seeking to hold these platforms accountable. We ask that the knowledge standard and encryption provisions be changed or removed from the bill entirely.

I urge you to reject the bill in its current form, and particularly the language that changes the knowledge standard and encryption defenses as they apply to the companies that profit from the circulation of CSAM images. The bill as it is currently written will not help and will actually hurt survivors of CSAM crimes, such as my daughters. If you simply eliminate the language that protects tech platforms and focus on protecting the survivors, you will be helping, rather than hurting, survivors such as my daughters. If you let the Bill pass in its current form, you will be dealing yet another blow to the survivors of CSAM crimes, who struggle daily to overcome the harm done to them. I implore you to protect the real victims, like my daughters, and so many others.

I am not signing my last name to this letter because I have been warned by law enforcement that there are predators who are talking about my children on online platforms, and who are trying to find them, and engage in sexual acts with them. My children's lives have been and continue to be irreparably harmed by the ongoing circulation of their abuse images, and they, not tech companies, need and deserve your protection.

Very truly yours,

DocuSigned by:

6AE427C4504F4DC...
Susanna