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House Judiciary Committee
ATTN: Rep. Pete Lee, Chair
Colorado State Capitol
Denver, Colorado

Dear Members of the House Judiciary Committee,

I am writing to you today to voice my full and enthusiastic support for HB17-1302, which is a strong move toward updating our State law by understanding the technologically advanced times that we live in. As the Director of Youth & Adult Ministry at a large church in Colorado Springs, one of my roles is as a trained facilitator of a comprehensive sexuality education program called Our Whole Lives (OWL). During our program last year with 8th and 9th graders, we had a session to talk about safer ways of exploring sexuality without risking pregnancy or sexually transmitted infection—one of the things we mentioned was sexting, which all of my youth had heard of or experienced. However, I had to then inform them that in our state of Colorado, even if they had shared a sexually explicit photo with a partner in a consensual way, that they and their partner could be charged with a crime if it was found. They were flabbergasted.

Obviously, we need to protect our kids from the abuses of someone sharing explicit content of them without their consent. However, I'm convinced that we do not need to prosecute our youth for safely exploring their sexuality in digital spaces in consensual ways. Consent here is key! In my opening line, I said that I "voice my full and enthusiastic" support for this bill, which is the kind of active consent that our teenagers need to learn to give and receive as they explore their sexuality—which they are doing with or without adult permission, so we owe it to them to give them the tools and resources (and laws) to do that safely and appropriately. Punishing youth for sharing in consenting sexual activity does not lead to the kind of healthy and whole adults that we are hoping to support as a society.

I believe that this bill manages to find that fine line of doing what we are responsible for as a society by holding youth accountable for grievous behavior (like passing along sexually explicit digital material without consent), while refraining from punishing youth for private, consensual behavior.

Thank you for taking my thoughts into consideration,

Candace Datz
Director of Youth & Adult Ministry