LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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The Honorable Kevin McCarty
Assembly Public Safety Committee, Chair
1020 N Street, Room 111
Sacramento, CA 95814

<div align="center">

SENATE BILL 981 (WAHAB)
SPONSOR
Assembly Public Safety Committee

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Dear Assembly Member McCarty:

The Los Angeles County District Attorney's Office is pleased to sponsor Senate Bill 981 (Wahab and Bogh).

With the rapid advancement in both the quality of computer technology and the easy availability of this technology to the general public, there has been an increase in the use of AI technology to create highly realistic images of individuals to appear as if they are nude or engaged in sexual activity. Many of these images are of such quality that special computer software is needed to verify that the image is not real. Today's technology allows images to be generated that are virtually indistinguishable from actual images. As technology advances the ability to distinguish between actual images and artificially generated it will be nearly impossible for the general public to distinguish.

Deepfakes started with pornography in December 2017, when a reporter discovered that a Reddit user with the screen name "deepfakes" was using techniques developed and open-sourced by AI researchers to swap female celebrities' faces into porn videos. This type of digital abuse has seen an uptick since the start of the COVID pandemic as people have grown increasingly isolated and spent more time online.

As a result of AI technology improvements and it becoming more accessible, the scope of the abuse has grown. Today targets of this type of abuse are not just celebrities and Instagram influencers but private individuals. In one example, the Telegram bot in 2020, resulted in over 100,000 individuals being victimized by AI generated deepfake pornography.

While deepfakes have received enormous attention for their potential political dangers, the vast majority of deepfakes are used to target women. Sensity AI, a research

company that has tracked online deepfake videos since December of 2018, has consistently found that between 90% and 95% of the deepfakes online are nonconsensual porn and that about 90% is nonconsensual porn of women.

The harm caused to victims of this type of criminal activity is real. These victims are at risk for both short and long-term negative outcomes due to the trauma, fear, instability, interrupted attachment relationships, grief, and subsequent emotions that arise after this type of victimization.

The harms this type of victimization causes are well documented and include but are not limited to PTSD, chronic health problems, mental illness, and substance abuse. They can also negatively impact educational attainment, job opportunities, and earning potential.

Many of these victims begin to doubt everyone they come into contact with. Others have had to change their names or completely remove themselves from the internet. They constantly fear being retraumatized, because at any moment the images could resurface and once again ruin their lives. In the most severe cases victims have committed suicide after becoming a victim of this type of illicit behavior.

Many DV advocates believe the increase in this type of deepfake victimization is particularly concerning and alarming because it is a perfect tool for someone seeking to exert power and control over a victim.

Unfortunately, there are only a smattering of existing civil and criminal laws to protect these victims leaving no legal remedies for the vast majority of cases.

Even when a criminal prosecution can be filed, it takes months and sometimes over a year before a case can be adjudicated. For this reason, it is crucial that legislation like SB 981 be enacted to protect innocent victims.

Our Office is proud to sponsor SB 981 (Wahab) and respectfully request your **AYE** vote.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

GEORGE GASCÓN
District Attorney