

MINNESOTA DEPARTMENT OF PUBLIC SAFETY BUREAU OF CRIMINAL APPREHENSION

PROHIBITION OF AI-GENERATED CHILD SEXUAL ABUSE MATERIAL AND CHILD-LIKE SEX DOLLS

Recommendation

Child-like sex dolls are dolls that are child-like, anatomically correct, and used for sexual acts. This proposal prohibits the possession, sale, purchase and dissemination of child-like sex dolls. This proposal further prohibits the use of generative artificial intelligence (AI) to create child sexual abuse material (CSAM) including images and videos.

Emerging issues connected to child sexual abuse

This policy builds on previous legislation passed to address offenses related to child sexual abuse material and addresses the emerging issues of production and distribution of CSAM using AI or child-like sex dolls.

- The correlation between possession of child-like sex dolls and the possession of and participation in CSAM is extremely high.
- Perpetrators are using readily-available AI software to create explicit content from non-explicit, identifiable images of children. This behavior victimizes the identifiable child and is a known stepping stone to physical abuse.

A gap in Minnesota laws protecting children

Child sexual abuse material comes in a variety of forms. Minnesota statutes address some of them: Minnesota Statute 617.246 (Use of Minors in a Sexual Performance Prohibited) and Minn. Stat. 617.247 (Possession of Pornographic Work Involving Minors). However, gaps in the laws exist. At this time, it is not a crime for an individual to use AI to create CSAM or have a child-like sex doll to imitate pornographic activities that Minnesota has already outlawed.

This proposal updates the definition of “pornographic work” in Minn. Stat. § 617.246 to explicitly include AI-generated images and videos. The update addresses the “identified minor” language in the statute by adding language providing that pornographic work includes depictions of an individual that are indistinguishable from an actual minor created by the use of generative artificial intelligence or other computer technology.

Other states including Washington, Utah and South Dakota have already passed statutory prohibitions on creating and purchasing sex dolls that are intended to appear to be minors or used as child sexual abuse material. Child-like sex dolls are banned in other countries including England and Canada.

The Bureau of Criminal Apprehension (BCA) strongly recommends that Minnesota join these countries and other states to further prohibit and restrict the expansion of child sexual abuse material into child-like dolls and AI-generated materials.

Support from child protection groups and law enforcement

This proposal is informed by law enforcement efforts to stop child sexual abuse. The BCA’s Human Trafficking Investigators Task Force and Predatory Crimes Unit are both continuously working with law enforcement agencies and victim advocate and service providers on issues related to preventing the production and distribution of child sexual abuse material.

Law enforcement associations and agencies and victim advocate and service providers are supportive of legislation that prevents or reduces the production and distribution of child sexual abuse material.

