



## State of Connecticut

### DIVISION OF PUBLIC DEFENDER SERVICES

**Office of Chief Public Defender**  
55 Farmington Avenue, 8<sup>th</sup> Floor  
Hartford, Connecticut 06105  
(860) 509-6405 Telephone  
(860) 509-6495 Fax

**Deborah Del Prete Sullivan**  
Legal Counsel, Director  
[deborah.d.sullivan@pds.ct.gov](mailto:deborah.d.sullivan@pds.ct.gov)

### Testimony of Deborah Del Prete Sullivan, Legal Counsel, Director Office of Chief Public Defender

GENERAL LAW COMMITTEE - FEBRUARY 29, 2024

#### *Raised Bill No. 2*

#### AN ACT CONCERNING ARTIFICIAL INTELLIGENCE

**The Office of Chief Public Defender has serious concerns in regard to *Section 9 of S.B. 2, An Act Concerning Artificial Intelligence* and opposes the language as drafted. This office takes no position on the remainder of the bill.**

Since this bill has been published, this office has had the opportunity to discuss its concerns with a staff person in Senator Looney's office. This office is hopeful that substitute language will be considered and adopted by this Committee as it progresses.

Regarding the bill as currently drafted here, this office raised the following concerns in its discussion. This office believes that:

- The "synthetic image" language in Section 9 conflicts with various existing criminal statutes and jury instructions.
- The language is vague in regard to situations where a person finds an image through social media and whether an obligation exists for that person to seek consent before sharing the image.
- Whether consent is implied in light of whether certain clothing is worn or not worn by another person in public.
- Whether the 1<sup>st</sup> Amendment of the U.S. Constitution regarding free speech would be violated by the language as proposed.

Page 2 of 2

**Raised Bill No. 2 - An Act Concerning Artificial Intelligence**

**February 29, 2024**

**Testimony of Deborah Del Prete Sullivan, Legal Counsel, Director**

Lastly, this office asserts that language should be added, that the actor must not only intend to *disseminate* the synthetic image but *know* that what is being disseminated is a synthetic image or synthetic representation.

Further, language should be added that a person is not guilty of this offense unless the actor has personal knowledge that the other person does not consent to the dissemination.

As always, this office is willing and available to discuss this bill and any substitute language being considered. Thank you for considering these concerns and we are hopeful that substitute language will be adopted by the Committee which addresses this office's concerns.