



December 10, 2025

Senate Judiciary Committee  
1021 O Street, Room 3240  
Sacramento, CA 95814

Assembly Privacy and Consumer Protection Committee  
1020 N Street, Room 162  
Sacramento, CA 95814

**RE: Artificial Intelligence and Copyright – Joint Informational Hearing of the Senate Judiciary Committee and the Assembly Privacy and Consumer Protection Committee**

Dear Committee Members,

The Writers Guild of America West (WGAW), on behalf of the more than 11,000 members who write television shows, movies, and streaming programs, thanks you for convening this hearing on such an important issue.

Artificial intelligence is a key issue for WGAW members, and the entertainment industry broadly. While film and TV writers generally are not copyright holders of the works they create, they have negotiated over decades for important contractual rights in their work—including the right to compensation for reuse of their work across platforms. These rights have been a core element of the business for decades, and exist alongside the copyright holder's statutory rights—enabling writers to share in the value of what they create. But AI models cut off that chain, stealing writers' work without consent or compensation and then regurgitating it. AI training on copyrighted material without consent is theft—not fair use.

In 2023, members of the WGAW and the Writers Guild of America East won a number of key protections around AI after a 148-day strike. The resulting agreement prevents entertainment industry employers from using AI to replace writers or to lower their pay. But the theft-based model of AI training continues to be pervasive, and has primarily been pioneered by third-party companies like OpenAI.

In late 2024, an investigative report by *The Atlantic* found over 139,000 television and movie scripts that had been used to train most AI models.<sup>1</sup> That confirmed what writers already knew but AI companies had refused to disclose: their creative work has been stolen to build machines meant to create competing products in the market for their work.

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<sup>1</sup> Alex Reisner, "Search the Hollywood AI Database," *The Atlantic* (Nov. 18, 2024), <https://www.theatlantic.com/technology/archive/2024/11/opensubtitles-ai-data-set-search/680685/>.

The theft of Guild members' work is a public policy issue, and one that should concern legislators. Policymakers must act to protect creative workers and adopt policies that make it clear that unauthorized use of copyrighted material to train AI models is theft and illegal.

There are many lawsuits over the issue of fair use. The WGAW recently joined SAG-AFTRA, the AI Coalition for Data Integrity and others in filing an amicus brief in the *Reuters v. Ross Intelligence* case, in support of the District Court's ruling that unauthorized use of copyrighted material to train AI models should not be considered "fair use" under U.S. legal doctrine. But these lawsuits are slow and have uncertain outcomes; as they make their way through the courts, the harm is happening now. Writers need legislators and regulators to create policies that protect human creativity, which is the foundational purpose of U.S. copyright law.

AI developers' refusal to be transparent leaves artists and rightsholders unable to confirm whether a given copyrighted work is being used to train an AI model and exercise their creative rights. For these reasons, the WGAW strongly supports Assembly Bill 412 sponsored by Assemblymember Bauer-Kahan, which would require AI developers to provide copyright owners with information about how their materials have been used to train generative AI models.

Stronger laws are still needed to protect artists, creatives, and the entire entertainment industry from the ongoing theft by AI developers. Legislation like AB 412, as well as hearings like the one convened earlier this week, represent an important step in that direction.

Thank you.

Sincerely,



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Political & Legislative Director



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