



Charles B. Wang International
Children's Building
699 Prince Street
Alexandria, VA 22314-3175
U.S.A.

Telephone 703.224.2150

Facsimile 703.224.2122

www.missingkids.com

www.cybertipline.com

Other Offices
California
Florida
New York
Texas

March 7, 2011

The Honorable Charles Grassley
United States Senate
Washington, D.C. 20510

Dear Senator Grassley,

I appreciated the opportunity to address the issue of child pornography sentences at the Senate Judiciary Committee hearing on March 2. I would like to expand on my response with some additional information.

As you know, the National Center for Missing & Exploited Children (NCMEC) is congressionally authorized to operate the CyberTipline, the reporting mechanism for online crimes against children. Most of these reports involve apparent child pornography. As a result, we have unique knowledge of the nature of these images. Although there are those who minimize the severity of the crime of "mere" possession, this misconception is due to a fundamental lack of understanding of the child pornography industry. Child pornography images are crime scene photos that memorialize the sexual abuse of a child. The children in these images are re-victimized every time the image is viewed. In addition, child pornography possessors create demand for new images. This demand for images drives their production and, hence, the sexual exploitation of children to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses.

In addition, the study conducted of prisoners in a sex offender treatment program at the Butner Federal Correctional Facility found that offenders imprisoned for non-contact child pornography offenses had, in fact, molested hundreds of child victims that were unknown to law enforcement. This strongly suggests a correlation between possession of child pornography and hands-on sexual abuse of children.

Because NCMEC feels that possession of child pornography is a serious crime and deserves a serious sentence, we support a reasonable mandatory minimum sentence. Please do not hesitate to contact me or my staff with any questions.

Sincerely,

Ernie Allen
President and CEO