



NEW YORK STATE SENATOR

Stephen M. Saland

Senator Saland's Legislation to Strengthen Penalties Against Child Pornography Passes Senate

STEPHEN M. SALAND February 14, 2011

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Senator Steve Saland (R,C Poughkeepsie), today announced that the New York State Senate has passed his legislation (S.1417A) imposing stricter penalties on criminals who possess or promote child pornography.

Presently, child pornographers can be prosecuted for the same charge whether they promote one or many obscene images. Under Senator Saland's bill, penalties would be increased for those who exploit children, as well as those who possess obscene materials. In addition, this legislation creates graduated penalties for those who possess multiple images of children in obscene sexual performances.

"While there is no doubt as to whether or not anyone who commits a crime against a child should be punished, those who engage in this criminal activity on a larger scale should face even stiffer penalties," said Senator Saland. "The current statutory scheme of one-size fits-all has an often unintended consequence of leniency for sexual predators. I am pleased that this legislation will provide law enforcement with penalties that better fit the level of the crime as they work to uncover this unconscionable abuse of children."

Senator Saland's legislation will dramatically increase the penalties for the possession of child pornography by establishing a Class D felony for individuals who possess 25 or more images of child pornography, or a Class C felony for the possession of 250 or more images.

Penalties are increased, likewise for offenders who promote sexual performances by children under the age of 17.

This bill will now be sent to the Assembly for consideration.