



MISSOURI SENATE

JEFFERSON CITY

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Senator John Loudon Reviews Impact of Recently-Signed Child Protection Law

Highlights resources provided to law enforcement officials, and roles parents and educators can play in protecting Missouri's children from predators lurking in the real and cyber worlds.

Governor Signed Loudon's Senate Bill 714 Into Law Yesterday

ST. LOUIS COUNTY — Speaking today at St. Louis County Police headquarters, state [Senator John Loudon](#), R-Chesterfield, underscores the import and impact of sweeping child protection legislation signed into law yesterday (6/30) by the governor. Sponsored and successfully shepherded through the lawmaking process by Sen. Loudon, [Senate Bill 714](#) expands information included in the state's sex offender registry, strengthens the severity of charges for sex crimes and attempted sex crimes against children, and provides more buffers and protections for kids from sexual predators.

“Our kids rightly look to us as their protectors from people who would harm them through sexual exploitation and other heinous thoughts and deeds,” Sen. Loudon said. “The child safety provisions in this legislation give added resources to law enforcement officials, broaden the reach of prosecutors and expand the sentencing options available to judges. This all works in concert to bolster our ability to identify, track, and punish sexual offenders preying on Missourians.”

Highlights of the bill follow:

Resources for Law Enforcement

Providing law enforcement with needed resources is a prime component of Senate Bill 714. The measure creates the Cyber Crimes Investigation Fund, which will provide \$3 million per year (beginning in FY 2010) for the Internet Cyber Crime Grant (ICCG) program. Created by legislation sponsored by Sen. Loudon two years ago, the ICCG program provides money for local law enforcement and multi-jurisdictional task forces to hire cyber detectives and computer forensic personnel to go after Internet predators and child pornographers. Just from January 1 to April 30 of this year, more than 75 people have been arrested statewide, thanks in major part to ICCG funding.

Tougher Penalties for Distributing Child Porn

While Missouri already had tough penalties for people who distribute child pornography, too often state judges had offered probation or early parole with very little or no time served. Sen. Loudon's SB 714 puts a stop to this. For cases involving pictures of children under the age of 14, the new law requires convicted defendants to serve at least three years in prison with no probation or early parole allowed. If the victim is between 14 and 17 years old, offenders must serve at least some jail or prison time.

Online Identifiers Required

The new law also contains a provision helping parents protect their children online by requiring registered sex offenders to update the registry with their email addresses, cell phone numbers or any other online identifiers. Parents can then screen for online identifiers and compare this with information contained on the sex offender registry. The State Highway Patrol will also have the authority to share the online information with electronic and computer businesses to prescreen users and compare information.

Lax State Court Ruling Reversed

This groundbreaking bill also overturns a state appellate court decision that allows attorneys of child pornography defendants to ask for actual copies of child pornography evidence. This ridiculous decision allowed children to again be victimized when their images were reproduced by the state and given back to child pornography addicts. The new law will allow them to review the evidence, but not have copies.

Penalties for Internet-Based Offenses Strengthened

The new law strengthens the severity of charges for “virtual” sexual misconduct with a child when the crime is committed using the Internet, to the same penalty as if the crime were actually committed against a child. Under former law, if the crime was committed against a police officer posing as a child, it was charged as a Class A misdemeanor (maximum one year in prison). Under the new law, offenders will be charged with a Class D felony. [See chart below for SB 714’s bolstered sentencing.]

Other provisions include expanding the list of violators prohibited from being within 500 feet of schools or child-care facilities to include offenders from other states, countries or jurisdictions.

“Many of the bill’s provisions took effect with the governor’s signature yesterday, including the bolstered penalties and evidence aspects of the child protection law,” Sen. Loudon said, noting that components like these warranted immediate enactment rather than the customary effective date of August 28.

Sen. Loudon also noted how important it is for parents and educators to be in the fight to protect Missouri’s children from predators lurking in the real and cyber worlds.

“This year’s legislation adds a considerable number of protections for children from the actions and intents of criminals in the real and cyber worlds,” Sen. Loudon said. “And by working together, teachers and parents can really make a connection with kids on ways to be safe — and stay safe .”

Crime, Consequence and Punishment Senate Bill 714		
Crime	Consequence	Punishment
Attempted sexual misconduct with a child.	Class D Felony	Up to 4 years
Failing to register as a sex offender.	Class D Felony	Up to 4 years
Misrepresenting age on the Internet to engage in criminal sexual conduct with a child.	Class D Felony	Up to 4 years
Failing to register as a sex offender involved with a child under 14.	Class C Felony	Up to 7 years
Possession of child pornography.	Class C Felony	Up to 7 years
Parental kidnapping.	Class C Felony	Up to 7 years
Possession of more than 20 images or one film of child pornography.	Class B Felony	5 to 15 years
Parental kidnapping longer than 119 days.	Class B Felony	5 to 15 years