



SENATOR MATT BARTLE

District 8 – Capitol Building, Room 319 Jefferson City, MO 65101

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**Contact: Todd Scott
(573) 751-1464 / (888) 711-9278**

A Punishment to Fit the Crime

Few crimes are more heinous than rape, but when the victim is a child, the absolute depravity of the act increases ten-fold. Such an unimaginable crime deserves to be punished to the full extent of the law — even if the punishment is death. Legislation that will increase the penalty for child rape is being considered by the legislature and was passed by the Senate Judiciary Committee this week.

Under current law, certain persons found guilty of forcible rape or sodomy of a child under the age of 12 (even as a first-time offense) receive a sentence of 30 years without the possibility of parole. [Senate Bill 1194](#) increases the penalty and makes the crime punishable by either death or life in prison, without parole. Essentially, the legislation treats the crime in the same manner as first-degree murder.

Increasing the penalty administers justice for a crime that inflicts such lasting and irreparable damage and sends a sobering message to those who may be thinking of committing such a vile act. It takes a particular brand of evil for a person to shatter the innocence of a child, and those who do should pay the ultimate penalty. Children may be resilient, but when they go through something so traumatic, the scars will likely never heal. Such a devastating experience shapes who they become as adults — and usually, they grow up much faster than they should.

Later this year, the U.S. Supreme Court is expected to rule on a case where a Louisiana man was sentenced to death after raping his 8-year-old stepdaughter. The highest court in the land will determine whether the death penalty for child rape violates the Constitution's ban on cruel and unusual punishment. If the court upholds the Louisiana law, other state legislatures will have the go-ahead to pass similar laws — including Missouri. So far a handful of states already have such a law in place.

There's no doubt the death penalty is a controversial issue. However, in certain circumstances it is warranted. Raping a young child should be one of those circumstances.

If you have any comments or questions about this week's column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by e-mail at matt_bartle@senate.mo.gov or by phone at (888) 711-9278. My web address is <http://www.senate.mo.gov/bartle>.

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