

## 104th CONGRESS: 100-DAY COUNTDOWN

# House bill would stiffen penalties for child pornography

By Laurie Kellman  
THE WASHINGTON TIMES

The House today takes up a bill to stiffen penalties against pornographers who use children.

The largely uncontroversial measure, reported from the Judiciary Committee March 22 on a voice vote, comes to the floor three days before the GOP's "Contract With America" ends.

The bill puts obscenity crimes under federal racketeering laws, which would allow prosecutors to go after people running child-pornography rings.

It also accelerates efforts to crack down on abuses of on-line computer services by increasing the penalties imposed for trafficking in child pornography when a computer is used to transmit the material.

And it directs a federal sentencing panel to analyze punishments that judges impose on those convicted of sexual offenses involving children.

Since there was little debate in committee, no amendments will

be permitted, aides said.

Though politically popular in most corners, the Sexual Crimes Against Children Prevention Act of 1995 is unlikely to affect many cases, since it only applies to federal cases while such actions are usually handled in state courts, committee staffers said.

For example, had the provision on penalties for creating child pornography been in effect last year, it would have affected three cases nationwide, according to Win Swenson, deputy general counsel of the United States Sentencing Commission.

And the provision to increase penalties for interstate transportation of a minor for prostitution or a criminal sexual act would have affected four cases last year, Mr. Swenson said.

But the federal government has a responsibility to punish severely people who are convicted of such crimes, according to the sponsor, Rep. Bill McCollum, Florida Republican.

## SEX-CRIME PREVENTION

The Sexual Crimes Against Children Prevention Act of 1995 in the "Contract With America" would:

### Increase penalties for sex crimes involving children.

■ Increases, by a minimum of 17 months' incarceration, the range of penalties that may be imposed for creating child pornography.

■ Increases, by a minimum of six months' incarceration, the penalties that may be imposed for trafficking in child pornography.

■ Increases, by a minimum of one year's incarceration, the penalties that may be imposed for trafficking in child pornography if a computer was used in the transmission of the material or the transmission of an advertisement for the material.

■ Increases, by a minimum of one year's incarceration, the penalties that may be imposed for interstate transportation of a minor for the purposes of causing the minor to engage in prostitution or a criminal sexual act.

### Amend the Racketeer Influenced and Corrupt Organizations Act.

■ Amends the RICO list of "predicate acts" to include obscenity crimes enacted after this section of RICO was drafted.

### Correct the U.S. Code.

■ Corrects an erroneous cross-reference in federal statutes enacted as part of the 1994 crime bill.

### Require a report from the United States Sentencing Commission.

■ Requires the commission to submit a report to Congress within 180 days analyzing the punishments that judges have imposed for sexual crimes against children, recommending any modification to the sentencing guidelines for those crimes in light of that analysis and studying the effect of treatment on recidivism for those crimes.

Source: House Judiciary subcommittee on crime

The Washington Times

"The federal government definitely has a reason for being there" in the debate, said Mr. McCollum, chairman of the House subcommittee on crime. "We're not telling the states to do anything; we're just making penalties tougher for federal cases."

The proposal directs the sen-

tencing commission to submit a report within six months of when the act takes effect analyzing the punishments imposed by judges, recommending modifications to the sentencing guidelines, and studying whether treatment affects the number of released prisoners returning to crime.