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SENATE UNANIMOUSLY PASSES CHILD PORN BILL TO STRENGTHEN SENTENCING AND SPEED ARRESTS

Springfield — Attorney General Lisa Madigan joined state Senator Toi Hutchinson (D-Chicago Heights) in celebrating the passage of Senate Bill 1035, which enables law enforcement to more quickly apprehend child porn offenders and gives courts stronger sentencing options.

The legislation, which Madigan's office helped craft, authorizes prosecutors to issue administrative subpoenas for evidence in Internet-related child exploitation offenses – a move that will greatly accelerate the time it takes to identify and arrest offenders. The bill also extends prison time for offenders charged with multiple child porn offenses.

"This bill gives law enforcement the ability to quickly identify and apprehend offenders, and it empowers judges and prosecutors to put them behind bars for as long as possible," Attorney General Madigan said. "As technology advances and criminals find new ways to exploit children online, the law enforcement community must adapt and improve how they pursue child porn traffickers."

"Trafficking and possessing child porn creates real victims – innocent infants and children are subjected to the most disturbing acts of violence," said Sen. Hutchinson. "As a mother, as well as a legislator, I am committed to doing all I can to see that those who commit crimes against children are quickly identified and pay a high price."

Approved in the Senate by a vote of 58-0, the measure now moves to the House where Rep. Emily McAsey (D- Romeoville) will sponsor the legislation.

"I look forward to working on this important piece of legislation in the House," said Rep. McAsey. "We cannot pass up this opportunity to assist law enforcement in getting these predators off the Internet and away from our children."

In August 2010, Attorney General Madigan's office determined that there were approximately 8,000 Internet protocol (IP) addresses downloading or trading child pornography in Illinois. Recognizing that the Internet has allowed child pornography to reach virtually epidemic levels, she launched Operation Glass House at that time to find and arrest the worst child pornographers in Illinois. To date, the office has worked with local law enforcement to track down and arrest 20 of the top traders of child pornography in the state – several of whom were in the process of victimizing children.

Attorney General Madigan's investigators are able to track the trading of child pornography over the Internet by using the IP address, which is a unique identifier that each computer is assigned when it accesses the Internet. Presented with a subpoena and an IP address by law enforcement, Internet service providers are required to turn over the names and addresses of account holders matched to the IP addresses. But under current law, obtaining a subpoena through a grand jury can take an inordinate amount of time due to an often infrequent grand jury meeting schedule. In most Illinois counties, it can take as many as 60 days for investigators to learn the name and address of child pornographers and predators.

The bill also subjects child porn traffickers to more time behind bars when convicted of trafficking or possessing multiple pornographic images of children. Under current Illinois law, an offender can possess thousands of images and videos of child pornography and be sentenced equally to an individual who possesses one image. Madigan said she crafted SB 1035 together with Sen. Hutchinson to address this issue, giving judges authority to impose consecutive instead of concurrent sentencing for multiple traffickers.

There is a direct correlation between individuals who possess, download and trade graphic images of child pornography and those who molest children. Forty percent of arrested child porn possessors were "dual offenders," who sexually victimized children and possessed child pornography, with both crimes discovered in the same investigation.

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