

Matt Grossell
State Representative



Minnesota House of Representatives

District 2A
Beltrami, Clearwater,
Hubbard & Lake of the Woods
Counties

December 18, 2020

Kelly Mitchell, Chair
Minnesota Sentencing Guidelines Commission
658 Cedar Street, Suite G-58
St. Paul, MN 55155

RE: Public Hearing on Child Pornography Rankings
(Child sexual assault, torture and sexual abuse imagery and video)

Dear Chair Mitchell and Sentencing Guidelines Commission Members:

This letter is in response to the Sentencing Guidelines Commission's request for public comment on the proposed reranking of child pornography offenses. I am the State Representative who chief-authored the underlying bill (House File 89) that was included in the 2019 Public Safety Omnibus which directed the Sentencing Guidelines Commission to review and consider modifying the ranking of child pornography offenses following the legislative changes we made to Chapters 617.246 and 617.247.

I appreciate the Sentencing Guidelines Commission reranking the use of a minor in sexual performance, subsequent act by predatory offender or with a child under age 13, from severity level D to severity level C, and reranking the use of minor in sexual performance from severity level E to severity level D; however, the Sentencing Guidelines Commission missed an opportunity by not reranking dissemination and possession offenses with a higher severity level.

In my career as a Clearwater County Deputy Sheriff, and now as a Minnesota State Representative, I have worked alongside colleagues who work tirelessly on child pornography crimes. I can tell you from what these investigators have told me is that most of the perpetrators who possess and disseminate child pornography are not just casual viewers; they are also actors. This information is also included in a Canadian study that I was referred to by the MN BCA. And every time someone clicks on a pornographic image of a child being raped, tortured or sexually abused, the child is revictimized over and over again and again. This crime leaves the victim with a lifetime of trauma.

I also realize that the Sentencing Guidelines Commission did not consider mandatory minimum sentences, but I also strongly believe that we need to get these people off the streets so they do not continue to victimize children. Our investigators are continuously trying to get their cases heard before federal courts because that is the only place they will receive any kind of justice for the child victims. That should paint a very clear picture that our state child pornography statutes are severely lacking.

Thank you for your consideration of my comments. I will continue to work on this issue during the upcoming legislative session.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Grossell". The signature is written in a cursive style with a large, stylized initial "M".

Representative Matt Grossell
House District 2A