



October 7, 2020

Nate Reitz, MSGC Executive Director  
Minnesota Sentencing Guidelines Commission  
658 Cedar Street, Suite G-58  
St. Paul, Minnesota 55155

**RE: Animal sexual abuse as it relates to child pornography**

Mr. Reitz:

We understand the Commission has been mandated by the Minnesota Legislature to conduct a comprehensive review of child pornography sentencing guidelines.

Child pornography offenses are codified in Minnesota Statutes sections 617.246 and 617.247. Within these laws, “animals” are included in some sections, indicating the Minnesota Legislature’s recognition that animals too may be victims in these acts.

**MINN. STAT. § 617.246**

- SUBD. 1 (e) (1): an act of sexual intercourse, normal or perverted, including genital-genital, anal-genital, or oral-genital intercourse, whether between human beings or between a human being and **an animal**;
- SUBD. 1 (e) (5) physical contact with the clothed or unclothed pubic areas or buttocks of a human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans **and animals** in an act of apparent sexual stimulation or gratification.

**MINN. STAT. § 617.247**

*References definitions in MINN. STAT. § 617.246.*

We respectfully ask if the Commission included analysis of sexual abuse to animals and the connection to child abuse and child pornography? If not and time permits, we request such a discussion and analysis be conducted to ensure the safety of both children and animals.

Specifically, an analysis of language and terms used within existing child pornography laws, as it relates to animal sexual abuse and the link to child pornography, may suggest areas that can be strengthened or clarified. A review of related laws, such as MINN. STAT. § 609.294 (Bestiality), may also lead to recommendations for meaningful legislative change including mandatory mental health evaluations, post-conviction no contact with animals, post-conviction forfeiture, and other considerations.

## **The human-animal violence link**

The “link” between sexual abuse of animals and sexual abuse of children and adults is well-documented and illustrated through multiple case data. Examples are attached.

A child’s loved and trusted pet may be intentionally used in criminal sexual acts by the abuser as a form of power and control. Using the animal in sexual acts may be the first step to further harm the child and others, and document this harm on film. The pet may be the child’s closest confidant and this violation can result in physical and emotional damage to the child and animal.

We have discussed this topic with experts in the field who are concerned with the various crimes associated with animal sexual abuse and if this conduct is accurately addressed in law, including child pornography and bestiality on the dark web, Hentai (animated cartoons) illustrating rape of animals and children, animal sexual abuse linked to sex trafficking (including children), and other acts.

This violent link must be broken by providing clear laws and sentencing that cannot be misinterpreted and will instead deter criminal behavior against the child and the animal.

Thank you for considering this request as you continue your analysis. We hope the above topic can be reviewed and recommendations included in your report to the Minnesota Legislature.

If we can be of any assistance in this matter, I may be reached at the contact information below.

Kind regards,

Ann Olson  
Executive Director  
On behalf of Animal Folks  
[ann@animalfolks.org](mailto:ann@animalfolks.org)  
651-222-2821

ATTACHMENT.

## ATTACHMENTS – RESOURCES:

### CHILD SEXUAL ABUSE AND ANIMAL SEXUAL ABUSE; CHILD PORNOGRAPHY

#### **CASE EXAMPLE: State of Minnesota v. Bonyng, 450 N.W.2d 331 (1990)**

The Commission may already be familiar with State V. Bonyng. As stated in the court's opinion: "By prohibiting carnal knowledge of animals without limitation, the legislature declared its distaste for any contact between humans and animals for the purpose of sexual gratification. In addition, the videotapes graphically depict the course and vile degradation, brutalizing, and bestializing of women for the indulgence of carnal appetites. Certainly this bestial type of depraved conduct is proscribed by the legislature and by all standards of common decency." NOTE: Case involves juveniles and filming.

#### **STUDIES**

Below lists a few studies and articles pertaining to sexual animal abuse. Many include links to child or adult sexual abuse and pornography. Studies include multiple references to other studies and reports.

- Arrest and Prosecution of Animal Sex Abuse (Bestiality) Offenders in the United States, 1975-2015, M. Jenny Edwards, BS, MBA, J Am Acad Psychiatry Law 47\_335-46, 2019.

Link: <http://jaapl.org/content/early/2019/05/16/JAAPL.003836-19>

Webinar: Sex, Lies, and Videotape: What every enforcement officer needs to know about bestiality

Link: <https://www.justiceclearinghouse.com/resource/sex-lies-and-videotape-what-every-enforcement-officer-needs-to-know-about-bestiality/>

*Ms. Edwards is available to discuss this topic further. Her contact information:*

*Phone: 425-522-3335. Email: [jennyedwards9@gmail.com](mailto:jennyedwards9@gmail.com)*

- Veterinary Forensic Pathology of Animal Sexual Abuse, A.W. Stern and M. Smith-Blackmore, Veterinary Pathology, 2016, Vol. 53(5).

Link: <https://journals.sagepub.com/doi/full/10.1177/0300985816643574>

- Investigating and Prosecuting Animal Sexual Abuse Cases, Michelle Welch, Senior Assistant Attorney General, Virginia Attorney General's Office, webinar.

Link: <https://www.justiceclearinghouse.com/resource/investigating-and-prosecuting-animal-sexual-abuse-cases/>

- Characteristics of Juvenile Offenders Admitting to Sexual Activity with Nonhuman Animals, William M. Fleming, Brian Jory, and David L. Burton. Society & Animals 10:1, 2002.

Link: <https://www.animalsandsociety.org/wp-content/uploads/2015/11/fleming.pdf>

- Bestiality Among Sexually Violent Predators, Brian Holoyda, MD, MPH, MBA, Ravipreet Gosal, MD and K. Michelle Welch, JD, J Am Acad Psychiatry Law 48(3) online, 2020.

Link: [https://www.researchgate.net/publication/341432864\\_Bestiality\\_Among\\_Sexually\\_Violent\\_Predators](https://www.researchgate.net/publication/341432864_Bestiality_Among_Sexually_Violent_Predators)