



Protecting Our Children

States Urged To Review Online Predator Laws



(NAPSA)—While many agree that educating parents and children is the first line of defense in the battle for cyber safety, there are other things that can be done to help protect children from online predators—particularly in the legal arena.

It's estimated that one in seven children is sexually solicited online, but laws for prosecuting online predators can vary from state to state, creating a patchwork of mixed sentences for convicted predators.

State laws vary widely

Laws covering online enticement affect how suspects are charged, whether law enforcement is aware of a previous conviction during the investigation, and how predators are prosecuted. Variations in these laws mean that prosecution of online offenders can vary widely.

For instance, 42 states have laws that specifically make online enticement of a child for sexual activity via the Internet or electronic communication a crime.

While online enticement of children can be a felony in all states, some states reduce the penalty to a misdemeanor when the victim is 14, 15, 16 or 17 years old.

Information should be shared

Not all state misdemeanors are entered into the nationwide criminal history database, which means that law enforcement in other states may be unaware of an offender's previous convictions

involving children.

"The policy of relating the severity of a penalty to the age of the child victim can permit predators to reoffend, perhaps many times, before a felony conviction alerts law enforcement to their predator status," said Ernie Allen, President and CEO of the National Center for Missing & Exploited Children (NCMEC).

Maryland, Louisiana and federal laws offer direction

Federal law may offer an example for legislatures. For instance, the District of Columbia uses the federal statute to prosecute its cases because it is a federal jurisdiction. This statute criminalizes online enticement as a felony (Title 18, Section 2422(b) of the United States Code). In states, a person may be charged under state or federal law, depending on the facts of the case and decisions of law enforcement and prosecutors involved.

Allen said that NCMEC urges every state to enact laws that specifically address the use of the Internet to entice a child; make such enticement a felony in all cases, even for older teen victims; protect all victims 17 and younger; and ensure that offenders are prosecuted, even in cases involving law enforcement enticement stings. NCMEC views the laws in Louisiana and Maryland as models because they meet these criteria.

For more information about these laws, or publications in English or Spanish on Internet safety for parents or teens, go to the Web site at www.missingkids.com.