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Governor Chris Christie Enacts Legislation Dramatically Strengthening New Jersey Child Pornography Laws

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Signs Other Public Safety Legislation, Including "Nikki's Law"

Trenton, NJ – Taking an uncompromising position on the need to protect innocent children from predators and a lifetime of victimization as targets of pornographers, Governor Chris Christie today signed legislation to strengthen penalties for offenses involving child pornography and subjects anyone convicted of using a child to engage in a sexual act to the state's "No Early Release Act." Governor Christie also acted on other public safety legislation today, including "Nikki's Law," requiring the placement of variable message signs on New Jersey highways to remind motorists of state law prohibiting texting while driving.

The child pornography legislation, S-2493, which passed both houses of the legislature unanimously, adds considerable teeth to state law and brings it up to the standard of much stricter federal laws in terms of enforcement and sentencing. Governor Christie, the former United States Attorney for New Jersey whose office prosecuted many such individuals, said New Jersey will now be able to provide both the punishment and deterrent value of federal law.

"I was always shocked to see some of our defendants get years or even decades in federal prison while some of the same criminal violations at the state level would result in no jail time," Governor Christie said. "These are among the most abhorrent crimes imaginable, in which digital images are made available to a worldwide audience of remorseless creators and consumers of these vile images of mere children. This is permanent victimization of a child or youthful victim already subjected to horrifying abuse."

The bill was first introduced by Senator Kevin O'Toole, who worked closely in developing the legislation with former Attorney General Jeffrey Chiesa, who also was a federal prosecutor alongside the Governor.

"Governor Christie's action today cements the most significant public safety measure passed by the state legislature in years," said Senator O'Toole. "This Act will flat out prevent and deter child pornography in New Jersey, where the prior laws did hardly anything to stop the most disturbing predators from destroying the lives of children while profiting off of their sick fixes."

Among the reforms enacted by the legislation:

- Imposes mandatory minimum prison sentences for convictions of distributing at least 25 images of child pornography, with a first-time offender serving at least five years and repeat offenders up to 10 years.
- Requires that anyone convicted of engaging a child in pornography serve at least 85 percent of their prison term (No Early Release Act).
- Removes ambiguity in current law that sharing child pornography via computer file-sharing or peer-to-peer software is considered distribution rather than possession.
- Makes it a first-degree crime for non-parents and guardians to engage a child in pornography. It already applies in that way to parents.

Below is the full list of bills signed by Governor Christie today:

S-2493/A-3735 (O'Toole, Sweeney, Norcross/Mainor, Rible, Rumana, Wilson, Russo, Caride, Jimenez, Angelini, Bramnick) - Revises statutes and enhances penalties for offenses involving child pornography; makes crime of causing a child to engage in a prohibited sexual act subject to "No Early Release Act"

A-495/S-79 (Albano, Wilson, DiMaio/Sarlo, Bateman, Van Drew) – Creates crime of threatening the life of certain animals; designated as Dano and Valder's Law

A-606/S-1709 (Spencer, Coutinho, Quijano/Rice) – Establishes crime of entering into certain restricted airport areas

A-945/S-2405 (Riley, Benson, Lampitt/Madden, Beach) – Allows person with diabetes to voluntarily make notation on drivers license

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A-3760/S-2597 (Oliver, Conaway, Eustace/Ruiz, Vitale) – Requires that certain HIV testing be performed within 48 hours of request by victim

A-3873/S-2406 (Wisniewski, Prieto, Moriarty, Conaway/Madden, Norcross) – "Nikki's Law"; requires DOT Commissioner to erect signs and use variable message signs to inform motorists of State law prohibiting texting while driving

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