

# ACTION ALERT: Oppose SB3951, the PROTECT Act of 2022

written by Sandy | April 14, 2022



By Sandy . . . United States Senator Josh Hawley [failed in his attempt](#) to have what he calls the PROTECT Act of 2022 from passing the U.S. Senate chamber unanimously thanks to an objection from Illinois senator Dick Durbin. This particular parliamentary procedure is known as unanimous consent and fails if one or more members of the body voices an objection.

This does not kill the bill; it simply means that rather than being “fast-tracked,” it is referred to committee, in this case the Committee on the Judiciary.

[This bill, SB3951](#), according to [the language on Hawley’s press release](#), will

. . . create a new mandatory minimum sentence of five years for every child porn offender who possesses pornography, and prohibit judges from sentencing below the Guidelines range for facts found during trial or admitted by the defendant. This change will ensure that judges impose

tougher sentences on child pornography offenders.

Under this bill, judges will have no discretion in sentencing and will be unable to make any considerations based on individualization.

This bill makes several incorrect assumptions; to the contrary:

- much online pornography is unsolicited and clicks can be accidental or out of curiosity;
- those who view child pornography vary widely;
- longer prison sentences do not enhance rehabilitation.

In partnership with Families Against Mandatory Minimums, NARSOL has sent a [formal letter of opposition](#) to the bill to the Senate Judiciary Committee chair and all its members, [listed here](#).

Those who reside in states which a member of the Senate Judiciary Committee represents may write your own letter of opposition to him/her and may use the points listed above in stating your opposition. Remember also to make clear that the member is your elected senator and that you are not in agreement with the policies dictated by SB3951. Keep your letter concise and to the point.

We who advocate against laws such as SB3951, which lump all offenders into one heap and then do not allow judicial discretion in sentencing, need to know what to expect next.

If the bill passes, those who push for enhanced and additional punishment of all registrants will use its passage as a “gloating” point in future campaigns and possibly a stepping stone to a higher position.

If the bill does not pass, those who push for enhanced and additional punishment of all registrants will use its failure to claim an increased threat against America’s children and as

a scare tactic of what will continue to happen if those who are "soft on crime" are allowed their way.

If the bill stalls and dies in committee, the scenario will be very much the same as if the bill had failed to pass.

Is there anything we can do? Is there anything YOU can do?  
Yes!

The next time a candidate seeking office or seeking reelection promises to do everything possible to assure that more "criminals" get longer prison sentences, listen to them.

If they promise to make things as tough as possible for "child pornographers" or for "sex offenders," pay attention.

Believe them.

They almost assuredly mean exactly what they say.