

# **CHILD SEXUAL ABUSE MATERIAL VENUE PROVISION AND ON-SCENE PREVIEWS**

Child sexual abuse materials (CSAM) come in a variety of forms. Minnesota law has made great strides in combatting CSAM, but critical gaps in existing statutes undermine law enforcement efforts to prevent child sexual abuse and the exploitation of children. The following two components will enhance public safety and protect Minnesotans throughout the state, particularly children.

- **Child Sexual Abuse Material (CSAM) venue provision**

Prosecutors and investigators face procedural challenges in bringing CSAM possession and dissemination cases because the statutes lack clear definitions of venue and location, complicating jurisdictional determinations and delaying prosecutions. This proposal would amend Minnesota Statutes 2025, section 617.246 to define jurisdictions for prosecution of CSAM offenses.

- **Child Sexual Abuse Material (CSAM) on-scene previews**

Although search warrants authorize the seizure of electronic devices, current legal ambiguities can restrict investigators from performing on-site examinations of electronic devices and digital media for CSAM evidence, resulting in unnecessary delays and increasing the risk that critical evidence may be lost or destroyed. This proposal would create new language in Minnesota Statutes, chapter 617, establishing statutory authority for on-scene previews of digital evidence seized under a valid search warrant in a controlled environment at the location of the warrant. This proposal would help investigators identify evidentiary value of digital evidence earlier in an investigation and allow for the return of evidence not relevant in a timelier fashion.

These proposed changes will enhance Minnesota's ability to combat child exploitation and sexual violence by closing existing statutory gaps, clarifying prosecutorial authority, and providing law enforcement with essential tools to more effectively detect, investigate, prosecute, and prevent offenses involving the exploitation of children. The BCA-led Internet Crimes Against Children (ICAC) Task Force, the national Internet Crimes Against Children Task Force Program and multiple Minnesota county attorneys' offices have identified CSAM venue provisions and on-scene previews as serious concerns that should be addressed under Minnesota law.

## **Rise in CSAM incidents demonstrate need for effective legislation**

Minnesota has seen a dramatic rise in cybertips received by the BCA regarding CSAM increased from 1,110 in 2016 to more than 21,000 in 2025, underscoring the urgent need for stronger statutory tools to safeguard Minnesota's children and strengthen public safety. These tips from internet service providers, email providers and the public demonstrate both the magnitude of the threat and the pressing necessity of legislative action to more effectively prevent, detect and prosecute CSAM offenses.

