



NATIONAL FRATERNAL ORDER OF POLICE®

328 MASSACHUSETTS AVE., N.E.
WASHINGTON, DC 20002

PATRICK YOES
NATIONAL PRESIDENT

JIM PASCO
EXECUTIVE DIRECTOR

31 March 2026

The Honorable John Cornyn III
United States Senate
Washington, D.C. 20510

The Honorable Amy J. Klobuchar
United States Senate
Washington, D.C. 20510

Dear Senators Cornyn and Klobuchar,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for S. 4260, the "Child Predators Accountability Act."

This legislation responds directly to a troubling appellate court decision that narrowed the interpretation of what it means to "use" a minor in the production of sexually explicit material under Federal statute. In that case, the court concluded that a defendant could not be held liable under 18 U.S.C. § 2251(a) unless the minor was actively participating in the explicit conduct. As a result, an individual who created and distributed disturbing footage involving a sleeping child was able to evade conviction under that provision because the child was deemed a passive presence.

That interpretation stands in stark contrast to the broader and more widely accepted understanding adopted by numerous other Federal courts, which recognize that a minor need not take an active role to be victimized through exploitation. When a child is deliberately included in sexually explicit material—whether conscious, unconscious, or otherwise unable to participate—the harm is no less real, and the conduct should be subject to full accountability under the law.

This bill offers a clear and necessary solution. By refining statutory definitions, it ensures that the law encompasses both active and passive involvement of minors in sexually explicit depictions when the offender intentionally includes the child. This clarification aligns Federal law with the prevailing judicial consensus and restores its intended scope. Protecting children from exploitation must always remain a top priority.

On behalf of the more than 382,000 members of the Fraternal Order of Police, I thank you both for your leadership on this important issue. If I can provide any additional information about this bill, please do not hesitate to contact me or Executive Director Jim Pasco in our Washington, D.C. office.

Sincerely,

Patrick Yoes
National President

cc: Clint McNear, President, Texas State Lodge
Ken Gardner, National Trustee, Texas State Lodge
David Miller, President, Minnesota State Lodge
Ruben Marichalar, National Trustee, Minnesota State Lodge

