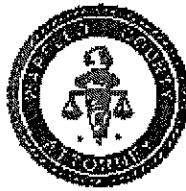


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## **Wapello County Attorney**

For Immediate Release  
September 15, 2016

### **Statement Regarding Kraigen Grooms Sentencing**

Kraigen Grooms was sentenced on Monday, September 12, 2016. The sentence has generated a great deal of attention in the media and on social media. Much of the information being circulated is grossly inaccurate, and also fails to account for all of the factors considered in the resolution of a serious criminal case such as this one. The following information should help the public better understand the facts of this case and the resolution.

The investigation of Grooms occurred as a result of an investigation into the distribution of child pornography by two men, one in New Orleans and one in Ireland, by the Department of Homeland Security. The subjects were creating and distributing child pornography by posing as teenagers on certain websites, and then convincing children to perform sex acts via Skype, which the pornographers recorded and then distributed.

During that investigation, a video was discovered that depicted an unidentified male engaging in sexual activity with a young child. Homeland Security released a snapshot of the male, and asked for assistance from the public in identifying the male. Relatives of Grooms identified him and provided his location to Homeland Security. Grooms was arrested a short time later, on March 20, 2014. Within hours of Grooms' arrest, the United States Attorney's Office declined to prosecute Grooms, because he was a juvenile at the time of the offense.

Initial information from the investigation indicated that Grooms described the abuse as "so hot" and that he intended to commit further acts of abuse against another child. This information was later found to be inaccurate. Grooms, who was 16 when the incident occurred, had been tricked into believing that he was interacting online with a female his own age, and performed the abuse at the pornographer's request, believing the request was from the teenage female. The pornographers were the ones who described the abuse as "so hot" and while they attempted to convince Grooms to commit additional abuse, Grooms did not.

Grooms pled guilty on July 25, 2016 to one count of Lascivious Acts With a Child, a Class C Felony. He had served 860 days in jail, and was released to the supervision of the Department of Correctional Services pending sentencing. On Monday, September 12, he was sentenced. He was sentenced to 10 years in prison, which was suspended and he was placed on probation for five years. He will be supervised on parole for life, and will be required to register as a sex offender for life. He will be required to complete the Sex Offender Treatment Program, and must provide a DNA sample for profiling.

The resolution of serious criminal cases like this is very complex, and numerous factors are considered. While it is easy for the outside observer to advocate a hard-line stance that every sexual offense against a minor should result in a long prison sentence, anyone who actually deals with these situations knows that each case is unique and every case must be handled on its own merits. In many cases, the victims are too traumatized and are unwilling or unable to testify in court, or there may not be strong enough evidence to obtain a conviction. Unfortunately, in many cases, the public is not aware of the circumstances that result in a particular outcome and judge the handling of the case without knowledge of the facts. This case is like many others, in that confidential information about the defendant and the victim or other witnesses is often used which cannot be released to the public. The most significant factors contributing to the sentence Grooms received are as follows:

1. Consideration for the wishes of the victim and the victim's family. One of the most significant factors affecting the outcome of this case was that the parents of the victim did not wish Grooms to go to prison or serve significant jail time. Their primary concern was that he receive treatment. While the Wapello County Attorney's Office does not allow victims to dictate how we prosecute a case, the victim's concerns and desires are taken into consideration in every case, and they had a strong influence in this case.
2. Legal and practical considerations limiting the length of prison time Grooms would serve. Grooms was 16 years old at the time of the offense. Recent Iowa Supreme Court cases have eliminated mandatory minimum sentences for juveniles, and the Court's rulings seem to indicate that they disfavor long prison sentences for juveniles. A long prison sentence would likely have been overturned on appeal. Iowa's prison system is overcrowded by more than 1,100 inmates. Grooms had served 860 days in jail. Inmates receive statutory earned time of 1.2 days for every day served, giving him another 1032 days of credit. If he had been sentenced to prison, with credit for time served he would likely have paroled in a very short time.
3. Availability of witnesses. Certain key witnesses in the case were unwilling to testify. These witnesses reside out of state, and it would be difficult if not impossible to force them to appear for trial. Even if they did, they may not provide helpful testimony.
4. Low risk of future offenses. Grooms was evaluated by an expert psychologist who has decades of experience in evaluating and treating sex offenders, and was not considered a high risk for committing future offenses.
5. Opportunities for rehabilitation. Grooms was young at the time the offense was committed, and is still at an age where sex offender treatment can be very effective. Research indicates that more than ninety percent of young offenders who complete treatment will not re-offend. Young offenders who serve significant prison terms tend to commit more serious offenses after their release. Rather than being rehabilitated, they are hardened. If Grooms was sent to prison for a long period of time rather than being sentenced to probation, he more than likely would be a greater risk to the community after his release than he will be after serving the sentence he received.
6. The circumstances of the offense. While the abuse Grooms committed is disturbing, it would not be accurate to describe it as "raping a toddler" as it has been described on certain websites. The child was not injured, no pain was inflicted, and the child was too young to even be aware of what was happening. The child suffered no ill effects as a result of Grooms' actions. Additionally, it was not Grooms' idea to commit the abuse,

and he did not know the abuse was being recorded. The abuse was committed at the behest of two men who had, over a long period of time, perfected a technique for duping children into committing sexual acts that they would not have otherwise engaged in. They were so skillful and so persuasive in their efforts that they successfully convinced hundreds of children to engage in sexual activity while they surreptitiously recorded it. It seems highly unlikely that Grooms would have engaged in the abuse under any other circumstances or of his own volition.

The Wapello County Attorney's Office takes all of our cases very seriously, especially those involving sexual offenses. We devote a great deal of time and energy to protecting the rights of and interests of victims, and to holding offenders accountable. We also take very seriously our duty to protect our community and to serve the public interest, and do our best to balance all of the competing interests when resolving cases. When dealing with the kinds of situations we often deal with, there is no possible way to reach a resolution that is satisfactory to everyone involved. There will be times when some citizens do not understand or do not agree with how a case is resolved. We will continue to strive to serve the interests of the citizens of Wapello County, and we are thankful to have the support of our community as we do so.

A handwritten signature in cursive script, appearing to read "Gary E. Oldenburger".

Gary E. Oldenburger,  
Wapello County Attorney