

# Miller sentenced to five years in prison for child pornography

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Former Hastings police officer Anthony Miller was sentenced to five years in prison, 10 years extended supervision and fined \$1,250 after pleading guilty to two counts of possession of child pornography.

Under the terms of his extended supervision, Miller is to have no contact with anyone under 18 years old, or use a computer or the Internet without prior, written approval from the court. He has to register as a sex offender and provide a DNA sample. He's not to use or possess any alcohol or illegal drugs, or enter any business where the selling of alcohol is its primary purpose. He's also prohibited from possessing pornography of any kind.

Miller was sentenced to four years in prison and 10 years extended supervision for one count, and five years in prison and 10 years extended supervision for the second, which will run concurrently.

The sentence was handed down by Judge Edward Vlack after an emotional hearing Monday in St. Croix County Court, during which Miller and several members of his family implored Vlack to spare Miller from prison time.

"I'm sorry for what I have done, I'm sorry for the pain I caused my family, I'm sorry for the pain I put the victims through," Miller said in a statement before the court. "I made a huge and terrible mistake. This is not who I am."

Miller and his family asked the judge to think of Miller's children when imposing a sentence and the harm that could be caused to them if he were sent to prison. Fighting back tears, Miller's wife, Amy Miller, said her husband is remorseful for the crimes he committed.

"I know my husband is truly sorry for what he's done and has already suffered emotionally, physically and financially," she said.

Before delivering the sentence, Vlack noted penalties for violating child pornography laws were increased by the Wisconsin State Legislature in 2006. Prison sentences were increased, as were the amount of fines that can be imposed. Vlack said for him to impose a sentence that didn't include prison time would "unduly depreciate the seriousness of the crime."

Possession of child pornography carries with it a minimum sentence of three years in prison unless the court determines a lesser sentence is in the best interest of the community and the public will not be harmed as a result of it. Vlack said he couldn't come to that determination in the case.

"Mr. Miller, this is a prison case, I have no doubt about that," Vlack said.

The judge cited several statements in various documents in the court file in making a determination that Miller posed a risk to commit similar offenses again.

One was an argument between Miller and his wife from about four years ago after she found adult pornography on their home computer. At that time, Miller promised her he'd stop viewing it. Another was a statement from Miller taken during an interview with investigators in which he said sometimes after viewing child pornography he'd become upset with himself, sometimes physically sick, and delete the pornography from his computer, only to go back later and view more.

"You've got an addiction," Vlack said. "That causes me concern."

Miller had been working through a therapy program at the Center for Sexual Health at the University of Minnesota. His therapists provided statements to the court saying they felt Miller was focused and committed to completing treatment, but that wasn't enough to sway Vlack.

"I think there is a very real possibility you would re-offend," he said.

Miller was ordered to participate in the therapy program through the Wisconsin Department of Corrections while serving his prison time.

The fine Miller was sentenced to pay, \$1,250, was another issue discussed at the hearing. State law would have allowed the court to fine Miller \$500 per illegal image associated with the crime, but the prosecutor felt the financial burden placed on Miller's family was already great enough and fined Miller the equivalent of one image per count. There was also a \$125 court surcharge added onto each count.

There was evidence to suggest the actual number of images possessed by Miller was more than 600, with 440 images being traded in one file-sharing session Miller had with another individual. Two other documented file-sharing sessions contained 102 and 202 photos, respectively.

Miller was originally arrested on child pornography charges in Dec. 2008. He resigned his position with the Hastings Police Department in January.