SPECIAL REPORT: INTER

# Law Enforcement Investigates Abuse

*By Tony Lesce*

Even before the Internet, pedophiles used computers and modems to communicate, create networks, exchange information on victims and otherwise further their aims. In the 1980s, police broke up several networks of child molesters who used computers to pinpoint potential victims and to coordinate their efforts.

Today, the situation is far worse because of the spread of computers and the popularity of the Internet, which provides worldwide access to anyone with a modem. In nations with traditions of freedom, it is very difficult to prohibit communications that aid pedophiles. Generally, there must be a connection to a specific crime.

U.S. Customs used to seize many pornographic books and magazines entering the country, but this has dwindled because there is no longer much need to send photographic prints through the mail or via commercial parcel services. The Internet enables sending pornography literally with the speed of light through a medium that bypasses ports of entry.

There are many obstacles to prosecution. Advocating a particular sexual practice is not the same as conspiring to commit illegal acts, and this loophole is very convenient for many groups that operate on the borderline. Another problem is jurisdiction, made more difficult and more intractable by the truly worldwide nature of the Internet.

A little-stated fact is that the reason do-it-yourself photographic media, such as Polaroid cameras, camcorders and digital cameras, have sold so well is because they allow discreet, in-the-home photo and movie production. Back when photographs had to go to commercial processors, there was a greater risk in producing pornography. Now, any person with a camcorder or digital camera can produce his own pornography, and even kiddie porn, with much greater safety than ever before.

Images from camcorders, and especially digital cameras, are very suitable for transmission on the Internet. Most digital cameras come with software and connectors to allow uploading into a computer as part of the package. This is why there is a tremendous number of pornographic web sites on the Internet.

By themselves, because of their sheer number, web sites pose a challenge for the investigator. It's a major task to screen all of them to determine which show promise as leads to pedophiles. Those showing photographs pose a further complication because many porn models of legal age are made up to look younger. Passing youthful-looking models off as minors is simulated kiddie porn, and not illegal. Few states have laws banning simulated kiddie porn. Arizona has a statute banning models who look 15 or younger, but getting a jury to agree on the apparent age of a model they know to be of legal age is a hindrance to prosecution.

One thing that helps law enforcement is that pedophiles tend to be collectors, amassing large numbers of pornographic materials, and never throwing anything away. Some pedophiles have handed their collections over to colleagues for safekeeping when they come under investigation, hoping to retrieve them when they finish their prison terms years later.

**How Pedophiles Protect Themselves**

Pedophiles breaking the law often take measures to protect themselves from prosecution. These techniques include hiding incriminating evidence, such as correspondence, "kiddie porn,"[1] and other materials that can implicate them in felonies. Physical concealment is one technique. Technologically advanced methods such as encryption is another. Text and photographs can be encrypted so that they are totally unrecognizable except to one that knows what they are and who has the key.

Officers serving search warrants against suspected computer pedophiles should be aware that many of these people are technically sophisticated, and may **"booby-trap"** their computers to destroy evidence. With modern computer programs, it isn't difficult to generate a "macro" that will erase the entire hard drive with the press of a single

# NET: GOOD AND BAD

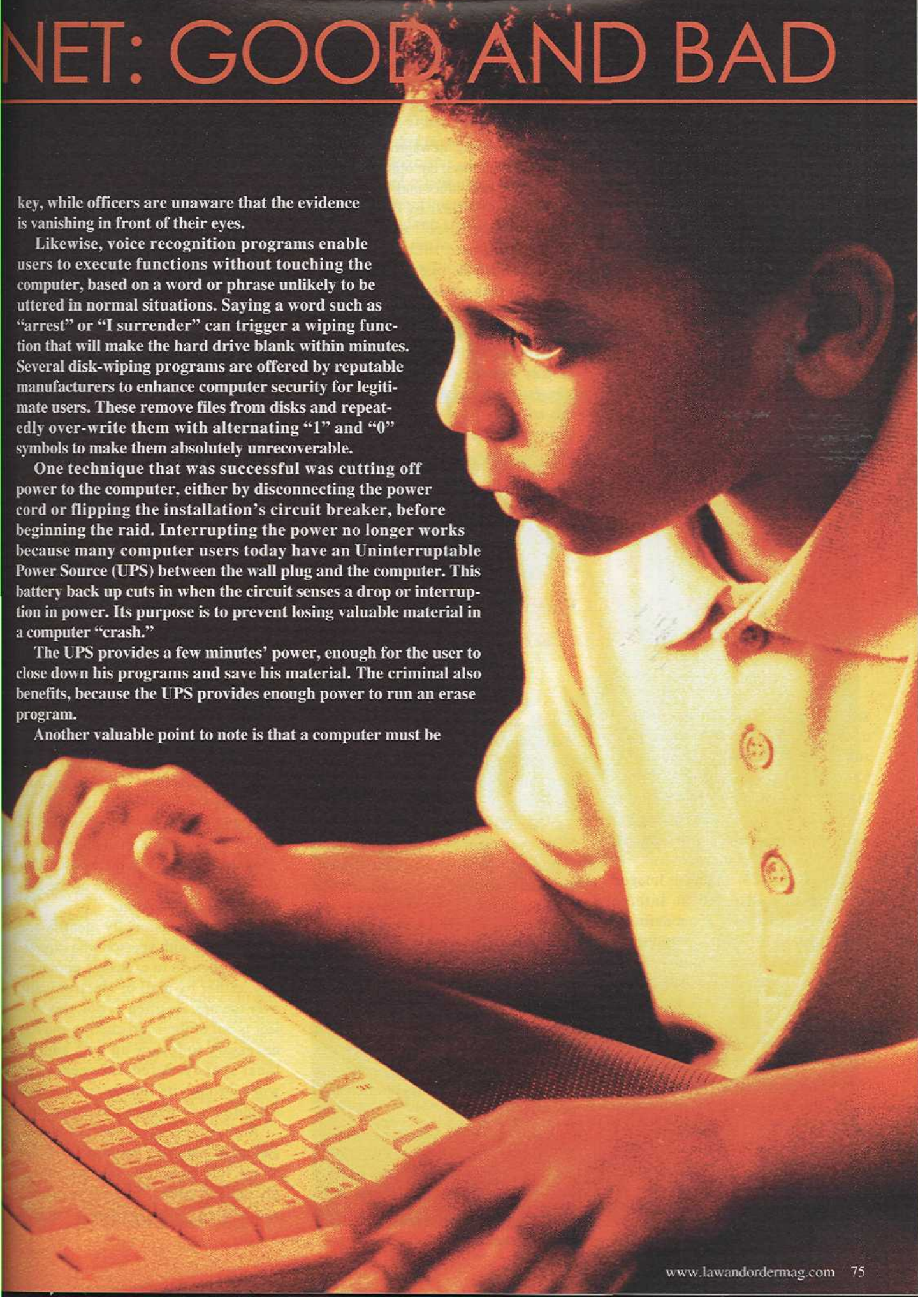
key, while officers are unaware that the evidence is vanishing in front of their eyes.

Likewise, voice recognition programs enable users to execute functions without touching the computer, based on a word or phrase unlikely to be uttered in normal situations. Saying a word such as "arrest" or "I surrender" can trigger a wiping function that will make the hard drive blank within minutes. Several disk-wiping programs are offered by reputable manufacturers to enhance computer security for legitimate users. These remove files from disks and repeatedly over-write them with alternating "1" and "0" symbols to make them absolutely unrecoverable.

One technique that was successful was cutting off power to the computer, either by disconnecting the power cord or flipping the installation's circuit breaker, before beginning the raid. Interrupting the power no longer works because many computer users today have an Uninterruptable Power Source (UPS) between the wall plug and the computer. This battery back up cuts in when the circuit senses a drop or interruption in power. Its purpose is to prevent losing valuable material in a computer "crash."

The UPS provides a few minutes' power, enough for the user to close down his programs and save his material. The criminal also benefits, because the UPS provides enough power to run an erase program.

Another valuable point to note is that a computer must be



"on" to initiate any self-destruct program. One way of exploiting this fact is to serve a search warrant when the subject is not at home, or when there's good reason to believe that the computer is turned off, such as during the early morning hours. However, this is no guarantee, because many Internet users, legitimate as well as criminal, use their computers during this period because Internet traffic is much less during early morning hours.

**Law Enforcement Agencies**

Local agencies, the first resource for victims and parents of victims, are seldom prepared for this problem. Some larger agencies have special "Crimes Against Children" units that enforce laws against pedophilia.

The FBI follows up on federal statutes relating to sexual abuse of children, "kiddie porn," and others. Laws such as Racketeering Influenced and Corrupt Organizations (RICO) also include prosecutions of child molesting conspiracies. Field Offices have Special Agents designated as Crimes against Children (CAC) Coordinators.

The FBI has an "Innocent Images" investigation directed at Internet pedophiles. This came about during an investigation in 1993 in conjunction with Prince George's County, Maryland. Two suspects had sexually exploited boys during a 25-year period, and examination of their methods showed that this problem extended far beyond this specific case. It became clear that offenders were using Internet "chat rooms" to make contact with others, and that children who participated in chat room discussions had no way of knowing the ages or backgrounds of other participants. Similar to chat rooms are "forums," most of which are devoted to legitimate discussions of politics, parenting, hobbies, etc., but some of which concentrate on sexual topics. A novice can be quite surprised at the variety of sexual topics under discussion.

There are also "newsgroups," which do not deal in news, but opinions. Some newsgroup providers make the nature of their topics clear by their names, such as ""alt.boys.sex"' "alt.pedophilia" "alt.sex.children"[7] "alt.binaries.boys" etc. Newsgroups, like forums, accept "posts," which are statements by readers that may be in the nature of opinions, personal ads, want ads and other offers to make contact. Many are pornographic stories, some of which involve minors and some of which may reflect the authors' real-life experiences. Themes can be heterosexual or homosexual, and contain sado-masochistic and other forms of offbeat sex. All contain disclaimers stating that the characters and incidents are entirely imaginary.

Porn sites constantly move, because many Internet Service Providers [ISP] expel them, and officers have to chase them from one site to another.

Pedophile organizations such as the North American Man-Boy Love Association (NAMBLA), based in Manhattan, have web sites devoted to justifying sexual contacts with minors and exchanging information among pedophiles. Some post bulletins exposing law enforcement stings, frustrating these efforts.

Almost never does anything directly incriminating, such as a pornographic picture of a child, appear on a web site, forum or newsgroup. The operators ban these, not wishing entanglements with the law.

This in itself complicates law enforcement. Porn sites constantly move, because many Internet Service Providers (ISP) expel them, and officers have to chase them from one site to another.

Officers have gone undercover into chat rooms, pretending to be juveniles, and trolling for pedophiles. This technique requires extensive "roping in," building the confidence of the suspected pedophile and securing damaging admissions or evidence to build a case. **One** complication is that astute users never provide their real names on line, and most do not provide their e-mail **addresses.** When they wish to make personal contact, they ask the person to e-mail or telephone them. Some "boy-love" web sites and chat rooms advise their browsers never to divulge any personal information on-line, and that even e-mail contains a "header" that discloses its origin.

Some companies now provide special relay services to clients, "anonymizing" them by accepting messages and forwarding them under other addresses. This is analogous to a mail drop and forwarder. Other e-mail services, such j as Microsoft's "Hotmail," accept clients under whatever "handles" they choose, and allow them to send and receive messages under that handle.

This impedes law enforcement because some pedophiles pretend to be in foreign countries. American police officers will often pass them up because they're only interested in apprehending local molesters.

Another difficulty is that some pedophiles practice "lurking," reading posts but not writing any themselves. They will only make contact to individuals who list their e-mail addresses or telephone numbers in their posts. This avoids leaving a signature on the bulletin board or chat room.

Officers occasionally identify and make contact with a person who expresses **a** willingness to exchange pornography, either by mail or electronically over the net. As often as not, this subject is out of their jurisdiction and it is necessary to follow up with another local agency. A federal agency can work through its field offices, which simplifies investigation and follow-up.

A time-consuming aspect of investigations is that many participants in chat rooms, forums and newsgroups are simply fantasy artists, who enjoy reading and writing about pedophilia but who

do not act upon their impulses. It's hard to separate these in person, but when all that is visible is an electronic persona on a forum, it becomes impossible. Therefore many leads will evaporate because the subject does nothing overt or illegal.

Investigations require close coordination. One successful international effort in 1998 was worked through Interpol. A tip from U.S. Customs led to Sussex, England, where local police targeted a ring that had many international Internet connections. In the end, police agencies as far apart as Italy, Australia and the United States raided pedophiles and seized their materials, which included over 100,000 pornographic photographs of children.

Types of Investigations

An investigation can begin with a complaint by a victim or parent that a pedophile on the Internet has made contact with his intended victim. Having an officer take the role of the intended victim and lure the pedophile into attempting contact in person can lead to a prosecution.

Another "sting," is officers (usually U.S. Customs and U.S. Postal Inspectors) place advertisements on the Internet offering kiddie porn for sale. Those who order it are subject to arrest if they accept delivery. The crucial point is staking out a post office box or a mail drop, which customers often provide as mailing addresses. Apprehending the suspect with the contraband in his hands is often final.

Officers must be alert to opportunities that comes infrequently, but which can place a wealth of evidence and leads into their hands. One such is when a child molester is arrested by other means, such as being caught flagrant delicto, or as a result of a direct complaint by a victim who can identify him. One New Mexico man made contact with a 13-year-old Tulsa, Oklahoma girl, traveled to Tulsa, where her mother and police caught them at a local motel.

Victim complaints, however, are not very common. One reason is that most victims were seduced, not forced, and are not aware that something bad was done to them. Another is because many child victims respect the pedophile's wish to "keep the secret between us."

Serving a broadly worded search warrant can result in the confiscation of many types of materials. Some, such as clean or soiled children's underwear, may be relevant only to the immediate investigation. Other materials can be useful for further investigations. These include photographs, lists of names, addresses and telephone numbers of other pedophiles, (some belong to clubs) computer disks with similar material on them, and other media.

Photographs serve not only as evidence but also leads, which is why there should be a determined attempt to identify the children in them, even if fully dressed. This isn't as difficult as it might appear because some pedophiles note the child's name, physical characteristics and even descriptions of sex acts on the backs of their photographs.

Another point to watch is that molesters often exchange photographs of their victims. Photographs found while searching one suspect's premises can lead to other molesters. Of course, this

doesn't apply to commercially produced child porn.

Stories can also serve as leads, if not evidence, because some pedophiles write their accounts of sexual contacts with minors, disguising it as fiction. However, if the story is sufficiently detaiied, it can provide leads to places, times and persons. Correspondence with others of similar interests is common, and investigators should carefully scrutinize all letters and envelopes for content.

Other items to seek are receipts for safe deposit box fees and/or storage facilities fees, because these are often repositories for other incriminating material. Besides correspondence files on a computer disk, paper address books can provide the names of friends and acquaintances. A listing in a suspect's address book isn't sufficient cause for a search warrant for another individual, but correlating a name with those on other lists can be productive.

**The Outlook**

Pedophiles have always been ahead of the power curve, and law enforcement has trailed, sometimes far behind, in apprehending them. The Internet is merely the latest area in which pedophiles have captured a huge lead because of their networking and technical expertise. However, the keys to improving law enforcement performance are both technical and organizational.

Officers can become more proficient at working the Internet for leads, and exploiting leads taken in local investigations. Organizationally, police agencies are learning to work together better, abandoning the territoriality that has plagued law enforcement for generations. L&O

Resources:
National Center For Missing and Exploited Children.
U.S. Customs Service
U.S. Postal Inspection Service
Pedowatch. http://pedowatch.org/ This private organization offers information and search engines to trace pedophiles on the net.

*Tony Lesce is a free lance writer based in Albuquerque, NM, and a frequent contributor to LAW and ORDER.*