



## PRESS RELEASE

# Army Soldier Arrested for Using AI to Generate Child Pornography

Monday, August 26, 2024

### For Immediate Release

Office of Public Affairs

An Army soldier stationed at Joint Base Elmendorf-Richardson in Anchorage, Alaska, was arrested last week on criminal charges related to his alleged transportation, receipt and possession of files depicting child sexual abuse, and use of AI to generate sexually explicit images of children.

“The misuse of cutting-edge generative AI is accelerating the proliferation of dangerous content, including child sexual abuse material — so the Department of Justice is accelerating its enforcement efforts,” said Deputy Attorney General Lisa Monaco. “As alleged, the defendant used AI tools to morph images of real kids into horrific child sexual abuse material. Criminals considering the use of AI to perpetuate their crimes should stop and think twice — because the Department of Justice is prosecuting AI-enabled criminal conduct to the fullest extent of the law and will seek increased sentences wherever warranted.”

“As alleged, Seth Herrera possessed thousands of images depicting the violent sexual abuse of children, including infants. He also allegedly used AI to create images depicting the sexual exploitation of children he knew,” said Principal Deputy Assistant Attorney General Nicole M. Argentieri, head of the Justice Department’s Criminal Division. “Today’s announcement should serve as yet another warning that the Criminal Division will aggressively pursue those who possess or produce child sexual abuse material, including where the images were generated through AI.”

According to court documents, Seth Herrera, 34, allegedly transported, received and possessed files depicting child sexual abuse. Herrera also allegedly used online AI chatbots to generate realistic child sexual abuse materials (CSAM) depicting minors known to him.

“Technology may change, but our commitment to protecting children will not,” said U.S. Attorney S. Lane Tucker for the District of Alaska. “We will aggressively pursue those who produce and traffic in child sexual abuse material (CSAM), no matter how that material was created. Put simply, CSAM generated by AI is still CSAM, and those who sexually exploit children, through whatever technological means, will be held accountable by our office in conjunction with our law enforcement partners, for justice and the safety of our children.”

“This investigation and indictment are a testament to the dedication of the men and women of Homeland Security Investigations to find and bring to justice those who exploit our nation’s children,” said Executive Associate Director Katrina W. Berger of Homeland Security Investigations (HSI). “Absolutely no child should suffer these travesties, and no person should feel immune from detection and prosecution for these crimes by HSI and its partners in law enforcement.”

“The charges against Herrera, a U.S. military soldier, for trafficking and generating child sexual abuse materials using artificial intelligence represent a profound violation of trust as well as preview of the challenges law enforcement continues to face in this evolving threat to our children” said Special Agent in Charge Robert Hammer of HSI Pacific Northwest Division. “This appalling misconduct undermines Herrera’s commitment to defending both our nation and its most vulnerable members.”

Herrera is charged with one count of transportation of child pornography, one count of receipt of child pornography, and one count of possession of child pornography. He will make his initial court appearance on Aug. 27 before U.S. Magistrate Judge Kyle F. Reardon of the U.S. District Court for the District of Alaska. If convicted, he faces a maximum penalty of 20 years in prison. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

HSI and Army Criminal Investigation Division are investigating the case.

Trial Attorney Rachel L. Rothberg of the Criminal Division’s Child Exploitation and Obscenity Section and Assistant U.S. Attorney Mac Caille Petursson for the District of Alaska are prosecuting the case.

If anyone has information concerning Herrera’s alleged actions or may have encountered someone in person or online using the name Seth Herrera, please contact the HSI tip line at 1-877-447-4847.

*An indictment is merely an allegation. All defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.*

Updated September 24, 2024

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Press Release Number: 24-1060

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