

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

February 15, 2008
1:12 p.m.

MEMBERS PRESENT

Representative Jay Ramras, Chair
Representative Nancy Dahlstrom, Vice Chair
Representative Ralph Samuels
Representative Max Gruenberg

MEMBERS ABSENT

Representative John Coghill
Representative Bob Lynn
Representative Lindsey Holmes

OTHER LEGISLATORS PRESENT

Representative Anna Fairclough

COMMITTEE CALENDAR

OVERVIEW(S): CHILD SEXUAL EXPLOITATION ON THE INTERNET

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

FLINT WATERS, Special Agent
Wyoming Internet Crimes Against Children Task Force (ICAC)
Cheyenne, Wyoming
POSITION STATEMENT: Presented an overview on Child Sexual
Exploitation on the Internet.

ANNE CARPENETI, Assistant Attorney General
Legal Services Section
Criminal Division
Department of Law (DOL)
Juneau, Alaska

POSITION STATEMENT: Answered questions during the overview of
Child Sexual Exploitation on the Internet.

RON TIDLER, Detective Sergeant
Cyber Crimes Unit
Anchorage Police Department (APD)
Municipality of Anchorage (MOA)
Anchorage, Alaska

POSITION STATEMENT: Testified during the overview of Child Sexual Exploitation on the Internet.

DEREK DEGRAAF, Sergeant
Alaska Bureau of Investigation
Division of Alaska State Troopers
Department of Public Safety (DPS)
Anchorage, Alaska

POSITION STATEMENT: Testified during the overview of Child Sexual Exploitation on The Internet.

ACTION NARRATIVE

CHAIR JAY RAMRAS called the House Judiciary Standing Committee meeting to order at [1:12:15 PM](#). Representatives Samuels, Gruenberg, Dahlstrom, and Ramras were present at the call to order. Representative Fairclough was also in attendance.

OVERVIEW(S): CHILD SEXUAL EXPLOITATION ON THE INTERNET

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CHAIR RAMRAS announced that the only order of business would be the overview regarding child sexual exploitation on the Internet.

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FLINT WATERS, Special Agent, Wyoming Internet Crimes Against Children Task Force (ICAC), related that the ICAC Team is located in Cheyenne, Wyoming in the District Attorney's office and is comprised of five special agents consisting of one Homeland Security agent, one Federal Bureau of Investigations agent, and three support staff. The ICAC team concentrates on the use of the Internet to exploit children. Agent Waters said that his agents are trained in Internet undercover operations as well as computer forensic examinations. The team is partially funded by the federal Office of Juvenile Justice and Delinquency Prevention. He explained that his office encounters some bizarre material such as in "snuff" sites, which he said refers to chat rooms for people looking to kill a person for sexual

pleasure. During his undercover operations in snuff chat rooms several people approached him to purchase children with the purpose of killing them, and were apprehended and prosecuted.

REPRESENTATIVE GRUENBERG inquired as to whether much of that type of activity is international.

AGENT WATERS answered that the cases he made stemmed from discussions in United States chat rooms.

AGENT WATERS began his slide presentation and offered examples of men posing as girls. In one instance a local man arranged to meet 13-year old Wyoming girl at the local mall for sex. The perpetrator knew the mall since he was working at the mall. Agent Waters advised members that a week after Christmas, he arrested "Santa Claus" at the mall when he arrived to meet the 13-year old girl. He stated that it is not uncommon for these criminals to place themselves in trusted positions to gain access to children.

AGENT WATERS explained that the ICAC initially began its work in chat rooms, but has moved to other arenas such as instant messaging on cell phones. He stated that ICAC does reactive and proactive investigations. He gave an example of a reactive investigation, such as when a parent notifies ICAC that their 10-year old has been targeted on the Internet. In those instances, the agent will compile the information and take the identity of the child to apprehend the offender. In proactive investigations, ICAC agents pose as children or co-conspirators for these offenders to contact. He described cases to convey that the crimes are local and interstate crimes.

AGENT WATERS spoke of his undercover work to locate and identify persons targeting children for sexual exploitation or trafficking child pornography. His agents' primary focus is to insert themselves between the predator and the child in ICAC's care. In some instances his unit has located predators that have previously raped or molested children and are targeting other children for abduction.

AGENT WATERS presented examples of several chat rooms specifically designed for "Yahoo teens." He stated that one site is set up to trade pornographic photographs. Another site targets specific age groups from ages 9-14. He explained that ICAC, in conjunction with the National Center for Missing and Exploited Children, worked with Yahoo to shut down some of the sites and make it more difficult to find such chat rooms.

Sexual offenders often refer to themselves as "real" which he said is a theme often used by perpetrators to identify real people to victimize.

AGENT WATERS showed the committee some Internet Relay Chat (IRC). The names of the chat rooms are very specific for the types of interests, he said. He showed a slide depicting an actual chat with a suspect while working undercover. He said that as disturbing as the material is to members, it is common material on the Internet. He stated that while ICAC is attempting to leverage the technology to find such predators, and at the same time the predators are trying to leverage the technology to locate children as potential victims.

AGENT WATERS displayed a screen, which displayed a cell phone chat system. Children ages 9-11 year old can sign up and their instant message chats are sent to everyone on the site. A person in Wyoming contacted a girl, posing as a 17-year old boy, and over a period of time convinced her to take sexually explicit photographs of herself using her cell phone. Agent Waters pointed out that the specific activity occurred by cell phone. Of course, the perpetrator wasn't a 17-year old boy, but was a middle aged man in Virginia, Agent Waters said. Once the perpetrator was apprehended, law enforcement agents found hundreds of photographs of victims. He highlighted that offenders demonstrate extreme-needs behavior. He described an instance in which a trafficker of pornography was arrested, served time, and immediately upon release from prison, stopped in a computer store and started downloading pornographic material again.

AGENT WATERS stated that during his undercover operations when he poses as a child, he is contacted by offenders who arrange for sex acts, meetings, or who want to solicit the manufacture of child pornography.

[Chair Ramras turned the gavel over to Vice Chair Dahlstrom.]

AGENT WATERS described several typical cases and provided details of cases that demonstrated instances of perpetrators attempting to abduct girls ages 9-13.

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AGENT WATERS stated that in one instance, a perpetrator discussed his child pornography freely. However, the

perpetrator also had a methamphetamine pipe in his pocket during the arrest, which he repeatedly insisted was not his.

AGENT WATERS spoke of another perpetrator, who boasted about mastering young girls and having tons of pictures. Agent Waters was on-line, and posed as a mother with a 9-year old daughter and 7-year old niece. The perpetrator sent hundreds of images of child pornography and requested to violently rape the two girls.

AGENT WATERS played the initial contact he'd received from one man who wanted to know what the child would be allowed to do sexually. He said that in less than two minutes, the man committed the federal crime of soliciting the manufacture of child pornography. Agents ultimately arrested the perpetrator and his roommate. The perpetrator claimed he'd been watching children walk to school every day, wanting to rape them, but the perpetrator said he had not acted on his impulses.

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AGENT WATERS said that sentencing differs in various states. He said that he wants individuals to know that agents have infiltrated chat sites to help curb activity. He stated that many offenders film children under the age of eight, and he opined that many films are of infants and toddlers, 30 to 40 minutes in length and contain audio with sounds of children crying or calling out for help as they are abused.

AGENT WATERS advised members that these perpetrators often attempt to justify or normalize their behavior. He related that his work now spans 18 countries through the International Criminal Police Organization (ICPO). He showed a slide of the 6th International Conference on Cybercrime in Cairo. He explained that one operation, with over 800 investigators, which represents the largest proactive undercover operation. He said that he trains investigators from England and Finland, and that one Finnish officer found a lead that led to a case in Wyoming, which helps to illustrate the distances the perpetrators are from their potential victims.

AGENT WATERS related that perpetrators use Internet software and that his agents use software that goes behind their software to help identify the offenders. He opined it is easier to download a pornographic movie than it is to rent a regular movie.

AGENT WATERS referred to search terms frequently. He showed a slide that lists distributors for downloads of child pornography. He stated that agents are able to document individual computers by use of a serial number and do not solely identify the "IP" address. He said that ICAC law enforcement agents have identified over 570,000 unique computers being used in the United States to download pornography.

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AGENT WATERS showed a depiction of a map of the United States that demonstrates the level of child pornography distributors trading child sexual abuse images in a single day, along with the computer location. He showed the number of site locations since January 1, 2007 which demonstrates the level of saturation throughout the United States. He pointed out that the density directly corresponds with population centers.

AGENT WATERS pulled up a grid within the map that displayed dots that depicted 392 distinct computers [in an area of Alaska] that had been identified as being involved in pornography. He said that his agency has modified the system so that once administrative subpoenas identify the specific addresses. He noted that with today's technology, ICAC's agents can generate live maps in their vehicles for use in surveillance efforts.

AGENT WATERS stated that the scope of the problem is staggering. Agent Waters said he started his work solely because Wyoming is a large remote state and yet child exploitation is routine.

[Vice Chair Dahlstrom returned the gavel to Chair Ramras.]

AGENT WATERS gave an example in which a 2-year old girl was abused by her father on her changing table. The man would film the abuse, and sell it on the Internet. He displayed a distribution map that represented the pattern that showed the initial distribution, the distribution of the films 5 days later, and then 10 days later, depicting the spread of the film's distribution, which was dramatic.

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AGENT WATERS conveyed a sense of the problem by stating that once the computer photographs are distributed, they do not disappear, but can surface at any time during the child's life. He said that victim's families often find that the Internet compounds the trauma for victims and their families for 5 or 10

years later. He gave several real life examples to demonstrate the harm that befalls victims.

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AGENT WATERS said that the U.S. leads the world in the volume of child pornography on the Internet, due to the high level of broadband saturation and high volume of computer use in the U.S. However, per capita the U.S. drops to seventh in the world.

AGENT WATERS opined that software is available to assist law enforcement to identify and display the worst offenders. He said some offenders distribute films to rationalize and normalize their own behavior because the sharing helps the perpetrator feel that lots of people do what he/she is doing, so it must be okay.

AGENT WATERS produced a video clip of a man who worked in a clinic who victimized children in comatose states.

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AGENT WATERS stated that two separate studies that showed that over 80 percent of offenders serving time for child pornography had prior convictions for molesting children. He highlighted that the studies showed that prior to sentencing, 210 victims had been identified and as a result of the study, over 3,000 offenders were identified.

AGENT WATERS offered that the National Center for Missing and Exploited Children, the University of New Hampshire, and the U.S. Department of Justice conducted a study that showed that 40 percent of the cases involving child pornography possession also included child sexual victimization in some form. He recapped that the studies show that 30 to 80 percent of the individuals that have been involved in child pornography are contact offenders, as well. He referred to specific slides that identified statistics that highlighted the number of transactions uncovered in Alaska. He estimated that computer serial numbers are identified about 50 percent of the time. He said that his statistical information was not compiled using information on Internet sites such as, Facebook, MySpace, or social networking computers, in order to demonstrate the level of child exploitation, which is rampant, he opined.

AGENT WATERS surmised that only two law enforcement agents in Alaska have been trained to use the ICAC methods to identify and

find offenders in order to remove them from communities. He stressed that critical pieces include training to issue search warrants, conduct interviews, recover the information from the computer, and to attempt to locate the children. He noted that ICAC offers free courses and the State of Wyoming covers his training costs.

AGENT WATERS opined that as forensic examinations are conducted, the physical examinations of the children and digital examinations of evidence will uncover more cases, which will lead to the need for more prosecutors, an increase in prison demand, and the need for more social services for victims and offenders. He highlighted that one of the big hurdle is to translate the IP address to a physical location. The Wyoming constitution did not allow execution of extraterritorial search warrants outside the state until Wyoming obtained administrative subpoena authority to do so. He explained that in Wyoming, he must take individual cases to the attorney general in order to obtain subpoenas.

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AGENT WATERS displayed a screen showing the worst offenders and the number of times the offender has been seen in the last 30 days. He pointed out that the top offender in Fairbanks has been seen in Fairbanks 52 times in the last 30 days. He scrolled slowly through the information by community, but noted that law enforcement officers would have access to more detailed information to assist them.

AGENT WATERS continued to show informational slides that illustrated the numbers of perpetrators and level of activity in other communities in Alaska. He said that law enforcement can use these computer tools to make local investigations and not have to bring in experts from other places. He noted that warrants have been effective and he is not aware of any warrants that have been overturned. He said that ICAC has a 96 percent conviction rate on these types of cases. He explained that ICAC does not always prove the names of the victims that have been targeted, but when the offender is convicted and taken off the street, those victims are no longer being molested and exploited.

CHAIR RAMRAS inquired as to whether Ms. Carpeneti could provide a broad sense to the committee on Alaska's resources to combat child exploitation and whether the state's laws are adequate with respect to warrant searches.

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ANNE CARPENETI, Assistant Attorney General, Legal Services Section, Criminal Division, Department of Law (DOL), pointed out that the governor's crime bill, HB 323, which has already had one hearing, contains provisions specifically allowing them extraterritorial search warrants. She said HB 323 has other provisions dealing with search warrants, which is one area that still needs to be addressed in Alaska procedural law. Other areas in terms of search warrants will make investigators jobs easier by allowing telephonic search warrants. She explained that currently investigators are limited to specific cases in which evidence may be in jeopardy of being lost. She offered that the bill does help in that regard. She inquired as to whether Agent Waters could suggest other areas to add.

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AGENT WATERS explained that several Wyoming laws were revised. He pointed out that one problem Wyoming encountered with respect to administrative subpoena authority is that its criminal code did not list the child pornography traffickers as sexual offenders. He noted that Wyoming law had to repair the language on sex offender status with regard to the definition of images after *Ashcroft v. Free Speech Coalition*.

MS. CARPENETI stated that she did not think that online enticement is considered sex offense crime for sex offenders' registration. She noted that Agent Waters has agreed to furnish the Wyoming legislation. However, she opined that Alaska doesn't have the constitutional issues that Wyoming had with respect to extraterritorial search warrants. She stated that some judges will currently issue those search warrants, but that under HB 383, provisions will make it clear that they are authorized to do so.

AGENT WATERS, in response to Representative Gruenberg, explained that an administrative subpoena issued by the attorney general authorizes the release of specific records in a criminal investigation prior to filing prosecutorial charges.

REPRESENTATIVE GRUENBERG said he thought search warrants could only be issued by judicial officers in Alaska.

MS. CARPENETI confirmed that in Alaska judicial officers issue search warrants.

REPRESENTATIVE GRUENBERG cautioned that the Department of Law should review any proposed statutory changes pertaining to issuing search warrants for constitutional issues.

MS. CARPENETI opined that Alaska law enforcement officers have not had problems obtaining search warrants except in cases in which certain judges have not been inclined to issue a search warrant.

REPRESENTATIVE GRUENBERG referred to the Alaska Constitution, Section 1.14 - Searches and Seizures, and read:

The right of the people to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

REPRESENTATIVE GRUENBERG stated that he did not see any reference that requires a judge to issue the search warrant but he said he was not sure.

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REPRESENTATIVE DAHLSTROM asked what happens when Agent Waters identifies active duty military members on base or off base. She offered her understanding that the major Internet providers receive federal funding to provide services. She inquired whether federal law could be changed to require retention of records.

AGENT WATERS offered that he is aware of some discussion about mandating records retention for a specific period of time. He said he was not sure of the status of any potential legislation.

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RON TIDLER, Detective Sergeant, Cyber Crimes Unit, Anchorage Police Department (APD), Municipality of Anchorage (MOA), explained that he has two online investigators and three forensic investigators. He said that he participates in a federally funded program that consists of members from agencies throughout Alaska, which meets monthly. He noted that the Alaska ICAC works under the Seattle ICAC task force. He

surmised that since 2004, that his agency averages at least one arrest per week in the area of child sexual exploitation.

MR. TIDLER, in response to Chair Ramras, offered specific examples of suspects traveling from the Lower-48 to Alaska to purchase children. He noted that offenders have been intercepted and arrested at the airport. He noted that these sex offenders that actively traded child pornography have also molested children.

AGENT WATERS, in response to a question, explained how chat rooms work and the types of questions that offenders will use to gradually move the chat into more specific requests and sometimes naming specific victims. Some offenders will request and have manufactured films with a person directing another person to commit specific acts with children. He explained that some offenders use "peer-to-peer" technology in which they use software to allow them to share film and photographs.

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AGENT WATERS stated that the offenders use the Internet to gain a high degree of anonymity. Thus, some people commit these crimes not recognizing how easy it is to identify them. Even so, less than 2 percent of the cases that exist are ever investigated. Thus, many offenders are willing to take that risk. He also pointed out that this crime is need-driven, which is similar to drug addicts that will go to great lengths to obtain drugs.

REPRESENTATIVE GRUENBERG offered that he researched whether it appears that a judge is required to issue a warrant in Alaska. He said that he also checked the Alaska Rules of Criminal Procedure. He referred to Rule 37(a)(1) and (2), which read:

(a) Search Warrant Issuance and Contents.

(1) A search warrant authorized by law shall issue only on affidavit sworn to before a judge or magistrate or any person authorized to take oaths under the law of the state, or sworn testimony taken on the record and establishing the grounds for issuing the warrant.

(2) If the judge or magistrate is satisfied that grounds for the application exist or that there is probable cause to believe that they exist, the judge or magistrate shall issue a warrant identifying the

property and naming or describing the person or place to be searched.

REPRESENTATIVE GRUENBERG opined that only a judge or magistrate can issue the search warrant in criminal matters.

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MR. TIDLER, in response to Chair Ramras, answered that the ICAC grant is a statewide grant. He stated plans are for the ICAC to use the Municipality of Anchorage as its main hub, with other satellite hubs located in other areas of the state such as Fairbanks.

CHAIR RAMRAS noted the proliferation of child pornography and inquired as to how resources can be allocated or prioritized.

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AGENT WATERS noted that the ICAC task force has established a set of guidelines that prioritize crimes such that the highest priority is the child in immediate danger. He said that the priorities are based on patterns that identify likely immediate risk with an added factor of access by virtue of prior activity.

AGENT WATERS, in response to Chair Ramras, explained that some crimes are directed by the viewers and have an element of interactivity.

AGENT WATERS, in response to Representative Dahlstrom, answered that viewers can also be located and prosecuted.

REPRESENTATIVE DAHLSTROM inquired as to whether the ICAC has jurisdiction on military bases.

AGENT WATERS answered that the agents are cross designated as United States Custom Agents and United States Marshals so his agents can investigate cases on military bases. He pointed out that it is far better to investigate the cases through the military bases. Although, he noted, ICAC generally prosecutes those cases through the federal court.

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DEREK DEGROAF, Sergeant, Alaska Bureau of Investigation, Division of Alaska State Troopers, Department of Public Safety (DPS), in response to Chair Ramras, said that the Division of

Alaska State Troopers have two investigators. He pointed out that currently there isn't any proactive effort on child exploitation. However, the division does investigate based on any tips that they receive, which often come from the National Center for Missing and Exploited Children. Recently, due to the ICAC task force, funding will be available to train new people and make a more concerted effort to identify these sex offenders. He noted that the division works with local law enforcement on cases. He said he anticipates an increase in the amount of effort due to the ICAC resources.

MR. TIDLER characterized the ICAC as a three pronged approach that includes the prosecution of offenders, the training of investigators assigned to the task force, and public education. He said that ICAC brought Agent Waters to Alaska, in part, to make people aware of the problems of child exploitation.

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REPRESENTATIVE SAMUELS inquired as to whether Alaska is the same as other states on a per capita basis in terms of the types of offenders who make pornographic photographs and films and those who watch them.

MR. TIDLER stated that Alaska has the highest Internet usage in the [nation] per capita due to the remoteness of Alaska, he opined.

AGENT WATERS explained that it is difficult to identify the makers of this material.

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REPRESENTATIVE GRUENBERG referred to the statutes that allow for issuance of search warrants. He highlighted that AS 12.35 speaks to the judicial officers. However, the definition of a search warrant identifies judicial officers. He read AS 12.35.120 as follows:

A search warrant is an order in writing, signed by a judge or magistrate or signed at the direction of a judicial officer in accordance with AS 12.35.015, directed to a peace officer, commanding the peace officer to search for personal property and bring it before the judge or magistrate.

REPRESENTATIVE GRUENBERG further noted that AS 12.35.015 refers to the issuance of search warrant upon testimony communicated by telephone or other means.

MR. TIDLER, in response to a Representative Gruenberg, stated that the Division of Alaska State Troopers works closely with the military, but that the cases are generally prosecuted in federal or state court and not the military in the majority of cases.

REPRESENTATIVE GRUENBERG asked who investigates cases on military bases.

MR. TIDLER related a recent case in which an initial APD investigator was contacted by someone in the military and that the APD officer obtained the warrants, and processed the scene with assistance. In further response to Representative Gruenberg, Mr. Tidler said he did not know for certain if a state warrant could be executed on base or if a federal agent would need to enforce the warrant. He surmised that the Division of Alaska State Troopers has issued search warrants for residences and computers for suspects.

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REPRESENTATIVE GRUENBERG inquired as to the sentencing jurisdiction since significant sentencing disparities might occur between cases prosecuted through the civil courts and those prosecuted through the military courts.

AGENT WATERS stated that in Wyoming the head military prosecutor asked to have cases prosecuted federally since he could not obtain adequate sentences.

REPRESENTATIVE DAHLSTROM related that commanders of the bases near Anchorage work with local law enforcement. She surmised that the legislature is unable to affect how the federal military operates. However, she opined that the APD, the Division of Alaska State Troopers, and the military work closely together.

REPRESENTATIVE GRUENBERG expressed an interest in focusing on sentencing guidelines and policies. He suggested that the committee might be able to coordinate with the military, perhaps through the National Conference of State Legislatures.

REPRESENTATIVE DAHLSTROM argued that the state cannot interfere with sentencing guidelines at the federal level. She opined that the legislature could offer a resolution only.

REPRESENTATIVE SAMUELS inquired as to the penalty structure in the state versus the federal penalty structure.

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AGENT WATERS suggested that federal prosecution starts at five years, and increases with aggravators such as torture, and age of the child. He said he thought that most offenders that have been prosecuted in federal court obtain sentences of about 15 years. He opined that those convicted of manufacturing pornography sentences run about 20 years.

MS. CARPENETI offered that unlawful exploitation of a child can be either a class B felony or class A felony depending on whether it is a first or subsequent offense. Distribution of child pornography is a class A felony if the person has been previously convicted of a similar crime and a class B felony if it is a first offense. She offered that the penalty for a class A felony is a maximum of 20 years incarceration and a class B felony carries a maximum penalty of 10 years. She added that electronic distribution of indecent material to minors is a class B felony.

REPRESENTATIVE SAMUELS inquired as to whether a person could accidentally access a website and be convicted of a felony.

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AGENT WATERS offered that typically pornography can't be accessed accidentally. He offered that this material must be downloaded, although it can happen. He said that he has had a few cases in which law enforcement recreated the sequence of events that led to downloading material inadvertently. However, he noted that the law enforcement officers can also detect the intentional selection of materials.

AGENT WATERS, in response to Representative Samuels, explained that the map he showed with respect to activity referred to computers actively trading pornography and not to computers that had just one "hit" on some type of pornography. He suggested that the focus of investigations is on active pornographic users.

MR. TIDLER added that of 130 warrants issued, that cases have been prosecuted in 128 instances.

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AGENT WATERS, in response to Chair Ramras, stated that one person who was arrested claimed he had been victimized and had stumbled on pornography. However, this person viewed over 21,000 images, he stated.

REPRESENTATIVE DAHLSTROM asked what probable cause is required in order to obtain a warrant to be able to go into someone's house.

AGENT WATERS referred to a slide that showed the number of transactions of single person continuing to trade. He said that the activity is on the rise. The next slide referred to the unique serial numbers that have been identified.

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REPRESENTATIVE DAHLSTROM surmised that the statistics are lower than the agency can actually track.

[Chair Ramras turned the gavel over to Vice Chair Dahlstrom.]

AGENT WATERS concurred that the numbers stated show the minimum of the activity that has been identified. He said that he could not put a distinct number on activity. He said that in Wyoming the agency once identified 850 distinct serial numbers, but that through subpoenas that law enforcement agents were able to identify 1,800 individuals who had been involved in child pornography.

REPRESENTATIVE GRUENBERG inquired as to whether organized crime is involved in child exploitation.

[Vice Chair Dahlstrom returned the gavel to Chair Ramras.]

AGENT WATERS stated that many of the paid sites are linked to organized crime in international jurisdictions such as Russia. However, he noted that the presentation materials shown today were based on free or bartered sites. He stated that credit cards were not being used to conduct business; instead, the offenders were bartering pornography.

SERGEANT DEGRAAF, in response to Chair Ramras, answered that resources would not necessarily have to be funding, but could relate to personnel. He offered that if the budget were doubled, that several investigators would be assigned to proactive efforts to apprehend offenders.

CHAIR RAMRAS asked what percentage are youth offenders.

AGENT WATERS answered that of the 850 warrants about 4 percent were youth offenders.

MR. TIDLER added that it is easier to detect youth by the types of other things such as music that they download.

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AGENT WATERS, in response to Chair Ramras, that the typical offender is 98 percent male, typically middle-aged. In further response to Chair Ramras, Agent Waters explained that if a 13-year old was involved in illegal activity, the teen would be viewed as needing treatment and not a prosecution.

CHAIR RAMRAS inquired as to how teens get involved in these activities.

AGENT WATERS offered that predators tend to pursue children and teenagers, so they go to sites where teens are online.

MR. TIDLER answered that prior to the Internet, predators would hang out at the ice cream shops, at the malls, and select their prey. Now, the predators act within their home and pick their prey off the MySpace page, where kids are foolishly post photographs that provide the predator with information. The predator poses as a 13-year old until the predator can get alone with the teen. In further response to Chair Ramras, Mr. Tidler offered that the investigators often make arrests before the offenders can act. He noted that about 80 percent of those who collect pornography have also had inappropriate contact with a child.

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 3:08 p.m.