

**SB**

**118**

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 2/28/05

FURTHER: Finance

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Judiciary Committee considered SENATE BILL NO. 118

**SB 118 ONLINE ENTICEMENT OF MINOR**

"An Act relating to online enticement of minors."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
CHAIR: <i>Ralph Seebins</i>	✓			

# ALASKA STATE LEGISLATURE



SENATOR HOLLIS FRENCH

## SB 118 – OUTLAWING ONLINE ENTICEMENT OF MINORS

### Sponsor Statement

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SB 118 will make online enticement of minors a felony under Alaska law. Along with SB 119, the measure will help protect Alaska's children from sexual predators and provide a "safety net" for them as they navigate the Internet.

Alaska has the distinction of being the most "wired" state because it has the highest number of computers and Internet connections per capita in the US. Regrettably, Alaska also ranks among the highest in its rate of sexual abuse of children, and unfortunately many of these cases begin through contacts made via Internet chat rooms.

Online victimization, which includes sexual enticement/solicitation, unwanted exposure to sexual material, and harassment, is one of the worst byproducts of the age of the Internet. Research by the University of New Hampshire found that one in five children between the ages of 10 and 17 received a sexual solicitation over the Internet in the last year. One in thirty-three received an aggressive solicitation - a solicitor who asked to meet them somewhere; called them on the telephone; or sent them regular mail, money, or gifts.

While current statutes can be stretched to allow prosecution of online solicitation, the better approach is to recognize that this new form of criminality requires a new statute. Please join me in supporting SB 118 and taking another step in making Alaska a safer place for children.

*March 3, 2005*

AMENDMENT #1

OFFERED IN THE SENATE

BY SENATOR FRENCH

TO: SB 118

1 Page 1, following line 12:

2 Insert a new subsection to read:

3 "(c) In a prosecution under this section, it is not necessary for the prosecution  
4 to show that the act described in AS 11.41.455(a)(1) - (7) was actually committed."

5

6 Reletter the following subsections accordingly.

7

8 Page 1, line 13:

9 Delete "(d)"

10 Insert "(e)"

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 118  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Corrections  
 Title "An act relating to online enticement of minors." RDU Institutional Facilities  
 Component Institution Director's Office  
 Sponsor Senators: French, Kookesh, Bunde, Dyson, Elton...  
 Requester Judiciary, Finance Component No. 524

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

Due to the very small number of potential criminal cases, the Department of Corrections does not anticipate a significant fiscal impact with the passage of this legislation.

Prepared by: Sharleen Griffin, Acting Director Phone 465-4641  
 Division: Administrative Services Date/Time 3/10/05 6:59 AM  
 Approved by: Portia C.K. Parker, Deputy Commissioner Date 3/10/2005  
 Agency: Department of Corrections

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 118  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title An Act relating to online RDU Legal and Advocacy Services  
enticement of minors. Component Public Defender Agency  
 Sponsor Senators French, Kookash  
 Requester Senate Judiciary Component No. 1631

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 This bill should have minimal fiscal impact on the operations of the Public Defender Agency. The Agency does not expect to handle a significant number of these new offenses.

Prepared by: Linda K. Wilson, Deputy Director Phone (907)334-4416  
 Division: Public Defender Agency Date/Time 3/8/05 2:05 PM  
 Approved by: Michael Tibbles, Deputy Commissioner Date 3/8/2005  
 Agency: Department of Administration

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 118  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
 Title Online Enticement of Minor BRU Alaska Court System  
 Component Trial Courts  
 Sponsor Senator French  
 Requester \_\_\_\_\_ Component No. 768

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 The court system does not anticipate any fiscal impact from the passage of SB 118.

Prepared by: Douglas Wooliver, Administrative Attorney Phone 463-4750  
 Division Alaska Court System Date/Time 3/7/05 11:08 AM  
 Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date 3/7/2005  
 Agency Alaska Court System

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB118-DPS-AST-3-9-05  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title "An Act relating to online enticement of minors." RDU Alaska State Troopers  
 Component AST Detachments  
 Sponsor Senator French  
 Requester \_\_\_\_\_ Component No. 2325

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill adds a new section that will prohibit a person (18 years or older) from knowingly using a computer to communicate with another person to entice, solicit, or encourage sexual conduct described in AS 11.41.455, unlawful exploitation of a minor. The bill specifies that the other person is a child under 16 years of age, but allows for a prosecution of a person who believes the other person is a child under 16 years of age when they are not actually a child under 16 years of age. The bill specifies that a violation under this new section is a class C Felony unless the person committing the offense is at the time a person required to be a registered sex offender or child kidnapper, a violation would then be a class B Felony.

Passage of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lieutenant Todd Sharp Phone 907-465-3223  
 Division: Alaska State Troopers Date/Time 3/9/05 3:47 PM  
 Approved by: Commissioner William Tandeske Date 3/9/2005  
 Agency: Department of Public Safety

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 118-LAW-CDCO-3-9-  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: LAW  
 Title "An Act relating to online enticement of minors." RDU CRIMINAL  
 Component CDCO  
 Sponsor Senator French  
 Requester Senate Judiciary Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Licenses & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill amends AS 11.41 by adding a new section makes it a class C Felony for a person 18 years of age or older to use a computer to communicate with another person to entice, solicit, or encourage the person to engage in acts described as unlawful exploitation of a minor as spelled out in AS 11.41.455(a)(1) - (7). The bill defines a minor as a person under 16 years of age, or whom the perpetrator believed was under 16 years of age at the time. The bill raises the offense to a class B felony if the defendant was, at the time of the offense, required to register as a sex offender or child kidnapper.

The Department of Law does not anticipate many cases will be prosecuted as a result of passage of this legislation and estimate no fiscal impact as a result.

Prepared by: Kathryn Daughhete, Director Phone 465-3673  
 Division: Administrative Services Division Date/Time 3/9/05 4:42 PM  
 Approved by: K. Daughhete for Scott Nordstrand, Acting Attorney General Date 3/9/2005  
 Agency: Department of Law



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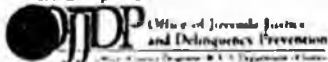
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**What is Online Enticement of Children for Sexual Acts**

Online enticement, the use of the Internet to entice, invite, or persuade a child to meet for sexual acts or to help arrange such a meeting, is a serious offense.<sup>1</sup>

The Internet is exciting new territory for many young people; however, stories from law-enforcement officials, caregivers, and young people themselves suggest that not every online adventure is a happy one. The Internet has a seamier side that young people seem to be encountering with greater frequency.<sup>2</sup>

There are risks for children who use the Internet or online services. Teenagers are particularly at risk because they often use the computer unsupervised and are more likely than younger children to participate in online discussions regarding companionship, relationships, or sexual activity. A child might provide information or arrange an encounter that could risk his or her safety or the safety of other family members.

Predators have used E-mail, instant messages, bulletin boards, and chat areas to gain a child's confidence and then arrange a face-to-face meeting. This sometimes leads to the child traveling to meet the person he or she is chatting with or the person traveling to meet the child. Sometimes the other party is an adult whose intent is to have sex with the child.<sup>3</sup>

Based on a study of 1,501 teens and preteens, approximately one in five received a sexual solicitation or approach over the Internet in 1999. Less than 10 percent of these sexual solicitations were reported to authorities such as a law-enforcement agency, an Internet service provider, or a hotline. Most families do not know where to report Internet offenses.<sup>4</sup>

**What is Being Done About this Problem?**

Law-enforcement officials are tracking down an ever-increasing number of "predators" on the Internet. There is now more specialized training available to law-enforcement regarding this issue.<sup>5</sup> State and local task forces are forming at ever-increasing numbers to combat Internet-related child exploitation. Through funding from the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention, 39 Internet Crimes Against Children task force units have been set up nationwide and currently focus on child sexual exploitation online. One of the most important tools for law-enforcement personnel and families was the development of NCMEC's [CyberTipline](#). This online reporting mechanism has initiated numerous investigations and arrests of child predators.

**What Can Be Done to Prevent This From Happening?**

The responsibility of preventing and resolving Internet crimes against children is not merely a federal or local issue. Technology has demonstrated it to be a global responsibility, because it can be a borderless crime. By informing communities about the many existing resources available and having caregivers taking a more active role, we can make the journey through cyberspace safer for children.

<sup>1</sup>18 U.S.C. 2425.

<sup>2</sup>David Finkelhor, Kimberly I. Mitchell, and Janis Wolak. *Online Victimization: A Report to the Nation's Youth*. Alexandria, Virginia: National Center for Missing & Exploited Children, 2000, page viii [hereinafter *Online Victimization*].

<sup>3</sup>Lawrence J. Magid. *Child Safety on the Information Highway*. Alexandria, Virginia: National Center for Missing & Exploited Children, 1998, page 3-4.

<sup>4</sup>*Online Victimization*, *supra* note 1, page ix.

<sup>5</sup>*Id.*, page 35.

[Back to Online Enticement](#)

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**Online Victimization:  
A Report on the Nation's Youth**

BY THE CRIMES AGAINST CHILDREN RESEARCH CENTER

DAVID FINKELHOR  
KIMBERLY J. MITCHELL  
JANIS WOLAK

JUNE 2000

FUNDED BY THE U.S. CONGRESS THROUGH A GRANT TO THE  
NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN

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## Report Statistical Highlights

Based on interviews with a nationally representative sample of 1,501 youth ages 10 to 17 who use the Internet regularly

- Approximately one in five received a sexual solicitation or approach over the Internet in the last year.
- One in thirty-three received an **aggressive** sexual solicitation — a solicitor who asked to meet them somewhere; called them on the telephone; sent them regular mail, money, or gifts.
- One in four had an unwanted exposure to pictures of naked people or people having sex in the last year.
- One in seventeen was threatened or harassed.
- Approximately one quarter of young people who reported these incidents were distressed by them.
- Less than 10% of sexual solicitations and only 3% of unwanted exposure episodes were reported to authorities such as a law-enforcement agency, an Internet service provider, or a hotline.
- About one quarter of the youth who encountered a sexual solicitation or approach told a parent. Almost 40% of those reporting an unwanted exposure to sexual material told a parent.
- Only 17% of youth and approximately 10% of parents could name a specific authority (such as the FBI, CyberTipline, or an Internet service provider) to which they could make a report, although more said they had "heard of" such places.
- In households with home Internet access, one third of parents said they had filtering or blocking software on their computer at the time they were interviewed.

The survey suggests that youth encounter a substantial quantity of offensive episodes, some of which are distressing and most of which are unreported. A comprehensive strategy to respond to the problem would aim to reduce the quantity of offensive behavior, better shield young people from its likely occurrence, increase the level of reporting, and provide more help to youth and families to protect them from any consequences.

### What is Online Victimization?

People can be victimized online in many ways. In the *Youth Internet Safety Survey* we asked about three kinds of victimization that have been prominent in discussions of youth and the Internet—sexual solicitation and approaches, unwanted exposure to sexual material, and harassment.

**Sexual solicitations and approaches:** Requests to engage in sexual activities or sexual talk or give personal sexual information that were **unwanted** or, whether wanted or not, **made by an adult**.

**Aggressive sexual solicitation:** Sexual solicitations involving **offline contact** with the perpetrator through regular mail, by telephone, or in person or attempts or requests for offline contact.

**Unwanted exposure to sexual material:** Without seeking or expecting sexual material, being exposed to pictures of naked people or people having sex when doing online searches, surfing the web, opening E-mail or E-mail links.

**Harassment:** Threats or other offensive behavior (not sexual solicitation), sent online to the youth or posted online about the youth for others to see.

Not all such incidents were distressing to the youth who experienced them. **Distressing incidents** were episodes where youth rated themselves as very or extremely upset or afraid as a result of the incident.

### **What is the *Youth Internet Safety Survey*?**

- A telephone survey of a representative national sample of 1,501 young people, ages 10 through 17, who use the Internet regularly
- "Regular Internet use" was defined as using the Internet at least once a month for the past six months at home, school, a library, or some other place
- Parents or guardians were interviewed first for about 10 minutes
- With parental consent, young people were interviewed for about 15 to 30 minutes
- Care was taken to preserve privacy and confidentiality during the youth interview
- Youth participants received \$10 checks and information about Internet safety
- The interviews took place between August 1999 and February 2000
- Topics covered in the interviews included
  - Experiences of sexual solicitation, unwanted exposure to sexual material, and harassment via the Internet and reactions to those experiences
  - The nature of friendships formed over the Internet
  - Knowledge of Internet safety practices among young Internet users and their parents or guardians
  - Assessment of factors that might make some young people more vulnerable than others to sexual solicitation, unwanted exposure to sexual material, and harassment via the Internet
- Youth survey participants were
  - 53% males, 47% females
  - 73% non-Hispanic white, 10% African-American, 3% American Indian or Alaskan native, 3% Asian, 2% Hispanic white, 7% other, 2% did not answer



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Teens recall messages from screen name linked to educator

By AMY JETER AND DEIRDRE FERNANDES
The Virginian-Pilot
July 10, 2004

PORTSMOUTH — Three teenagers said they conversed online and received harassing messages from an Internet screen name linked to a local educator who is accused of using a computer to solicit sex from a child.

The teens said they never met the person behind the screen name HOTLILFLGURL, but they were disturbed to learn that investigators think it was used by a 30-year-old man.

Kelly K. Bowen was arrested last month after authorities searching his home found pornographic electronic images of children — including at least one of him performing a sex act on a child, prosecutors said.

Bowen, a former elementary teacher who has worked for about 10 years in the city's school division, is being held without bond. His house was searched after an undercover officer conversed about sex in an Internet chat room with a person who claimed to be a woman, according to court records. The woman's screen name in that conversation was "HOTLILFLGURL," a name registered to Bowen, records show.



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The three Portsmouth teenagers said they and some friends received instant messages from that name starting in the spring. They also said that Bowen was never their teacher and that they had never met him. Bowen's attorney, Stan Clark, declined to comment Friday.

According to the teens, HOTLILFLGURL said her name was Jessica and that she was 15. Sometimes the messages sounded like they were from a teenage girl. For instance, she mentioned that she was bored or was going somewhere with her mother. Other times, HOTLILFLGURL talked about sex acts, cursed and pestered the teenagers to meet her in person. The messenger e-mailed one boy a picture of a long-haired, brown-eyed girl wearing white "All American Girl" pajamas.

But the messenger's identity was a mystery until last month, when authorities announced 10 Internet screen names that they thought Bowen had used.

Investigators also said that for years, Bowen had used the Internet to meet children, posing as young girls who wanted to talk to boys.

"I was freaked out," said one 14-year-old boy, who said he conversed online several times with HOTLILFLGURL. "That's scary, like I saw a ghost or something."

Interviews with the boy and two other teenagers, along with their parents, show some of the risks posed by the anonymity of the Internet and its extensive use by children.

The Virginian-Pilot is withholding the names of the teenagers and their parents because the minors may be victims or witnesses in a sex-crime case.

Two said they have reported their experiences to authorities. A member of state Attorney General Jerry W. Kilgore's office confirmed that one of the families had contacted the office. Whether the other student made a report to authorities could not be verified.

The three students, who are rising ninth-graders, know one another. They said they and other friends communicate by computer more often than by phone.

The teenagers subscribe to an Internet provider, which allows them to send e-mail, and they use a service to converse electronically with one person at a time by "instant messaging." They talk to dozens of people online but say they know most of them in person.

Their parents said they supervise their children's computer use in varying degrees, and the teens said they did not learn Internet safety tips at school.

The Portsmouth school division does not have any policy to teach students about the dangers of the Internet, but individual schools may, according to Superintendent David C. Stuckwisch. The 14-year-old boy has had a computer in his room for a few months.

He said that in March he received his first message from HOTLILFLGURL, asking him his age, gender and where he lived. The individual claimed to have recently moved to Portsmouth and listed names of other teenagers, asking if he knew them.

At first, the 14-year-old received instant messages from HOTLILFLGURL every few weeks, but then the messages grew more frequent, he said.

HOTLILFLGURL told the 14-year-old that a boy he knew was gay and asked him

The U.S. Federal Commission on Identity Theft is one source of all complaints - 42 all complaints

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for the street address of another boy. The messenger claimed to have a naked picture of one of his friends and asked for a picture of him, he said.

The 14-year-old said that the individual asked to meet him and asked him to perform a sex act. When the teen refused, the messenger called him a homosexual, he said.

"I thought it was annoying," the 14-year-old said. "I thought it was just some girl."

He blocked messages from HOTLILFLGURL temporarily but then removed the block because he thought that was mean.

He did not tell his parents, and he said he was still receiving messages from HOTLILFLGURL last month.

While cleaning the teen's room one day, the boy's mother saw the screen name on the computer and remembered it. Later, she recognized it on the news and talked to her son, who gradually told her about his interaction with HOTLILFLGURL.

"I was just hoping he didn't go and meet him," said the boy's mother, a 35-year-old homemaker.

A 15-year-old boy said he started receiving messages from HOTLILFLGURL in early April. He uses a computer in his family's living room.

He said the messenger seemed to know a lot about his life, including where he lived and his girlfriend's name. He said he thought it was someone he knew, playing a prank.

The messages came at all hours. HOTLILFLGURL started getting aggressive and talking about sex, he said. The boy sent back angry messages.

"I got to a point where I got to cursing him out," he said.

The boy said he was still receiving messages from HOTLILFLGURL last month. He told his mother, but they said that neither thought much about it until authorities linked HOTLILFLGURL to Bowen. "It's just creepy," said his mother, a 34-year-old homemaker. "They're just out there."

A 14-year-old girl said she heard about HOTLILFLGURL from her friends before she ever received a message. The girl uses her family's computer, which is in the dining room.

The 14-year-old and her friends argued over whether HOTLILFLGURL was a boy or a girl, even though the messenger had given the name "Jessica" and had sent a picture to one boy.

Once, the 14-year-old saw a message in which HOTLILFLGURL wrote about living on a particular street in Portsmouth. The 14-year-old and her friends went to a house on that street and asked for "Jessica." No one by that name lived there, she said. The 14-year-old also received an instant message from HOTLILFLGURL, asking for the street address of a boy. The 14-year-old asked HOTLILFLGURL to stop harassing another boy, she said.

In response, HOTLILFLGURL called her a "slut," and worse, and told her that her mother had AIDS, she and her mother said.

Table of Contents

The girl's mother said she is healthy and that she watched the instant messaging conversation unfold.

"There's no way a teenaged girl would talk like that," said the 34-year-old mother of four. She said she told her daughter not to message with the individual anymore.

The girl and her mother found out from the newspaper that authorities said the HOTLILFLGURL screen name was registered to Bowen.

"I think it's freaky," the girl said. "I'm really glad no one decided to meet him."

Reach Amy Jeter at 446-2793 or [amy.jeter@pilotonline.com](mailto:amy.jeter@pilotonline.com). Reach Deirdre Fernandes at 222-5121 or [deirdre.fernandes@pilotonline.com](mailto:deirdre.fernandes@pilotonline.com)

Anyone with information about this case is asked to call Portsmouth police at 393-8536, Ext. 7241.

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List of victims in teacher case grows to six

By MELISSA L. JONES and JULIE SULLIVAN
melissajones@news.oregonian.com
The Oregonian
01/14/04

A prosecutor says a Gresham educator, accused of sexual contact with boys, is a predator

A federal judge ordered a Gresham middle school teacher to remain jailed after investigators said Tuesday that the teacher had inappropriate or sexual contact with at least six boys.

John J. McPartlin, 42, of east Portland's Parkrose area is charged with using the Internet to solicit sex from minors. In a transcript of an Internet chat filed as part of a U.S. District Court affidavit, McPartlin wrote that he paid at least \$200 to two boys, ages 17 and 13, to have sex with him simultaneously.

In Tuesday's hearing, Assistant U.S. Attorney Gregory Nyhus did not specify the type of contact McPartlin had with the six boys, but said he considers McPartlin a predator and a danger to the community.

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"I'm assigning them 'victim' status for a reason," Nyhus said after the hearing.

The investigation stretches from Beaverton to Vancouver to Gresham, with families contacting multiple police agencies to report allegations.

This week, FBI investigators are arranging interviews with Gresham-area parents and basketball players whom McPartlin has taught or coached since 1995, when he began working at Clear Creek Middle School.

The FBI seized a computer from McPartlin's apartment Friday and went to the middle school with a search warrant Tuesday evening. McPartlin taught sixth-, seventh- and eighth-grade math and has a computer in his classroom.

McPartlin communicated with some students via instant messaging using the same screen name -- "Hotguy4415" -- that prosecutors say he used to attract boys to his apartment.

According to the affidavit, McPartlin posed online as a corporate attorney who lived in downtown Portland and represented companies including Nike.

News of his arrest Friday divided his students and former players, who almost came to blows over the allegations at a basketball game Saturday, parents said.

At least three Clear Creek families have called the FBI to report that McPartlin had inappropriate contact with male students, according to a parent of one student. The parent said her son told investigators that McPartlin offered students \$200 if they would masturbate on video.

Two Gresham mothers who attended the release hearing Tuesday said after the proceedings that they were saddened and disappointed. The women, who declined to give their names to protect their families, said five of their children had either been in McPartlin's classes or played on his basketball teams.

They said they had never heard anything about inappropriate behavior and described him as a popular but demanding math teacher who years later helped former students complete their high school senior projects.

"These boys loved him," one mom said. "They respected him. They thought he was awesome."

Commonly, boys ate lunch in McPartlin's classroom, and some students said they regularly joked around with him.

But two former students, now at Gresham High, told The Oregonian that during lunch in his classroom, McPartlin would give students a candy bar if they could keep a black metal paper clip attached to their nipple for 30 seconds.

Several parents and students said McPartlin hung out only with boys, kept candy reserved for boys in his room, shared a hotel room with boys on at least one off-season basketball trip to Seaside, gave students cash, and chatted with students online late at night. One parent said his son was paid \$200 to help McPartlin around school on a Saturday afternoon.

77% of the top online predator: 14 or older. An were users age

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Since his arrest, the Gresham-Barlow School District has put McPartlin on leave and hired an attorney to help in its own investigation and to work with the FBI.

Authorities first learned of a local Internet sex solicitor in May, after a 15-year-old boy told Washington County authorities that a man later identified as McPartlin offered him \$200 to have sex and \$100 to make a pornographic video.

Nyhus said the investigation was stalled, however, because the boy reported the wrong screen name for the solicitor.

In October, the same boy's father told Beaverton police that his now 16-year-old son had been communicating via instant messages with "Hotguy4415," who offered money for sex. A Beaverton detective is a member of the Portland Innocent Images National Initiative Undercover Task Force, which investigates online child pornography and abuse.

The FBI then subpoenaed America Online records and on Nov. 7 learned that "Hotguy4415" was registered to McPartlin. On Dec. 4, the FBI had his home address and on Dec. 8 learned that he worked at a Gresham school. On Dec. 9, the 16-year-old who first contacted authorities picked McPartlin out of a lineup of Oregon driver's license photos as the man he'd met in 2002.

In the following weeks, investigators watched McPartlin at Clear Creek. From Dec. 14 to Jan. 6, an FBI agent assumed the identity of a 14-year-old boy and corresponded with "Hotguy4415" in online chat rooms.

The FBI arrested McPartlin on Jan. 9, the same day agents learned that he allegedly paid \$200 for sex with a 17-year-old Vancouver boy in December. Agents were able to make the arrest after the boy's mother used "spy software" to track her son's Internet chats.

McPartlin graduated from Monroe High School in 1979 and has lived his entire adult life in Oregon, according to his attorney, Gerald Needham. McPartlin has a teaching certificate from Concordia University. Before working for Gresham-Barlow, McPartlin coached Monroe High School's basketball team from 1983 to 1994 and was Oregon's Class 2A coach of the year in 1990.

His attorneys asked whether McPartlin, instead of remaining in jail, could stay with his mother in the Benton County community of Alpine. Federal Magistrate Donald Ashmanskas said he needed more information, such as a mental health evaluation, before he would consider letting McPartlin out of jail.

McPartlin is tentatively scheduled to be arraigned on Feb. 12.

The FBI asks that anyone with information about the case call 503-224-4181.

Melissa Jones: 503-294-5938; [melissajones@news.oregonian.com](mailto:melissajones@news.oregonian.com)

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**FOR IMMEDIATE RELEASE · February 28, 2005**

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***French, Kookesh File Bills to Protect Children  
Legislation outlaws Internet victimization, seeks admissibility of interviews***

JUNEAU – Sens. Hollis French, D-Anchorage, and Albert Kookesh, D-Angoon, introduced a package of bills today to protect children from crime and its effects.

Two of the bills, Senate Bills 118 and 119, make it a crime to entice minors on the Internet and to send them indecent material electronically..

“These bills will help provide a ‘safety Net’ for Alaska’s children,” said Senator French. “No parent should have to live in fear that a child will receive pornography by e-mail or be lured into a dangerous relationship by a predator. SB 118 and SB 119 will help Alaska’s police and prosecutors bring an end to these terrible acts.”

A third bill in the package, Senate Bill 117, makes recorded statements of victims under 16 admissible in court if they were conducted under certain conditions. These “forensic interviews,” which are conducted in child advocacy centers around the state, are now admissible only if the child victim contradicts his or her earlier statement or cannot remember the event.

“Alaska’s rate of child sexual abuse is among the highest in the nation. We know that the Internet is playing an increasing role in child victimization here as well as around the globe,” said Senator Kookesh. “These bills will help protect Alaska’s children and bring swifter justice for them.”

#####

**PRESS ADVISORY:** On Tuesday, March 1, Detective Kevin Vandegriff, Special Assault Unit, Anchorage Police Department, and Michelle Monts, Program Manager, S.A.F.E. Child Advocacy Center in Juneau, will join Senators French and Kookesh at a press availability to discuss the legislation and its impact on child victims. The press availability will be in the Beltz Room at 10:30 a.m.###



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**FOR IMMEDIATE RELEASE · March 1, 2005**

***Police Officer, Interviewer Support Child Protection Bills***

***Package by French, Kookesh aims at Internet, statements***

JUNEAU -- Detective Kevin Vandegriff of the Anchorage Police Department's crimes against children unit, and Michelle Monts, a forensic interviewer and program manager with Juneau's child advocacy center, appeared Tuesday at a Senate Democrats' press conference to endorse a package of child protection bills sponsored by Sen. Hollis French, D-Anchorage, and Sen. Albert Kookesh, D-Angoon.

Two of the bills, Senate Bills 118 and 119, make it a crime to entice minors on the Internet and to send them indecent material electronically. The third bill in the package, Senate Bill 117, makes recorded statements of victims under 16 admissible in court if they were conducted under certain conditions. These "forensic interviews," which are conducted in child advocacy centers around the state, are now admissible only if the child victim contradicts his or her earlier statement or cannot remember the event.

Vandegriff spoke about sexual predation on the Internet.

MP3 actuality: [http://akdemocrats.org/Audio/030105\\_sexpredator1.mp3](http://akdemocrats.org/Audio/030105_sexpredator1.mp3)

He also described his own experiences posing as a minor in a training class in Seattle.

MP3 actuality: [http://akdemocrats.org/Audio/030105\\_sexpredator2.mp3](http://akdemocrats.org/Audio/030105_sexpredator2.mp3)

He also described the effects of predators sending pornography to minors electronically.

MP3 actuality: [http://akdemocrats.org/Audio/030105\\_sexpredator3.mp3](http://akdemocrats.org/Audio/030105_sexpredator3.mp3)

Monts spoke to the reasons for allowing statements made to forensic interviewers to be introduced into evidence.

MP3 actuality: [http://akdemocrats.org/Audio/030105\\_sexpredator4.mp3](http://akdemocrats.org/Audio/030105_sexpredator4.mp3)



**Sen. French's introduction**  
3 minutes - Mpeg4 - 5 MBytes



**Michelle Monts' statement**  
3 minutes - Mpeg4 - 5 MBytes

The bills, introduced Monday, are currently in the Senate Judiciary Committee.

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***Putting Alaskans First - Moving Alaska Forward 2005***

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