



U.S. Department of Justice

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PRESS RELEASE

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GUILTY PLEA IN FEDERAL CHILD PORNOGRAPHY CASE

In June 2010, **Brian M. Phillips**, a 43 year old resident of Edgewood, New Mexico, was indicted on federal distribution and attempted distribution, receipt, and possession of child pornography charges. This morning, Phillips entered a guilty plea to receipt of child pornography before United States Magistrate Judge W. Daniel Schneider under a plea agreement with the United States Attorney's Office. Phillips specifically admitted to receiving a photograph depicting pre-teen children engaging in sexually explicit conduct as charged in Count 3 of the indictment.

United States Attorney Kenneth J. Gonzales said the charges against Phillips stem from an undercover investigation by the New Mexico State Police (NMSP) that began in July 2009 and culminated with the execution of a search warrant at Phillips' residence in December 2009. The plea agreement reflects that, on July 20, 2009, a NMSP officer connected with Phillips' computer, which was offering child pornography images through a peer-to-peer (P2P) file-sharing program, and viewed images of child pornography.

During the course of the NMSP investigation, the officer noted that Phillips' computer again participated in the distribution of child pornography on two separate dates in October 2009. On December 22, 2009, when officers of the NMSP executed the search warrant at Phillips' residence, Phillips admitted possessing child pornography images and videos. He also admitted downloading child pornography from the Internet and P2P file-sharing programs to his computer. Forensic examination of Phillips' computers uncovered more than 1000 images of child pornography.

Phillips is in custody pending sentencing when he faces a term of not less than five (5) years and not more than twenty (20) years imprisonment, a maximum fine of \$250,000 and a lifetime term of supervised release. Phillips also will be required to register as a sex offender upon his release from prison.

The case was investigated by the NMSP, the District Attorney's Office for the First Judicial District of the State of New Mexico, the Computer Analysis Response Team (CART) and the Federal Bureau of Investigation. It is being prosecuted by Assistant United States Attorney Charlyn Rees and was brought as part of Project Safe Childhood, a nationwide initiative launched in May 2006 by the Department of Justice to combat the growing epidemic of child sexual exploitation and abuse. Led by U.S. Attorneys' Offices and the Criminal Division's Child Exploitation and Obscenity Section, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children via the Internet, as well as to identify and

rescue victims. For more information about Project Safe Childhood, please visit

www.projectsafechildhood.gov.

The case also was brought as part of the New Mexico Internet Crimes Against Children Task Force whose mission it is to locate, track, and capture Internet child sexual predators and Internet child pornographers in New Mexico. There are 61 federal, state and local law enforcement agencies associated with the Task Force, which is funded by a grant administered by the New Mexico Attorney General's Office. Anyone with information relating to suspected child predators and suspected child abuse is encouraged to contact federal or local law enforcement.

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