

**THE NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND
INTERDICTION
A REPORT TO CONGRESS
AUGUST 2010**

“There can be no keener revelation of a society’s soul than the way in which it treats its children.”¹ “Given the current statistics surrounding child pornography, we are living in a country that is losing its soul.”²

I. EXECUTIVE SUMMARY

The sexual abuse and exploitation of children rob the victims of their childhood, irrevocably interfering with their emotional and psychological development. Ensuring that all children come of age without being disturbed by sexual trauma or exploitation is more than a criminal justice issue, it is a societal issue. Despite efforts to date, the threat of child sexual exploitation remains very real, whether it takes place in the home, on the street, over the Internet, or in a foreign land.

Because the sexual abuse and exploitation of children strikes at the very foundation of our society, it will take our entire society to combat this affront to the public welfare. Therefore, this National Strategy lays out a comprehensive response to protect the right of children to be free from sexual abuse and to protect society from the cost imposed by this crime.

In the broadest terms, the goal of this National Strategy is to prevent child sexual exploitation from occurring in the first place, in order to protect every child’s opportunity and right to have a childhood that is free from sexual abuse, trauma, and exploitation so that they can become the adults they were meant to be. This Strategy will accomplish that goal by efficiently leveraging assets across the federal government in a coordinated manner. All entities with a stake in the fight against child exploitation—from federal agencies and investigators and prosecutors, to social service providers, educators, medical professionals, academics, non-governmental organizations, and members of industry, as well as parents, caregivers, and the threatened children themselves—are called upon to do their part to prevent these crimes, care for the victims, and rehabilitate the offenders.

Background

In 2008, Congress passed and President Bush signed the Providing Resources, Officers, and Technology to Eradicate Cyber Threats to Our Children Act of 2008 (the “PROTECT Our Children Act” or the “Act”). This Act requires the Department of Justice (the “Department”) to formulate and implement a National Strategy to combat child exploitation. The Act also requires the Department to submit a report on the National Strategy (the “National Strategy” or “Report”) to Congress every other year. The Act mandates that the National Strategy contain a significant

¹ Nelson Mandela

² The Honorable John Adams, Northern District of Ohio, *U.S. v. Cunningham*, 1:09-CR-00154-JRA.

amount of information, including: (1) an assessment of the magnitude of child exploitation;³ (2) a review of the Department and other state and federal agencies' efforts to coordinate and combat child exploitation;⁴ and (3) a proposed set of goals and priorities for reducing child exploitation.⁵ In this inaugural National Strategy report, the Department describes its first-ever threat assessment of the danger that faces the nation's children, its current efforts to combat child exploitation, and posits some goals and plans to fight the threats that are facing our Nation's children.

The Threat Assessment

This Report attempts to marshal a massive amount of information about the nature of the child exploitation problem and the significant efforts being undertaken by federal, state, and local agencies to address this epidemic. To evaluate the extent and forms of child exploitation, between approximately February 2009 and February 2010, the National Drug Intelligence Center ("NDIC") prepared a threat assessment (the "Threat Assessment" or "Assessment") that is summarized in this Report. In conducting the Threat Assessment, NDIC interviewed over a hundred prosecutors, investigators, and other experts in the field, conducted interviews to collect information, reviewed thousands of pages of documents from investigations, cases, relevant research, and analyzed data from the National Center for Missing & Exploited Children. In addition to conducting the Threat Assessment, the Department and the Library of Congress have gathered and reviewed an extensive amount of studies and research relevant to the field of child exploitation to help inform the Department and its partners of the most recent information available from academia on this subject.⁶

The Threat Assessment research indicates that the threat to our nation's children of becoming a victim of child exploitation is a very serious one. For example, investigators and prosecutors report dramatic increases in the number, and violent character, of the sexually abusive images of children being trafficked through the Internet. They also report the disturbing trend of younger children depicted in these images, even including toddlers and infants. Further, offenders have become proficient at enticing children to engage in risky behavior, like agreeing to meet for sexual activity, or even to display themselves engaging in sexual activity through images or webcams. In addition, the offenders have been able to master Internet technologies to better mask their identities.

To address the threat to our nation's children, the National Strategy focuses on the following types of child sexual exploitation: (1) child pornography, often called images of child sexual abuse; (2) online enticement of children for sexual purposes; (3) commercial sexual exploitation of children, and (4) child sex tourism.

Child Pornography: The expansion of the Internet has led to an explosion in the market for child pornography, making it easier to create, access, and distribute these images of abuse. While "child pornography" is the term commonly used by lawmakers, prosecutors, investigators, and

³ See the Act, Section 101(c)(16-17).

⁴ See the Act, Section 101(c)(5-13, 15, 20).

⁵ See the Act, Section 101(c)(1-4, 14).

⁶ See Appendices E and F.

the public to describe this form of sexual exploitation of children, that term largely fails to describe the true horror that is faced by hundreds of thousands of children every year. The child victims are first sexually assaulted in order to produce the vile, and often violent, images. They are then victimized again when these images of their sexual assault are traded over the Internet in massive numbers by like-minded people across the globe.

The anonymity afforded by the Internet makes the offenders more difficult to locate, and makes them bolder in their actions. Investigations show that offenders often gather in communities over the Internet where trading of these images is just one component of a larger relationship that is premised on a shared sexual interest in children. This has the effect of eroding the shame that typically would accompany this behavior, and desensitizing those involved to the physical and psychological damage caused to the children involved. This self-reinforcing cycle is fueling ever greater demand in the market for these images. In the world of child pornography, this demand drives supply. The individual collector who methodically gathers one image after another has the effect of validating the production of the image, which leads only to more production. Because the Internet has blurred traditional notions of jurisdiction and sovereignty, this urgent crime problem is truly global in scope, and requires a coordinated national and international response.

Online Enticement of Children: Child predators often use the internet to identify, and then coerce, their victims to engage in illegal sex acts. These criminals will lurk in chat rooms or on bulletin board websites that are popular with children and teenagers. They will gain the child's confidence and trust, and will then direct the conversation to sexual topics. Sometimes they send the child sexually explicit images of themselves, or they may request that the child send them pornographic images of themselves. Often, the defendants plan a face-to-face for the purpose of engaging in sex acts.

The Commercial Sexual Exploitation of Children: Children are being recruited and coerced into the world of prostitution in our own cities. Teen runaways - who are often trying to escape abusive homes - may turn to prostitution as a means of survival. They also frequently fall prey to "pimps" who lure them in with an offer of food, clothes, attention, friendship, love, and a seemingly safe place to sleep. Once the pimps gain this control over the children, they often use acts of violence, intimidation, or psychological manipulation to trap the children in a life of prostitution. Pimps will also cause the children to become addicted to drugs or alcohol (or will increase the severity of a pre-existing addiction) in order to ensure complicity. These children are taught to lie about their age and are given fake ID. They are also trained not to trust law enforcement and to lie to protect their pimps. As a result, these victims are often not recognized as victims, and may be arrested and jailed. The dangers faced by these children- from the pimps, from their associates, and from customers—are severe. These children become hardened by the treacherous street environment in which they must learn to survive. As such, they do not always outwardly present as sympathetic victims. These child victims need specialized services that are not widely available given that they often present with illnesses, drug additions, physical and sexual trauma, lack of viable family and community ties, and total dependence - physical and psychological - on their abusers, the pimps.

Child Sex Tourism: “Child sex tourism” refers to Americans or U.S. resident aliens traveling abroad for the purpose of sexually abusing foreign children (usually in economically disadvantaged countries). Americans, capitalizing on their relative wealth and the lack of effective law enforcement in the destination countries, easily purchase access to young children to engage in illicit sex acts, sometimes for as little as \$5. Like child pornography and other Internet-facilitated crimes against children, the Internet has revolutionized the child sex tourism industry. As a result, a new, emboldened crop of offenders are finding the navigation of travel in developing countries much easier than in the past. Additionally, the Internet allows like-minded offenders to gather and exchange information on how and where to find child victims in these foreign locations, making the offenders better informed about where sex tourism is prevalent and where law enforcement is lax. Numerous countries in Southeast Asia are so well-known for child sex tourism that there are entire neighborhoods which are considered brothels, and there are open-air markets where children can be purchased for sex.

In short, the threat of sexual exploitation faced by children today is very real.

Brief Overview of the Nation’s Efforts to Combat Child Exploitation

While the threat has increased, so, too, have the resources dedicated to addressing this issue. This Report provides an overview of the significant efforts of the Department and numerous other federal, state, and local agencies that are working to prevent and interdict child exploitation. The efforts are multi-faceted and many of these groups work cooperatively to address this ever-expanding problem.

The Department has a number of components, offices, and agencies that devote personnel, resources, and time to the issue of preventing, investigating, and prosecuting child exploitation, as well as to providing services to victims and families. These components include, but are not limited to: the Office of the Deputy Attorney General (ODAG), the Federal Bureau of Investigation (FBI), the U.S. Marshals Service, Interpol Washington, the U.S. Attorney’s Offices, the Criminal Division’s Child Exploitation and Obscenity Section (CEOS), and the Office of Justice Programs (OJP).

The ODAG helps to direct all of the Department’s efforts to combat child exploitation. The Department has appointed a National Coordinator for Child Exploitation Prevention and Interdiction, who is an official within the Office of the Deputy Attorney General.

The FBI leads the Department’s investigative efforts and as a part of that mandate created the Innocent Images National Initiative which focuses on technology-facilitated child exploitation. Between 1996 and 2007, there was a 2062% increase in child exploitation investigations throughout the FBI. In 2004, the FBI launched the Innocent Images International Task Force, which has brought dozens of investigators from all over the world to train with the FBI and foster international cooperation in the global fight against child exploitation.

The Marshals Service is tasked under the Adam Walsh Act with the primary responsibility for locating and apprehending sex offenders who have failed to register on a sex offender registry. As part of the Adam Walsh Act, the Marshals Service has three principle responsibilities:

assisting state, local, tribal and territorial authorities in the location and apprehension of non-compliant and fugitive sex offenders; investigating violations of the Adam Walsh Act for federal prosecution; and assisting in the identification and location of sex offenders relocated as a result of a major disaster. Dozens of Deputy U.S. Marshals lead task forces of federal, state, and local partners to track down and apprehend these offenders. In addition, the Marshals Service has formed a Sex Offender Investigations Branch. In Fiscal Year 2009, this Branch arrested more than 10,000 fugitives, wanted for failing to register and/or actual sex offenses, and conducted thousands of compliance checks.

INTERPOL Washington is the official U.S. representative to the International Criminal Police Organization (INTERPOL). As the national point of contact for INTERPOL in the United States, INTERPOL Washington routinely exchanges criminal investigative data with international counterparts on behalf of the more than 18,000 federal, state, local and tribal law enforcement agencies in the United States. In addition to providing support to NCMEC, ICE and the FBI, INTERPOL Washington tracks sex offenders who travel overseas, and coordinates a number of international alerts relating to child exploitation.

The 94 United States Attorney's Offices prosecute federal child exploitation cases throughout the country and coordinate Project Safe Childhood within their districts, the Department's 2006 national initiative to marshal federal, state, and local resources to prevent and interdict child exploitation. Since 2006, the number of cases and defendants prosecuted by United States Attorney's Offices has increased by 40%, with 2,315 indictments against 2,427 defendants filed in Fiscal Year 2009.

CEOS, situated within the Department's Criminal Division, consists of approximately twenty attorneys and a six-person High Technology Investigative Unit ("HTIU"). CEOS leads the Criminal Division's campaign against the sexual exploitation of children by investigating and prosecuting the most challenging child sexual exploitation cases, and then by drawing from those experiences to shape domestic and international policy, launch nationwide investigations against the worst offenders, and provide guidance and training to other prosecutors and agents, both within and outside the federal government. CEOS is able to leverage a small amount of resources into extraordinary results. For example, in the last three years CEOS has spearheaded 18 national operations that have resulted in the investigation of over 2,000 individuals. Since 2001, the number of cases and investigations handled by CEOS Trial Attorneys has increased by 1,100%.

The OJP oversees the disbursement of millions of dollars in grants to federal, state, and local agencies to aid in the fight against child exploitation. OJP's efforts help provide communication and coordination to dozens of groups, including the Internet Crimes Against Children (ICAC) Task Force Program which is a fundamental component to our Nation's fight against child exploitation. Since 1998, the Department, through the Office of Justice Programs, has funded the ICACs which are a collection of 61 separate task forces throughout the country, with at least one in each state, that work to coordinate federal, state, local and tribal investigative and prosecution agencies to coordinate efforts to interdict child exploitation. Since 1998, ICAC task forces have arrested nearly 17,000 offenders.

Moreover, there are numerous other Federal agencies that are partners in the fight against child exploitation. This includes the United States Postal Inspection Service, the Department of Homeland Security through Immigration and Customs Enforcement and the United States Secret Service, the Department of Health and Human Services, the Department of Defense, the Department of State and the Department of Commerce. Non-governmental organizations work alongside federal, state, local, and tribal partners to combat child exploitation as well. These include the National Center for Missing & Exploited Children, Child Help, Darkness to Light, Girls Educational and Mentoring Services, Inc., Enough is Enough, i-Safe, Kristi House, Inc., Nevada Child Seekers, Paul and Lisa Program, Inc., Web Wise Kids, San Diego Police Foundation, Self-Reliance Foundation, Washtenaw Area Council for Children, INOBTR, TechMissionYouth Program, PROTECT, ECPAT-USA, and many others.

One of the chief mandates of the Act was that the Department expand its efforts to coordinate and cooperate with federal, state, local and international organizations and agencies to combat this scourge. While the Department has long coordinated with all levels of government within the United States and with law enforcement internationally to fight child exploitation, additional high-level working meetings have begun between the Department and other federal government agencies, as well as state, local, and international partners. The Department already belongs to several inter-agency working groups related to child exploitation, like the Federal Inter-Agency Task Force on Missing and Exploited Children. Additionally, the Department provides funding for the Amber Alert program, many child advocacy centers, and many state and local agencies through grants and funding administered by the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Assistance, the National Institute of Justice, the Office for Victims of Crime, and others.

The Continuing Fight Against Child Exploitation

As outlined in this Report, the Department is diligently working to combat child exploitation. For example, the Department has increased the number of agents and prosecutors dedicated to child exploitation cases. The FBI has increased the digital forensic capacity at Regional Computer Forensics Labs, which will lead to more expeditious reviews of the critical evidence in these cases. The Department has funded, and will continue to fund, the ICAC Task Force Program. CEOS advises and provides training to the nation's prosecutors, and also conducts high-tech and complex investigations. The U.S. Marshals pursue and have successfully captured thousands of individuals who abscond from their responsibility to register as sex offenders and those who offend and become fugitives. However, as the Threat Assessment evidences, more work must be done to combat the expanding number of predators and, more importantly, to prevent them from harming a child in the first instance.

At its core, the goal of this National Strategy is to reduce the incidence of the sexual exploitation of children. This goal is the guiding principle for all the Department's current and future efforts.

The Department's approach for achieving this goal is multifaceted and includes: (1) an overarching statement of broad goals that will be used to direct the National Strategy; (2) more specific goals to address the dangers identified by the Threat Assessment; (3) programmatic goals that can provide some measurable information and results to help guide the Strategy going

forward; and (4) individualized goals by relevant Department components that are designed to support both the broad goals of the Strategy and the programmatic goals of the Department.

The following broad goals will direct the effort of the National Strategy going forward.

- 1. The Department will continue to partner closely with state, local, tribal, and non-governmental entities, as well as other federal agencies and the private sector to implement the National Strategy in a coordinated fashion.*
- 2. The Department will increase its commitment to a leadership role in finding a global solution to the transnational problem of the sexual exploitation of children.*
- 3. The Department will continue to partner with Industry to develop objectives to reduce the exchange of child pornography.*
- 4. The Department will explore opportunities to increase the education and awareness of federal, state, local and tribal judges of the difficult issues involved in child sexual exploitation.*
- 5. The Department will work toward improving the quality, effectiveness, and timeliness of computer forensic investigations and analysis.*
- 6. The Department will increase its commitment to effective and sophisticated training for prosecutors and investigators.*
- 7. The Department will build on the success of the Project Safe Childhood initiative.*

Beyond these broad goals, this National Strategy seeks to best marshal all of the Department's resources in a more coordinated, integrated, and strategic way.

As outlined in this Report, the Department, in partnership and cooperation with other federal, state, local, tribal, and international partners is aggressively pursuing those who would steal the innocence from the soul of our children. Thousands of federal, state, and local investigators and prosecutors, without fanfare or even adequate public recognition of the difficulty of their work, fight this battle fiercely every day. Dedicated professionals in non-governmental organizations, child protective services, and child advocacy centers devote massive time and energy to protecting children, again largely without society fully recognizing the importance of their work. This National Strategy outlines how we will, and must, act together as a nation to protect our children and provides a unique opportunity for us to act together as a nation to protect, as Nelson Mandela said, our society's soul by vigorously pursuing those who violate our children.