

For Immediate Release
April 26, 2011

EDGEWOOD MAN TO SERVE 97-MONTHS IN PRISON
FOR CHILD PORNOGRAPHY CONVICTION
[CORRECTED]

SANTA FE – This morning in federal court in Santa Fe, **Brian M. Phillips**, a 44-year-old resident of Edgewood, New Mexico, was sentenced to a 97-month term of imprisonment to be followed by ten years of supervised release for his receipt of child pornography conviction. After he completes his prison sentence, Phillips will be required to register as a sex offender.

Phillips was indicted on June 10, 2010 and charged with (Count 1) distribution and attempted distribution of child pornography; (Counts 2 & 3) receipt of child pornography; and (Count 4) possession of child pornography. Phillips was arrested on July 2, 2010 and was released under pretrial supervision until October 14, 2010, when the court revoked his release and ordered him detained. Phillips has been in federal custody since that time. On October 28, 2010, Phillips entered a guilty plea to count 3 of the indictment, charging him with receipt of child pornography under a plea agreement with the United States Attorney's Office. At the conclusion of today's sentencing hearing, the court dismissed counts 1, 2 and 4 of the indictment.

United States Attorney Kenneth J. Gonzales said the charges against Phillips stemmed 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. Court records 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. 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.

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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