



U.S. Department of Justice

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PRESS RELEASE

Andrew T. Baxter, Acting U.S. Attorney for the Northern District of New York, York, Andrew M. Cuomo, Attorney General of the State of New York, and Patrick E. Coultrey, Resident Agent in Charge of the U.S. Department of Homeland Security, Albany Division, announced that **JAMES ELSIS**, age 50, of Phoenicia, New York, was sentenced today by U.S. District Judge Gary L. Sharpe in Federal Court in Albany on his guilty plea to a two-count Indictment charging him with the possession of child pornography. The investigation and prosecution of **ELSIS** was part of the United States' Project Safe Childhood (PSC) national initiative and ICE Operation Predator. **ELSIS** was sentenced to 78 months, and ordered to serve a ten-year term of supervised release. He also was ordered to (1) have no unsupervised contact with minors; (2) participate in a sex offender program; and (3) register with the New York State Sex Offender Registry Program.

ELSIS pled guilty on September 11, 2008. In connection with his plea, he admitted the following in a written plea agreement and during his plea proceeding:

At all times relevant herein, JAMES ELSIS resided in Phoenicia, New York, which is located in the Northern District of New York.

On or about June 16, 2006, ELSIS, using a computer and his personal

credit card, subscribed to a website that offered access to thousands of still and video files containing child pornography.

On or about July 12, 2007, at his residence, ELSIS consented to the seizure by federal agents of a laptop computer used by him. Over 1,000 images depicting minors engaged in sexually explicit conduct were recovered from the computer. The images depict individuals under the age of 18 engaged in, among other things, vaginal intercourse, anal intercourse, oral sex, masturbation, digital penetration of the anus, digital penetration of the vagina, and the lascivious exhibition of the genitals and pubic area. Images were also recovered which depict bound naked minors, hot wax being dripped upon the chest of a naked minor, a naked female minor urinating, and the insertion of objects such as dildos into the vaginas of minor females. All of the images recovered depict actual, as opposed to computer-generated, images of minors engaged in such conduct. Many of these images depict prepubescent minors engaged in such conduct.

On or about December 12, 2007, a federal search warrant was executed at ELSIS' residence in the Northern District of New York, and another computer used by ELSIS was recovered. Approximately 100 images depicting minors engaged in sexually explicit conduct were recovered from this computer. The images depict individuals under the age of 18 engaged in, among other things, vaginal intercourse, anal intercourse, oral sex, masturbation, digital penetration of the vagina, and the lascivious exhibition of the genitals and pubic area. Images were also recovered which depict a naked minor wearing a dog collar while engaging in sexually explicit conduct, a naked female minor urinating, and a female minor being spanked on her naked buttocks. All of the images recovered depict actual, as opposed to computer-generated, images of minors engaged in such conduct. Many of these images depict prepubescent minors engaged in such conduct.

ELSIS knowingly and willfully possessed these images, knowing that they depict minors engaged in sexually explicit conduct. ELSIS obtained such images from, among other places, individuals and sites located outside the State of New York. Moreover, such images, and the actual computers used to obtain and download these depictions, were transported in interstate and foreign commerce and were produced using materials that had been mailed, or shipped or transported in interstate and foreign commerce

ELSIS was arrested on December 12, 2007 by agents with the U.S. Immigration and Customs Enforcement, Department of Homeland Security, which conducted the investigation.

The investigation and prosecution of this individual was part of the United States

Department of Justices' "Project Safe Childhood" (PSC) national initiative. PSC, which was officially launched in May of 2006, is a national initiative emphasizing the coordination of federal, state, and local law enforcement efforts to prosecute those who sexually exploit children online. The goal of PSC is to enhance the national response to the growing threats to America's youth posed by online sexual solicitation, abuse, and child pornography. As technology improves and the Internet becomes more vast and accessible, the number of computer-facilitated sexual crimes against children continues to grow. According to one recent study, one in seven children, ages 10-17, who are regular Internet users are sexually solicited online. That translates to millions of kids, and it suggests that there are thousands of offenders whom we have not yet identified and brought to justice. In order to address this problem, the Department of Justice initiated PSC which generally consists of the following five components:

1. The creation of integrated partnerships of federal, state, and local law enforcement to investigate and prosecute offenders and identify, rescue, and assist victims;
2. Participation of these partnerships in coordinated national initiatives to pursue evidentiary leads sent out as a result of national operations;
3. Increased federal involvement in child exploitation cases so that all the resources of the federal government are brought to bear to ensure that investigations of online child exploitation crimes are effectively conducted and that offenders receive optimal punishment for their crimes;
4. Training of federal, state, and local law enforcement to ensure that law enforcement keeps up with technological advances; and

5. Increased efforts to raise community awareness and educate the public about the dangers facing children from sexual exploitation and abuse facilitated by technology.

One of the Department of Justice's partners in its effort to prevent the sexual exploitation of children is the New York State Attorney General's Office. As part of this effort, Attorney General Cuomo agreed to assign Assistant Attorney General Nancy Snyder to act as a Special Assistant United States Attorney in order to handle such investigations and prosecutions in federal court. Ms. Snyder was responsible for the prosecution of James Elsis.

"My office is aggressively working to protect children from predators and all forms of exploitation, and our partnership with the United States Attorney for the Northern District of New York is another tool in the arsenal," said Attorney General Cuomo.

The Department of Justice and the New York State Attorney General's Office are deeply committed to targeting and prosecuting sexual predators, abusers, and pornographers who target the most innocent and vulnerable of our society -- our children. For more information on PSC, visit the Department of Justice's website "projectsafechildhood.gov".

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