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MASSACHUSETTS MAN SENTENCED TO 78 MONTHS IN PRISON ON CHILD PORNOGRAPHY CHARGES

WASHINGTON – Philip Herzberg, 50, of Hingham, Mass., was sentenced in Boston to 78 months in prison on child pornography charges, Assistant Attorney General Alice S. Fisher of the Criminal Division, U.S. Attorney Michael J. Sullivan for the District of Massachusetts, and Special Agent in Charge Bruce M. Foucart of the New England Immigration and Customs Enforcement (ICE) announced today. U.S. District Judge Rya W. Zobel also ordered Herzberg to serve ten years of supervised release following his prison term.

On July 11, 2007, Herzberg pleaded guilty to six counts of receipt of child pornography and one count of possession of child pornography, after being indicted earlier this year. His indictment arose out of a nationwide ICE investigation known as Operation Emissary, which began in 2006. The investigation focused on a commercial Web site offering access to videos and images of hardcore child pornography. The Web site alerted would-be subscribers that subscribing to the Web site was illegal and warned them to be discreet about their purchases. Investigators targeted individuals, like Herzberg, who subscribed to the Web site over a period of approximately two to three months at the end of 2005 and 2006. More than 208 arrests have been made since June 2007 as part of the resulting nationwide sweep.

This case was brought as part of Project Safe Childhood, created in February 2006 as a nationwide initiative designed to protect children from online exploitation and abuse. Led by the U.S. Attorneys' Offices, 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.projectsafefchildhood.gov.

The case was prosecuted by Assistant U.S. Attorney Dana Gershengorn of the District of Massachusetts and Trial Attorney Bonnie Kane from the Child Exploitation and Obscenity Section of the Criminal Division. The investigation was conducted by ICE's New England Field Office and the Child Exploitation and Obscenity Section's High Tech Investigative Unit.

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