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MEDIA RELEASE

FOR IMMEDIATE RELEASE:
February 11, 2010

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**GLENWOOD, IOWA MAN SENTENCED TO SIX MONTH IMPRISONMENT FOR
POSSESSING OBSCENE VISUAL REPRESENTATIONS OF THE
SEXUAL ABUSE OF CHILDREN**

Christopher Handley, 39, of Glenwood, Iowa, was sentenced on February 11, 2010 by the Honorable James Gritzner in U.S. District Court in Des Moines, Iowa to six months in prison, to be followed by 3 years supervised release, for possessing obscene visual representations of the sexual abuse of children that had been transported in interstate commerce from Japan, announced U.S. Attorney Nicholas A. Klinefeldt of the Southern District of Iowa.

According to court documents, in May 2006, U.S. Immigration and Customs Enforcement (ICE) intercepted a mail package coming into the United States from Japan that was addressed to Handley. The package contained 7 books of obscene materials with graphic visual representations of the sexual abuse of children, specifically Japanese *manga* drawings of minors being sexually abused by adults, other children, and animals. Weeks later, the U.S. Postal Inspection Service (USPIS) executed a search warrant at Handley's residence in Glenwood, and seized additional obscene drawings of the sexual abuse of children, as well as computer equipment used to order and store such materials.

Handley admitted to specifically seeking materials involving depictions of the sexual abuse of minors, and ordering similar materials from Japan in the past on multiple occasions. Approximately 84 Japanese graphic novels, Japanese anthologies of manga stories, or Japanese manga magazines, containing stories or images of the sexual abuse of minors, were forfeited at sentencing, along with the computer equipment.

Handley was also sentenced to 5 years probation on a separate count of mailing obscene material, and ordered to undergo mental health evaluation and treatment as part of his supervised release and probation.

The primary statute under which Mr. Handley was convicted, 18 U.S.C. § 1466A, was enacted as part of the Protect Act of 2003 to ensure that federal criminal law specifically prohibited the receipt and possession of obscene visual representations depicting the sexual abuse of children that had been shipped or transported in interstate commerce, even if no actual children are involved. The law covers any visual depictions, including drawings, cartoons, sculptures, or paintings, which depict obscene images of a minor engaging in sexually explicit conduct. The government has the burden of proving that the materials lack serious scientific, literary, artistic, or political value.

Earlier in the case, the Court denied Mr. Handley's motion to dismiss the case on constitutional grounds, holding that he had no right to receive or possess obscene materials that have been moved in interstate commerce, and that Congress can prohibit the interstate movement of obscene materials depicting the sexual abuse of children, even if they are not real children. The Court struck down part of the statute in which Congress attempted to classify such images as "obscene per se."

The case was prosecuted by Assistant U.S. Attorney Craig Peyton Gaumer and Elizabeth M. Yusi of the Criminal Division's Child Exploitation and Obscenity Section. The case was investigated by United States Postal Inspection Service, ICE and the Iowa Division of Criminal Investigation. In addition, the FBI's Language Services Section provided significant assistance in the prosecution by translating several of the stories from Japanese into English.

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