

**The Bill Blackwood
Law Enforcement Management Institute of Texas**

**The Link Between Child Pornographers and Child Molestation: Why
Law Enforcement Should Investigate Beyond the Pictures**

**An Administrative Research Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**

**By
Katherine M. Smith**

**University of Texas System Police
Austin, Texas
March 2009**

ABSTRACT

Proof of the correlation between suspects who view/collect child pornography and also molest children is relevant to contemporary law enforcement because it will encourage investigators to update their agencies' training, procedures, and protocol to ensure that they are identifying and rescuing children who have been sexually assaulted by child pornography suspects. Investigators, prosecutors, and judges need to know that research clearly shows the direct and dangerous link between child pornographers and child molestation, and they should realize that despite what defendants and their attorneys will assert, child pornographers pose very real dangers to society.

Law enforcement agencies need to ensure that children who have been victimized by child pornography suspects are identified and rescued. To do this, investigators may need to change the way they conduct child pornography investigations and realize that the child pornographer is very likely to have "real" victims that he/she has sexually assaulted.

The method of inquiry used to collect data for this study included a review of child pornography statistics, case studies, Internet sites, published works, and a survey. The researcher discovered that child pornographers typically molest an average of 10 – 13 children and are usually never investigated or prosecuted for those assaults (Bourke & Hernandez, 2007). The empirical evidence was garnered from recent research in which convicted child pornographers admitted to molesting at least one, if not several, children for which they were never caught (Bourke & Hernandez, 2007). Investigators, prosecutors, judges, pre-sentencing officials, probation/parole officers, and, most

importantly, children, who are being sexually assaulted, all stand to benefit from the results of this research.

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INTRODUCTION

The problem or issue to be examined considers whether or not law enforcement agencies are conducting child pornography investigations to the extent that they are actively searching for “live” or “real” victims of the suspect. Most agencies appear to be concluding their investigations once it is proven that a suspect has indeed possessed images of child pornography, instead of continuing their investigation to determine whether or not the suspect has actually sexually victimized a child.

The relevance of the link between child pornography and child molestation is that it will encourage law enforcement agencies to update their training, procedures, and protocol to insure that they are investigating beyond photographs. Agencies need to ensure that children who may have been victimized by a child pornography suspect are identified and helped. Law enforcement needs to be shown that there is a direct and dangerous link between child pornography and child molestation, and it should encourage them to change the way they conduct child pornography investigations.

The intended method of inquiry includes a review of child pornography statistics, case studies, Internet sites, published works, and a survey. The intended outcome or anticipated findings of the research is to show that there is a link between the possession of child pornography and the actual molestation of children. The findings will prove to law enforcement agencies who conduct child pornography investigations that they are not investigating child pornography cases thoroughly enough to ensure that that live victims are identified and assisted.

The field of law enforcement will benefit from the research or be influenced by the conclusions because the research will show that a large majority of child

pornographers have actually victimized multiple children. Law enforcement will have to respond to the new research by ensuring that their investigations move beyond the mere photographs discovered to the actual children who need to be identified and possibly rescued.

REVIEW OF LITERATURE

As a national clearinghouse of information regarding missing and exploited children, the National Center for Missing and Exploited Children (NCMEC) maintains a Cyber Tipline database where anyone can report the sexual exploitation of children occurring on the Internet. In 2006, NCMEC received over 62,000 complaints regarding the possession, manufacturing, and distribution of child pornography. This is a 1,000% increase from 1998 (NCMEC, 2006).

In a publication regarding child sex rings distributed by the U.S. Department of Justice (1988), it is estimated that 50,000 to more than one million children are sexually abused yearly. Despite these extraordinarily large numbers, most researchers and clinicians agree that the majority of child sexual assault cases remain undetected. This lack of detection means that children continue to suffer and abusers continue to abuse. Many of those children sexually abused will not receive the counseling and other assistance needed. Because of this, many of them will be more likely to sexually abuse other children (Burgess, 1988).

Child pornography is typically defined as pictures, films, videos, books, and magazines depicting children engaged in sexually explicit acts (Burgess, 1984). As early as the 1970s, researchers and the media were already making the connection

between adult pornography and sexual violence (Jensen, 2004) and between child pornography and child molestation (Beranbaum, Burgess, & Cucci, et al., 1984).

In a perspective by Beranbaum, et al. (1984), a 1970s *Washington Star* article on child pornography is cited as stating, “child pornography is a cause of child molestation” (p. 9). The decade was truly the “birth” of the child pornography crusade, and although the *Washington Star’s* statement was not necessarily supported by research at the time, the same cannot be said today.

Much of today’s literature addresses child sex rings and how they routinely involve multiple children and child pornography (Burgess, 1988). Older literature often referred to the “controversy” over whether or not the possession and viewing of child pornography leads to the actual molestation of children. Until recently, there has not been any substantial research conducted to prove or disprove the theory. Many, especially defendants and their attorneys, often claim that child pornography is a “victimless crime” since no one is “hurt” (Burgess, 1984, p 3). The first Canadian ever charged with the distribution and possession of child pornography was sentenced to 30 days of house arrest because, according to the judge, he “presented no danger to the public” (Alexy, Burgess, & Baker, 2005, p. 808).

Historically, law enforcement investigations of sexual abuse indicate that preferential sex offenders routinely collect pornography depicting their sexual preference, and pedophiles almost always collect child pornography (Lanning, 2001). Lanning (2001) described “isolated” and “commercial” collectors as being individuals who are actively collecting child pornography and actively molesting children (p. 63).

The primary collectors and distributors of child pornography are child molesters and pedophiles (Lanning, 2001).

Lanning (1984, p. 86) also suggested that “arousal and fantasy” caused by the collection of child pornography is a “prelude” to the actual raping of children. Both Lanning and Kinnear (1995) agreed that child pornography is routinely used by suspects to lower the inhibitions of potential child victims. Lanning continued by claiming that pedophiles often expose children to child pornography to show them that having sex with adults can be “fun” or to “blackmail” them so they do not tell anyone about the sexual abuse (Lanning, 1984, p. 86).

The typical child pornographer is a professional male, 30–39 years old (Alexy et al., 2005). Hartman (1984) defined the pedophile collector as an individual who molests one child at a time. He goes on to describe the abuser as believing the child is not actually being harmed and denying any involvement with children.

Belanger, Connor, and Copenhafer, et al. (1984) also listed several characteristics of pedophiles, including the fact that if there is no evidence proving that the pedophile has molested a child, he/she will consistently deny it. Hartman (1984) wrote that a pedophile will insist that he/she is only interested in sexually explicit material and claim that they would never hurt a “real” child. Gebhard (1968) described a suspect who died in his sixties after sexually molesting hundreds of children without ever being arrested. It is clear that “careful” pedophiles can victimize for years without being detected or reported.

Armagh and Battaglia (2006) defined the four-step behavioral process that child predators undergo. These stages are awareness, fantasy, stalking, and molestation.

During the stalking phase, fantasy is no longer a sufficient means to achieve sexual arousal, and the child predator must actually move closer to “real” children. He/she will do this by attending child athletic events, visiting playgrounds, and engaging in Internet chat with potential victims. This phase ultimately leads to the actual molestation of a child (Armagh & Battaglia, 2006).

As early as five years ago, most law enforcement agencies were ill-equipped to conduct successful child pornography investigations. The days of non-digitized photographs, magazines, and books have been replaced by the Internet, web-cams, and chat rooms. The Internet has allowed child predators a greater amount of anonymity, while allowing them to contact and network with others who have similar interests. The relevance of the link between child pornography and child molestation to law enforcement is that it may change the manner in which law enforcement agencies conduct child pornography cases by showing them that there is a very good chance the suspect has actually sexually victimized a child. Additionally, investigators should be thoroughly prepared to discover both additional suspects and additional victims when investigating child pornography cases (Armagh & Battaglia, 2006).

The discovery of child pornography can be invaluable to the investigation of child sex abuse cases. Pedophiles often photograph the children they molest so that once the child grows up, the suspect can memorialize the age the child was at the time the sexual abuse occurred. These photographs may be of the children fully clothed and investigators must be sure not to dismiss them as inconsequential (Lanning, 1984). Not only should law enforcement officials extensively search for photographs and videos, but they should also attempt to locate writings, ledgers, screen names, and other

information that might lead to the identification of child victims that the pornographer has molested (Lanning, 1984). As an example of why these materials are so important to the child sexual abuse investigation, Lanning (1984) cited a case in which a suspect kept a diary detailing every sexual encounter he had experienced since 1940, when the suspect was eight years old.

During child sex abuse investigations, the discovery of child pornography is invaluable evidence to the law enforcement investigator. As such, it should always be considered as not only an offense in itself, but also indication that a “real” child is being sexually abused (Lanning, 2001). A suspect’s collection of child pornography is an excellent indicator of what he wants to do (Lanning, 2001).

Alexy, et al. (2005) provided several examples of child pornographers who also molest children. One case cited described an assistant high school principal who met a 15-year-old female on the Internet and was found with her partially undressed in the front seat of a vehicle. During the course of the investigation, he confessed to downloading and sharing child pornography over the Internet. Another example depicted a convicted child molester who, while on probation for the molestation, successfully maintained a child pornography website from the public library. A third example involved a foreign lecturer who traveled to the United States to have sex with a minor male he had met over the Internet. The investigation revealed that he was also sending images of child pornography over the Internet.

Alexy, et al. (2005) agreed that a potential child molesters desire to have a sexual relationship with a child is fueled by his possession and viewing of child

pornography. The authors cautioned that those suspects who are believed to be involved in only child pornography offenses may actually be molesting children.

Until recently, most researchers had focused on proving the connection between the use of pornography and sexual violence towards women. The majority of the early research suggests that the connection is there, even if it is limited. Researchers do conclude, however, that pornography can contribute to a viewer's difficulty with separating fantasy and reality, and it may actually become a "training manual" for abusers (Jensen, 2004). If this can be said of adult pornography, then certainly it may hold true for child pornography.

Jensen (2004) quoted Malamuth, Addison, and Koss (2000) when he wrote, "if a person has relatively aggressive sexual inclinations resulting from various personal and/or cultural factors, some pornography exposure may activate and reinforce associated coercive tendencies and behaviors" (p. 4). Again, if this correlation has been made regarding adult pornography and the sexual abuse of adults, then it can be assumed that a similar correlation exists regarding child pornography and the sexual assault of children.

Quayle and Taylor's (2007) research was conducted on 13 men who had been convicted of downloading child pornography from the Internet. Interviews conducted with the offenders revealed that four had also been convicted of sexually assaulting children, three had sexually assaulted children *prior* to accessing child pornography on the Internet, and two had *produced* child pornography but had supposedly not traded it on the Internet. Although none of the offenders admitted to additional offenses against children, the researchers concluded from interviews with these offenders that the child

pornography viewed by them acted as both a “blueprint and stimulus” for the actual sexual abuse of a child (Quayle & Taylor, 2007).

There are several examples showing the correlation between the collection of child pornography and the molestation of children. Burgess (1988) detailed how a suspect would use child pornography to sexually stimulate his teenage male victims. Another example provided by Burgess (1988) described how law enforcement investigators discovered child pornography in the apartment of a suspect with a long history of sexually abusing children. Lanning (1984) provided a case study in which an incest offender was also a collector of child pornography.

Belanger, et al. (1984) provided several case studies showing that those who collect child pornography typically also molest children. One example involved a military officer who was found to be molesting a teenage boy. During the investigation, the suspect’s child pornography collection was discovered by police.

During a U.S. House of Representatives hearing regarding how the state of New Jersey combats child predators on the Internet (2006), New Jersey U.S. Attorney Christopher Christie testified that the link between child pornography and child sex abuse is “substantial and disturbing.” Of 52 child pornographers charged federally in New Jersey, five had prior convictions for sexually assaulting children and three confessed to agents that they had molested a combined total of 14 children.

Christi believed that the continued viewing of child pornography leads pedophiles to “take the next step” to victimizing an actual child. These offenders are usually professionals, including teachers and police officers, who typically do not display signs of being a danger to children prior to their arrest.

Also in 2006, Dr. Andres Hernandez, Director of the Bureau of Prison's Sex Offender Treatment Program, testified before the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce, House of Representatives, in Washington, D.C. Dr. Hernandez presented the findings of research conducted at the Federal Correctional Institution in Butner, North Carolina, which is home to the agency's Sex Offender Treatment Program (SOTP). The program is a 112-bed voluntary therapy program to treat and manage male sex offenders. As part of the program, participants are urged to become honest, responsible citizens in order to change their criminal ways.

Dr. Hernandez testified that over a 10-year period in which he has treated sex offenders in a clinical setting, he discovered that many child pornography offenders admitted to previously unreported instances of sexual molesting children, and many of these offenders admitted to multiple instances of child sexual abuse.

In 2000, Dr. Hernandez began to archive the data obtained from his treatment of SOTP offenders, primarily focusing on a group of 90 inmates. Of the 90 inmates reviewed, 55 had been convicted for child pornography offense. According to Dr. Hernandez, the group of 55 child pornography offenders was known, at the time of sentencing, to have sexually victimized a total of 55 children. However, after completing treatment in SOTP, this same group of 55 offenders admitted to committing sex crimes against an additional 44 children.

In 2006, Dr. Hernandez conducted a second analysis of 155 men who had been convicted for Internet child pornography offenses. At the time of sentencing, it was known that 40 of the 155 offenders had molested a total of 75 children. During SOTP

treatment, 131 of the 155 child pornographers admitted to at least one sex offense against a child, for a total of 1,777 children, creating an average of 13.5 child victims per offender. Approximately half of the offenders in the program underwent polygraph examinations, and no evidence of over-reporting was detected (Bourke & Hernandez, 2007). Dr. Hernandez testified that, as a result of his research, he believes that child pornographers are far more dangerous than previously thought.

During the Subcommittee on Oversight and Investigations hearing, Dr. Anna Salter, a psychologist and clinician who has counseled sex offenders for the past 20 years, testified that she believes there is a definitive link between viewing child pornography and sexually assaulting children. Salter testified that child pornography is “directly tied” to sexual assault on children. During the hearing, Representative Stupak referred to a study in which polygraph testing was done on suspects identified during a major federal child pornography investigation. According to Stupak, polygraph results revealed that a majority of the suspects apprehended for subscribing to a child pornography website had, in fact, sexually molested children.

Prior to the Butner study, it was estimated that 20% – 30% of convicted child pornographers had actually molested a child (Wortley & Smallborn, n.d.). The new research, however, now indicates that the number is closer to 80% – 85%.

METHODOLOGY

The research question examined considers whether or not the viewing, possessing, or collecting of child pornography leads to the actual molestation of children by the child pornographer. The author hypothesizes that suspects who have been

discovered by law enforcement for child pornography offenses have actually molested at least one, if not many, children.

The method of inquiry will include a review of child pornography statistics, case studies, Internet sites, and published works, and responses to a survey created and disseminated by the author. The survey will be used to measure the responses of law enforcement officials regarding child pornography investigations that correlated into the discovery of actual victims of the child pornography suspect. The survey will also measure the responses of those officials regarding their search for “live” victims of the child pornography suspect during child pornography investigations and whether or not their agencies encouraged or mandated that the child pornography investigation include the search for “live” victims of the suspect being investigated.

The survey used, contained in the appendix, will consist of 11 questions and will be distributed to 57 survey participants across the state of Texas. The survey participants will include detectives, investigators, forensics experts, and prosecutors at the city, county, and state levels.

The information obtained from the survey will be analyzed to determine the total number of child pornography cases investigated and compare it to the total number of actual victims molested by the child pornographer. The analysis will also attempt to determine the ways in which law enforcement officials attempt to identify actual child victims of child pornographers and if officials are familiar with the latest research regarding child pornography and child molestation.

FINDINGS

The 27 surveys returned represented 16 different agencies, including seven municipal, one county, three state, two federal, and three school districts. Respondents reported investigating a total of 1168 child pornography investigations. Of the 1168 investigations, 1162 involved the use of a computer. According to the survey results, only 69 actual child victims were discovered during the 1168 investigations. Some of the ways in which these victims were discovered include photographs/videos of the victim being sexually assaulted, victim outcry during the child pornography investigation, chat logs discovered during forensic analysis of the suspect's computer, interviewing/canvassing suspect's neighbors, text messages discovered on the suspect's mobile phone, and admission by suspect

Of the 27 respondents, 13 agreed that their agencies "urge" them to make every effort to identify actual victims of molestation during a child pornography investigation. One respondent stated that his agency does not urge him to do this; one stated it "depends," and one responded "n/a."

Only four of the 27 respondents were familiar with Butner Federal Prison studies conducted in 2000 and 2006. Three of these were employed by the same state agency and the fourth was a federal prosecutor who was previously employed by that agency.

DISCUSSIONS/CONCLUSIONS

The problem or issue examined by the researcher considered whether or not there is a significant link between the viewing and collecting of child pornography and the actual molestation of children by those child pornographers. The purpose of this research was to convince law enforcement investigators that they need to assume that

a child pornography suspect has most likely molested at least one, if not many, children. Investigations should move beyond the pictures to ensure that those child victims are discovered, rescued, and provided the assistance they will need in order to heal from the victimization they have suffered.

The research question examined focused on whether or not child pornographers pose a real and dangerous threat to society because of their actual molestation of children. The researcher hypothesized that child pornographers are most likely also child molesters and that law enforcement investigators are not doing enough to identify child molestation victims of child pornographers. The researcher concluded from the findings that recent studies show that child pornographers typically molest an average of 10 to 13 children and are usually never investigated or prosecuted for those assaults.

The findings of the research supported the hypothesis. The reason why includes the empirical evidence garnered from recent research in which convicted child pornographers admitted to molesting at least one, if not several, children, for which they were never caught. Limitations that might have hindered the Butner study resulted because the offenders who were part of the study may have exaggerated their admissions about the children they sexually assaulted. However, the fact that half of them were given and passed polygraph examinations gives little credence to this limitation.

The study of the correlation between suspects who view and collect child pornography and molest children is relevant to contemporary law enforcement because it will encourage investigators to update their training, procedures, and protocol to ensure that they are identifying and rescuing children who have been sexually assaulted

by child pornographers. Law enforcement, including prosecutors and judges, need to know that research clearly shows the direct and dangerous link between child pornography and child molestation. Investigators, prosecutors, judges, pre-sentencing officials, probation/parole officers, and most important, children who are being sexually assaulted, all stand to benefit from the results of this research.

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APPENDIX

SURVEY REGARDING CHILD PORNOGRAPHY INVESTIGATIONS

YOUR NAME _____ TITLE _____
 AGENCY _____

1. Approximately how many child pornography investigations have you conducted/prosecuted? _____
2. Of these, how many involved the use of computers? _____
3. Approximately how many child solicitation investigations have you conducted/prosecuted? _____
4. Of these, how many involved the use of computers? _____
5. For all of the investigations/cases described above, how many actual child victims of molestation were discovered? _____
6. Please provide some examples of how were these victims discovered?

7. Do you, as an investigator/prosecutor, typically look "beyond the pictures" in an attempt to identify actual victims the suspect may have molested? _____
8. Why or why not?

9. Does your agency typically require or urge investigators to make every effort to determine whether or not a child pornography suspect has actually molested children?

10. Do you believe that law enforcement agencies sufficiently investigate child pornographers in order to identify actual molestation victims? _____
11. Are you familiar with the Butner Federal Prison study regarding actual molestation victims of child pornographers? _____

Thanks for your input! Please e-mail or fax back to me.

katsmith@utsystem.edu

FAX: 512-499-4684