

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

**Child Exploitation on the Internet:
Is Law Enforcement Adequately Equipped?**

**An Administrative Research Paper
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ABSTRACT

The study of whether law enforcement is equipped to deal with child pornography and child exploitation on the Internet is relevant to contemporary law enforcement. It is relevant because it addresses a fundamental test of public service. That test is to measure the ability of law enforcement officials to adequately deal with a set of ancient crimes being perpetrated using modern technology.

The purpose of this research is straightforward. It will show the current level of preparedness of law enforcement agencies across Texas. Specifically addressed is the ability to deal with child exploitation crimes on the Internet, including online child solicitation and the creation and distribution of child pornography.

The method of inquiry used by the researcher included several types. The researcher began with a review of articles and was followed by a survey submitted to 50 Texas law enforcement agencies. Finally, the researcher conducted a personal interview of a law enforcement officer currently assigned to investigate Internet crimes involving the exploitation of children on the Internet.

The researcher discovered that law enforcement is aware of the challenges and intricacies of dealing with the investigation of child exploitation crimes on the Internet. The researcher further discovered that despite this, law enforcement does not realize the scope of the problem. Law enforcement is also not adequately prepared to deal with it in terms of manpower allocations and training costs.

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INTRODUCTION

The problem or issue to be examined considers whether or not law enforcement is adequately equipped to combat the increasing instances of child exploitation on the internet. For the purpose of this paper, child exploitation includes online child solicitation and the creation, possession, and sharing of child pornography. This paper will examine the number of existing investigative units specifically dedicated and trained to investigate these incidents relative to the number of cases being reported. Additionally, it will explore the benefits and necessity of collaboration between agencies in order to better investigate and resolve these cases, which are often multi-jurisdictional in nature.

The relevance to law enforcement of determining whether it is adequately equipped to combat child exploitation on the Internet is to identify a widespread deficiency among agencies mandated to investigate these offenses. This identification of the problem should serve to prompt law enforcement administrators in two ways. The first way is to respond to the needs of the public by addressing the issue, and the second way is to seek to correct the deficiency.

The purpose of this research is to adequately identify the scope of the problem and the requirements for investigating it. Additionally, the research will show the current deficiency of specialized investigative units within the law enforcement community. This will provide administrators with a clear understanding of the urgent need to form, train, and equip such specialized investigative units to combat the problem. The research question to be examined focuses on two major points. The first point is whether or not there are enough specialized investigative units currently in place to adequately deal

with child exploitation cases on the Internet. The second point is to identify the number of these cases currently being reported.

The intended method of inquiry is multi-faceted. It includes a review of articles, Internet sites, periodicals, and journals. Also, a survey will be distributed to 50 law enforcement agencies, personal interviews will be conducted, and statistical information will be obtained from professional organizations. The intended outcome or anticipated findings of the research will be twofold. First, there are currently insufficient specialized investigative units operating to adequately combat the problem of child exploitation on the Internet. Second, it will show that such crimes are prevalent and on the increase.

The field of law enforcement will benefit from the research for the following reasons. These conclusions will identify a deficiency in the law enforcement community that can be immediately remedied through the training and assignment of personnel to the problem. Agencies that currently have specialized investigative units to address this problem will benefit from the addition of new partners with whom they can collaborate in multi-jurisdictional investigations.

REVIEW OF LITERATURE

Ferraro and Casey (2005) noted events at the end of the twentieth century resulted in an exponential growth of available child pornography. They made the assertion that “The Internet revolutionized the child pornography industry” (p. 11). Wortley and Smallbone (2006) pointed out that “The Internet has escalated the problem of child pornography by increasing the amount of material available, the efficiency of its distribution, and the ease of its accessibility” (p. 8). The staff report used by the United States Department of Energy to address the 109th Congress (2007) cited a 400%

increase in cybertips regarding child pornography since 1998, and noted that “at any given time 50,000 child predators are online searching for children” (p. III).

Wortley and Smallbone (2006) estimated that there are as many as 100,000 pedophiles who are members of organized rings worldwide. Of those, they estimated that “one third of these operate from the United States” (Wortley & Smallbone, 2006, p. 13). They also stated that “Child pornography may be uploaded to the Internet on websites or exchanged via e-mail, instant messages, newsgroups, bulletin boards, chat rooms, and peer-to-peer (P2P) networks” (p. 9). Ferraro and Casey (2005) suggested that the use of P2P networks to transmit child pornography is gaining popularity.

The National Center for Missing and Exploited Children (NCMEC) maintains a database that contains over six million child porn images, according to the staff report used by the United States Department of Energy to address the 109th Congress (2007). The report further noted, “The proliferation of child pornography on the Internet demonstrates this is a global problem” (p. 6), and asserted that it is a crime that, in scope, touches all levels of jurisdiction.

Wolak, Finkelhor, and Mitchell (2005) drove home that point when they noted that child pornography cases “tended to involve multiple jurisdictions, multiple agencies, and cooperation between federal and state or local agencies” (p. 29). Ferraro and Casey (2005) and Armagh and Battaglia (2006) agreed that the investigation of child pornography is frequently a multi-jurisdictional concern. Wortley and Smallbone (2006) noted that cooperation between law enforcement agencies was essential for purposes of case de-confliction and the proper investigation of multi-jurisdictional offenders.

Ferraro and Casey (2005) stated that “Congress created the Internet Crimes Against Children (ICAC) Task Force program in 1998” (p. 113), which promotes cooperation between all law enforcement agency levels when investigating Internet child pornography and exploitation. Armagh and Battaglia (2006) recommended that local agencies join or engage in a working relationship with ICACs in their states to avail themselves of the expertise required to work these types of cases; or, at least come together in local cooperation.

Wortley and Smallbone (2006) said that due to a growing computer using population, the likelihood of local agencies being called upon to investigate Internet child porn and exploitation are likely, and they call upon these agencies to prepare accordingly. Wortley and Smallbone (2006) further stated, “It would be a mistake to underestimate the importance of local police in detecting and preventing Internet child pornography offenses” (p. 2). According to Wolak, Finkelhor, and Mitchell (2005), the majority of these cases originate via citizen contact with local police agencies.

Wolak, Finkelhor, and Mitchell (2005) advised that law enforcement agencies prepare for dealing with the problem of child pornography on the Internet by obtaining appropriate equipment, training, and personnel required, and noted their value when investigating other types of Internet crimes. They identified computer forensics and undercover operations as elements necessary to include when outfitting investigators. The staff report used by the United States Department of Energy to address the 109th Congress (2007) identified local agency access to computer forensic laboratories as vital. Wortley and Smallbone (2006) recommended that agencies without specialized units make efforts to locate training sources or find agencies willing to assist them.

The expanding nature of Internet child pornography investigations is noted by Wolak, Finkelhor, and Mitchell (2005) and Armagh and Battaglia (2006) when they pointed out that child pornographers are often discovered to be child sex offenders during an investigation, and typically, multiple victims and additional suspects come to light as a result. Wolak, Finkelhor, and Mitchell (2005) even stated that “Child pornography and the Internet may be factors in sex crimes committed against minors more often than investigators currently know or suspect, and that the connection may be growing” (p. 33). The staff report used by the United States Department of Energy to address the 109th Congress (2007) pointed out that because of a demand among pedophiles for fresh images of child pornography, the perpetual abuse of children toward this end is ensured.

METHODOLOGY

The research question to be examined considers whether law enforcement agencies are adequately prepared to deal with and understand the scope of child exploitation on the Internet. The researcher hypothesizes that law enforcement understands there is a need to address the problem but underestimates the scope and size of it. Furthermore, it is hypothesized that law enforcement has not taken adequate steps to meet the public need in reference to the problem.

The method of inquiry will include: a review of articles related to the topic, a personal interview of law enforcement personnel experienced in and assigned to the specific areas relating to this topic, and statistics from professional organizations who have an interest in the topic. The instrument that will be used to measure the researcher’s findings regarding the subject of child exploitation on the internet will

include a survey conducted via a written questionnaire. The size of the survey will consist of five questions, distributed to 50 survey participants from law enforcement agencies across Texas, USA. The response rate to the survey instrument resulted in a measurable response from 37 law enforcement agencies in which all questions were either answered or left blank with relative cause. The information obtained from the survey will be analyzed. Additionally a personal interview will be conducted with a sergeant assigned to the Houston Metro Internet Crimes Against Children (ICAC) task force, who has over ten years experience with Internet child pornography and child exploitation and who has worked under the Dallas Police Department and Texas Attorney General ICACs.

FINDINGS

The findings of the aforementioned survey and interview are represented below, and include related charts. When asked if their agency investigated Internet child pornography or child exploitation cases, 72% said they were investigating this type of offense, and 28% said they did not. Of those 28% of agencies responding that they did not investigate this type of offense, 50% cited a lack of funding, expertise, and equipment, 25% reported that they referred these cases to more qualified agencies, and 25% reported that no such cases were reported to them.

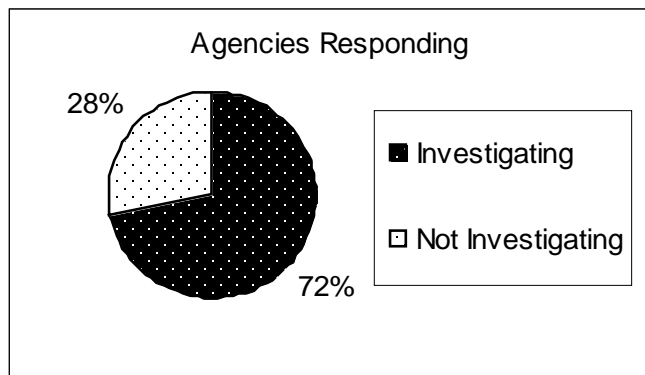


Figure 1. Percentage of respondents who stated their agency investigates Internet child exploitation cases.

Of the respondents who said they investigated Internet child pornography or child exploitation, 24% indicated they employ specialized high tech investigators, while 38% used existing child abuse detectives. Thirty-eight percent indicated some other form of investigator, or that they referred the case to some agency with adequate resources.

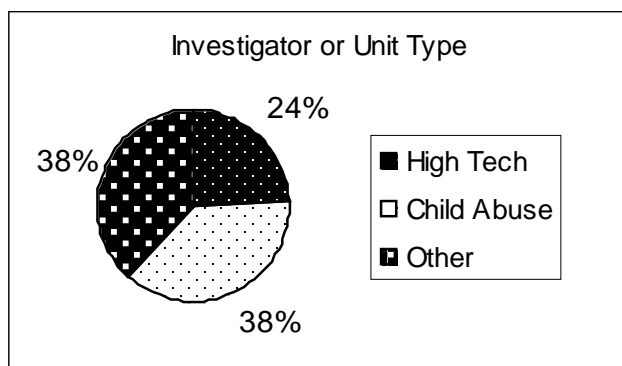


Figure 2. Percentage of investigator type employed by respondents who indicated their agency investigates Internet child exploitation cases.

When asked if they are members of an ICAC or some other task force, 29% indicated such membership, while 71% did not.

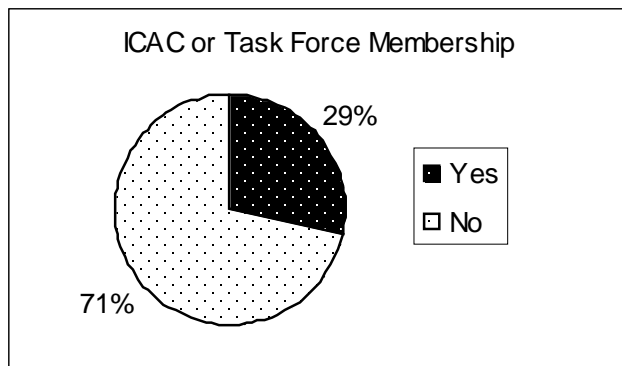


Figure 3. Percentage of respondents who indicated they held membership in ICAC or other task force membership.

When asked how many child pornography and/or child exploitation cases were worked in a typical month, 93% of agencies responding indicated they worked between zero and ten cases. Seven percent indicated a case load of more than 30 cases per month. None of the respondents answered in the “ten to thirty cases” range.

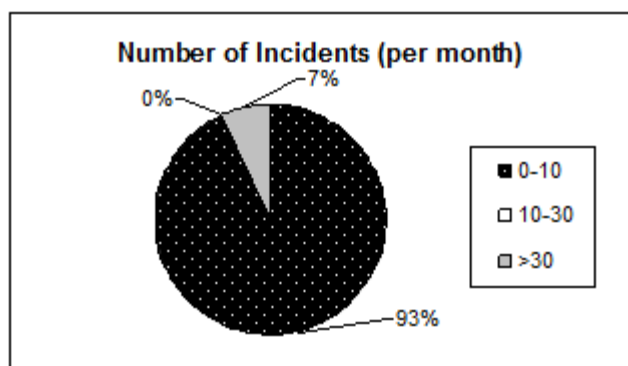


Figure 4. Percentage break-down of the number of monthly Internet child exploitation cases worked by the respondent agency.

When asked if they felt their agency was able to adequately keep pace with these types of cases, 74% said they were, while 26% indicated they were not. Of those 26% of agencies responding they were unable to keep pace with this type of investigation, 80% cited a lack of investigators and/or training as the reason, while 20% cited reliance on outside agencies.

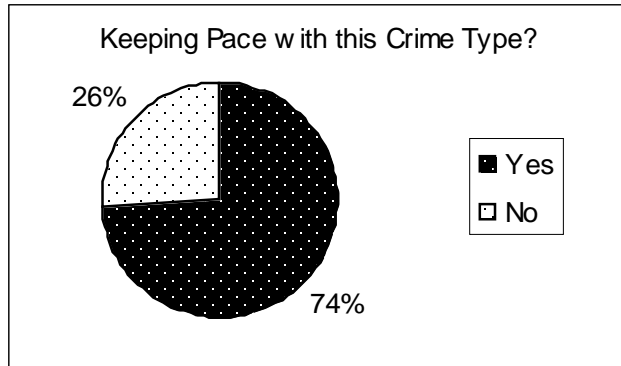


Figure 5. Percentage of respondents who believe their agency is keeping pace with Internet child exploitation crimes.

During the course of the personal interview with the sergeant assigned to the Houston Metro ICAC, the following information was obtained. Based on the proactive measures used to investigate P2P activity on the Internet, at any given time there are between 35,000 – 40,000 unique Internet Protocol (IP) addresses actively downloading known child pornography images in the state of Texas. Nationally, ICACs receive over 7,000 reports of child pornography on the Internet per week from the public and service provider partners and over 100 reports per week of online child solicitation. The reports come in through cyber-tips. Cyber-tips may be anonymous and are generated by both the public and by Internet content and/or service providers. The numbers cited above are exclusive of the P2P and chat room leads generated by proactive measures engaged in by ICAC members. Since the formation of the program in 1998, there have been 756,815 ICAC cyber-tips of child pornography and 48,928 of child enticement, exclusive of law enforcement proactive efforts. Child enticement and child pornography investigations are complex and generally involve multiple jurisdictions. Difficulties arise when suspects or complainants live in areas lacking agencies with specialized units that

understand and can write affidavits regarding the intricacies of tracing criminal activity across the Internet.

ICAC members divide cyber-tips between themselves based on geographical preference and caseloads. They provide support and manpower to one another and engage in group proactive efforts whenever possible. Proactive measures include automated P2P monitoring and operating under-cover in chat rooms. Additionally, they provide training and assistance to law enforcement, schools, and community groups. ICACs are funded by the US Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP), and monies are available to member agencies for equipment and training.

DISCUSSION/CONCLUSIONS

The problem or issue examined by the researcher considered whether or not law enforcement understands the extent of the problem of Internet child pornography and child exploitation. Also examined was the question of whether or not agencies have the resources available to deal with the problem. Finally, the researcher examined whether or not law enforcement agencies memberships in specialized organizations and/or task forces in an effort to address the problem. The purpose of this research was to prompt a review of current practices. Further, it was to suggest allocation of dedicated resources to address the problem of Internet child pornography and child exploitation. Finally, the purpose was to raise awareness of specialized groups available to assist law enforcement in combating child exploitation on the Internet.

The research question that was examined focused on reviewing the level of preparedness of a representative sample group of law enforcement agencies across

Texas to determine if they were adequately prepared to deal with the problem of Internet child pornography and child exploitation. Also, it examined awareness and participation in memberships designed for collaboration in fighting these types of criminal incidents. The researcher hypothesized that law enforcement was not adequately prepared to meet the problem. It was hypothesized that law enforcement had inadequate specialized units dedicated to the problem. Further, agency participation in dedicated groups designed to deal with the problem was inadequate.

The researcher concluded from the findings that law enforcement believed it was adequately prepared to deal with the problem, based on the response that 74% felt they were able to keep pace with these types of crimes. However, this seemed to be based on the assessment of ability to respond to the problem primarily on reactive cases as reported in their jurisdiction. They reported, in high numbers, that they dealt with ten or fewer cases per month (93%), which tends to indicate they are unaware of the underlying trafficking of child pornography and incidents of child exploitation that can be acted upon using proactive measures. The numbers regarding active pedophiles and cyber-tips to ICAC members show an apparent disconnect between reactive and proactive measures employed by the respondents. Further analysis of the survey data revealed a general lack of training, expertise, and equipment among respondents. As proactive techniques are not intuitive and must be learned, the 'disconnect' can likely be explained by a general lack of training and/or membership in organizations such as the ICACs, which exposes participants to proactive techniques.

The findings of the research did support the hypothesis. This is probably due to the fact that agencies tended to measure the problem by what is reported to them rather

than the actual scope of the problem. A comparative assumption would be to estimate the number of traffic infractions in a jurisdiction based solely on the violations reported by its citizens. Limitations hindering this study resulted because Texas was the only area sampled in the survey. Also, the use of only 50 law enforcement agencies as a survey base may have been a limiting factor.

The study of child exploitation on the internet and whether law enforcement is adequately equipped is relevant to contemporary law enforcement because society is becoming increasingly integrated with the Internet. Due to this, it will expect its law enforcement agencies to be able to react appropriately and apply the resources needed to combat crime committed using computers and other devices that access the Internet.

The general public, and more specifically its children, stand to benefit from the results of this research because the effects of child exploitation are felt long after the initial incident occurs. Victims of sexual predators relive that nightmare for the rest of their lives. Each time an image of child pornography is downloaded, the original subject child is victimized once more, and the demand for new images increases. More agencies participating in proactive measures can substantially increase the number of arrests for these types of offenses, which will increase awareness and possibly enhance funding sources. Furthermore, the techniques learned in these investigations often co-existent with general high tech crime investigative techniques. By incorporating high tech crime investigators into an agency, the public is served on multiple levels when consideration is given to the rise of other Internet crimes like fraud, cyber-stalking, cyber-terrorism, and identity theft.

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APPENDIX

Law Enforcement Survey

Internet Crimes -- Child Exploitation, Child Solicitation and Child Pornography

Please answer the following questions:

1. Agency Name*, State and County:

2. Does your agency investigate Internet crimes involving Child Solicitation, Child Exploitation and/or Child Pornography?

Yes

No – Please give reason (expense, training, lack of expertise etc. . .) _____

3. How are these crimes assigned for investigation? (check one)

Dedicated High Tech or Cybercrime Unit/Detective

Child Abuse Unit/Detective

Other – Please explain: _____.

4. Is your agency a member of any of the following?: (check all that apply)

ICAC (Internet Crimes Against Children Task Force)

A regional group of Internet crime investigators (i.e. HACSET, or similar)

Federal or State Task Force (which one) _____.

5. Approximately how many of these types of crimes does your agency investigate each month?

___ **1 – 10**

___ **10-30**

___ **more than 30**

6. Is your agency able to adequately keep pace with investigating these types of crimes?

___ **Yes**

___ **No. Why not? (not enough investigators, rely on outside agency, lack of equipment, etc...):** _____

*Your agency name will not be used in this Administrative Research Paper.

Thank you for your cooperation in this survey.

Please return the completed survey to:

**Lt. Langley McKelvy
Harris County Precinct 4 Constable's Office
High Tech Crime Unit
6831 Cypresswood Dr.
Spring, Tx 77379
Email: langley_mckelvy@cd4.hctx.net**