



Protecting Children Online

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Objectives

- ▶ Overview of ICAC Task Forces
- ▶ Overview of Online Investigations
- ▶ Legal Update
- ▶ Overview of Digital Evidence



Cyber Crimes Unit (Slide 1 of 3)

- ▶ Ten investigators
- ▶ Undercover investigations
- ▶ Five forensic examiners
- ▶ Three administrative assistants
- ▶ 26 affiliate agencies



Cyber Crimes Unit (Slide 2 of 3)

- ▶ Cyber Tips
 - Child pornography
 - Child exploitation
- ▶ Law Enforcement Assistance
 - Guidance
 - Forensics



Cyber Crimes Unit (Slide 3 of 3)

- ▶ Traveler details
 - Undercover investigations across the state
- ▶ Free outreach programs
 - Law enforcement training
 - Community outreach
 - Student outreach (6th-12th grades)



ICAC Task Forces

Internet Crimes Against Children Task Forces



ICAC Program Mission Statement

- ▶ The Internet Crimes Against Children (ICAC) Task Force Program helps federal, state and local law enforcement agencies develop an effective response to cyber enticement and child pornography cases. This encompasses forensic and investigative components, training and technical assistance, victim services, and community education.



National Statistics

- ▶ Internet crime is the fastest growing crime in the U.S., and children are the fastest growing victim pool.
- ▶ There are more than **704,777 registered sex offenders** in the U.S.
The National Center for Missing and Exploited Children.
- ▶ There is, on average, one child molester per square mile in the United States.
- ▶ The average child molester victimizes between **50 and 150** children before they are ever arrested.
- ▶ The most common age at which sexual abuse begins is three.
- ▶ The average age of Internet exposure to pornography is **11**.

Becker de, Gavin & Salter, Anna C. Ph.D.(2004). Predators: Who They Are, How They Operate, and How We Can Protect Ourselves and Our Children



Pornography on the Internet

- ▶ 4.2 million pornographic websites
- ▶ 100,000 websites offering child porn
- ▶ Child pornography generates \$3 billion annually.
- ▶ Over 75% of online sexual solicitations of children and exposure to unwanted pornography is not reported to police or parents.

**Top Ten Reviews: "Internet Filter Review"



Internet Statistics

- ▶ 20% of parents do not supervise their children's Internet use at all.
- ▶ 52% of parents moderately supervise their children's Internet use.
- ▶ 71% of parents stop supervising Internet use by their children after the age of 14.
- ▶ 72% of all Internet-related missing children cases involve children who are 15 years of age or older.
- ▶ 62% of teens say their parents know little or nothing about the websites they visit.

**San Diego District Attorney's Office*



National Center for Missing and Exploited Children

- ▶ NCMEC operates the congressionally mandated Cyber Tipline in conjunction with FBI, HIS, USSS, USPS, and DOJ.
- ▶ Clearinghouse used to report Internet-related child sexual exploitation
- ▶ Provides technical assistance to individuals and law enforcement agencies in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children



NCMEC Survey Youth on the Internet (Ages 10-17)

- ▶ Approximately one in seven children received a sexual solicitation or approach.
- ▶ One in 25 received an aggressive sexual solicitation such as arranging for a meeting, calling on the telephone, sending them letters, etc.
- ▶ One in three received unwanted exposure to pictures of nude people having sex in the last year.
- ▶ One in 11 was threatened or harassed.

**NCMEC (2006)*



NCMEC Cyber Tipline

Cyber Tipline Weekly Activity Report #593 (March 17, 2014 - March 23, 2014)

- ▶ Total number of reports made by the public (Cyber Tipline 1): 1,275
- ▶ Total number of reports made by ESPs (Cyber Tipline 2): 7,389

Type of Incident	Weekly	Program to Date
Child Pornography	8,208	2,229,644
Child Trafficking	227	19,937
Child Sex Tourism	1	4,398
Online Enticement	132	66,914



NCMEC CVIP Program

- ▶ Child Victim Identification Program (CVIP) launched September 18, 2002
 - Number of cases received March 17-23, 2014
 - Week – 94
 - To date – 41,962
 - Number of images/movies reviewed
 - Week – 205,282
 - To date – 108,595,392
 - Number of identified children
 - Week – 8
 - To date – 5,533



ICAC Task Forces in Texas

- ▶ Three of the 61 ICAC Task Forces are in Texas:
 - Austin-TX OAG
 - Commander Kimberly Bustos
 - kimberly.bustos@texasattorneygeneral.gov
 - Dallas-Dallas PD
 - Commander Alfred Diorio
 - alfred.diorio@dpc.ci.dallas.tx.us
 - Houston-Houston PD
 - Commander Richard Hahn
 - rhahn@hmicac.org



Definitions and Legal Review

Definitions and Legal Review



Definitions (Slide 1 of 7)

- ▶ Computer crime
 - Any illegal act that is knowingly and intentionally facilitated through access and use of a computer or telecommunications device



Definitions (Slide 2 of 7)

- ▶ Child pornography
 - Any material that visually depicts a child younger than 18 years of age at the time the image of the child was made who is engaging in sexual conduct
- ▶ Sexual conduct
 - Sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sado-masochistic abuse, or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola

K. Lanning, Child Molesters: A Behavioral Analysis;
National Center for Missing and Exploited Children, 4th ed. 2001



Definitions (Slide 3 of 7)

- ▶ Child erotica
 - Any material, relating to children, that serves a sexual purpose for a given individual.
 - The material is not **usually not illegal** to possess.
 - Published materials include:
 - Sex education
 - Child modeling websites
 - Sexual abuse of children
 - Incest
 - Man-boy love
 - Personal ads

K. Lanning, Child Molesters: A Behavioral Analysis, National Center for Missing and Exploited Children, 4th ed. 2001



Definitions (Slide 4 of 7)

- ▶ Pedophilia
 - A paraphilia that involves the abnormal interest in children
- ▶ Paraphilia
 - A disorder that is characterized by recurrent intense sexual urges and sexually arousing fantasies generally involving:
 - Nonhuman objects
 - Suffering or humiliation
 - Animals
 - Children
 - Other non-consenting persons

Encyclopedia of Mental Disorders



Definitions (Slide 5 of 7)

- ▶ Pedophile
 - A *medical diagnosis* defined as a person with a primary or exclusive sexual attraction to prepubescent children
 - Not all pedophiles are child molesters.
 - Commonly used to indicate a person with a sexual preference for children, usually under the age of 13



Definitions (Slide 6 of 7)

- ▶ Situational sex offenders
 - Have no special desire for children; they pick children because they're easy to lure and overpower
- ▶ Preferential sex offenders
 - Have specific sexual preferences and are willing to commit a great deal of time, money, and energy in pursuing their sexual interests.

Child Molesters: A Behavioral Analysis
by Kenneth V. Lanning
Former FBI Supervisory Special Agent



Definitions (Slide 7 of 7)

- ▶ Preferential sex offender
 - A descriptive label used only to identify for investigative and prosecutorial purposes; a certain type of sex offender
 - Includes strangers, interfamilial child sexual abusers, acquaintance molesters, etc.
 - These offenders prefer to have sex with children.



State of Texas Law (Slide 1 of 5)

- ▶ Possession and Promotion of Child Pornography
 - A person commits an offense if the person knowingly or intentionally possesses visual material that visually depicts a child **younger than 18** years of age at the time the image of the child was made, who is engaging in sexual conduct, and the person knows that the material depicts such a child.
- ▶ Possession: Third-degree felony
- ▶ Promotion: Second-degree felony



State of Texas Law (Slide 2 of 5)

State of Texas Law (prior to 10-30-2013)

- ▶ Online Solicitation of a Minor
 - An adult (17 or older) communicates with a minor in a sexually explicit manner or distributes sexually explicit material to a minor through the Internet with the intent to sexually arouse any person.
 - **Third-degree felony**

* Currently pending appeal of CCA ruling



State of Texas Law (Slide 3 of 5)

State of Texas Law (prior to 10-30-2013)

- ▶ Online Solicitation of a Minor (continued)
 - A person solicits a minor to meet another person, including the actor, with the intent to have sexual contact or intercourse.
 - **Third-degree felony**



State of Texas Law (Slide 4 of 5)

- ▶ Online Solicitation of a Minor (continued)
 - Commit either of above and the person is **younger than 14** or the defendant **believes** the person to be younger than 14, and actually travels to meet a victim
 - **Second-degree felony**
- ▶ This section is not affected by the CCA ruling.



State of Texas Law (Slide 5 of 5)

State of Texas Law (prior to 10-30-2013)

- ▶ Statute states that three things are not a defense:
 - The planned meeting did not occur.
 - The defendant did not intend for any meeting to occur.
 - The defendant was "engaged in a fantasy at the time" he committed the offense.
- ▶ See new CCA ruling at www.cca.courts.state.tx.us
 - Presently, defendant must actually travel in order for there to be an offense.



Peer to Peer: File Sharing (Slide 1 of 2)

- ▶ Internet access
 - Access browser applications
 - Internet Explorer, Netscape and Mozilla
- ▶ Peer to Peer (P2P)
 - Access computers using similar applications
 - Limewire, Gnutella, Bearshare, Kazaa
 - Provides a search engine to search desired files
 - Allows files to be copied from one computer to another anywhere in the world



Peer to Peer: File Sharing (Slide 2 of 2)

- ▶ Often illegal, unethical and immoral
 - Copyrighted material
 - Child pornography
- ▶ Increased risk for
 - Viruses
 - Security breaches



More State of Texas Law (Slide 1 of 4)

- ▶ Electronic Transmission of Certain Visual Material Depicting a Minor
 - A person commits an offense if the person intentionally or knowingly by electronic means promotes to another minor visual material depicting a minor, including the actor, engaging in sexual conduct, if the actor produced the visual material or knows that another minor produced the visual material.



State of Texas Law (Slide 2 of 4)

- ▶ Online Harassment
 - Internet Impersonation
 - A person commits an offense by using the name or persona of another to create a web page or message on a commercial social networking site without consent of that person, and with intent to harm, defraud, intimidate, or threaten any person.



State of Texas Law (Slide 3 of 4)

- ▶ Online Harassment (continued)
 - Spoofing
 - A person sends an electronic message directly to a recipient while using the identifying information of another without the other's consent, with intent that the receiver believes the sender really sent the message.
 - Class A misdemeanor
 - Third-degree felony if an emergency response results



State of Texas Law (Slide 4 of 4)

- ▶ Online Harassment (bullying)
 - A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment or embarrass another, he *initiates communication* by electronic communication makes a comment, request, suggestion, or proposal that is obscene, threatens bodily injury/serious bodily injury and does the above continuously.
 - Class B misdemeanor



Types of Predators and Social Networks

Types of Predators and Social Networks



Cyber Predators (Slide 1 of 2)

- ▶ 27% of child victims are kidnapped by family acquaintances.
- ▶ 24% are stranger abductions.
- ▶ 90% of sex offenders are never sentenced.
 - Victims are pressured with threat or shame not to press charges due to the social status of the offender within the family.
 - Predators are free to re-offend.

The National Center for Victims of Crime



Cyber Predators (Slide 2 of 2)

- ▶ Cyber predators online
 - Find victims through:
 - Facebook
 - Craigslist
 - Vampirefreaks.com
 - Motherless.com
 - Chat rooms
 - Blogs
 - Gaming sites

Limited-www.netalert.net.au, Australian Government NetAlert2004



Preferential Offenders (Slide 1 of 6)

- ▶ Although there is no distinct profile of a child abuser,
 - 90% are male and have been married
 - 32-34 years of age
 - Represented in all socioeconomic, racial and ethnic groups
- ▶ Can be:
 - Violent or passive
 - Charming or lacking social skills.
 - Most have multiple victims and prey upon children they know or who appear to be needy, passive, trusting or lacking in supervision.

Sharon K. Araji, professor of Sociology
National Center for Victims of Crime



Preferential Offenders (Slide 2 of 6)

- ▶ Predators use computers, online video games, web cams and cell phones to communicate with victims and ask for nude images and videos.
- ▶ Most communication goes undetected and can be deleted easily.



Preferential Offenders (Slide 3 of 6)

- ▶ These offenders often rationalize that children should receive their sexual education from an older, experienced person.
- ▶ They sometimes volunteer or accept positions associated with children's activities to increase opportunities for access to children (acquaintance molester).

K. Lanning, Child Molesters: A Behavioral Analysis; National Center for Missing and Exploited Children, 4th ed. 2001



Preferential Offenders (Slide 4 of 6)

- ▶ Often gives the child attention and affection the child may not feel they are receiving at home
- ▶ Often listens to the child's problems and concerns and fulfills their emotional, physical and sexual needs
- ▶ Often "grooms" the child to break down inhibitions through photographs or video of other children engaged in sexual activity
- ▶ Often "grooms" the parents, grandparents or caregivers



Preferential Offenders (Slide 5 of 6)

- ▶ Most commonly encountered offender during online investigations
- ▶ Uses computer to facilitate their interest in children
- ▶ Most likely collects child pornography and child erotica



Preferential Offenders (Slide 6 of 6)

- ▶ These offenders often arrange to meet children they have encountered online for the purpose of engaging in sexual activity.
- ▶ Even when an offender has a feeling that the person they are meeting is a police officer, they will still show up for the chance to meet an actual child.



Social Networking Sites (Slide 1 of 2)

- ▶ Provide an easy way for predators to search for victims
- ▶ Predators can target victim search by key word, zip code, school, etc.
- ▶ Provides an easy way for predators to identify social groups, friends, family and interests to use when "grooming" the victim



Social Networking Sites (Slide 2 of 2)

- ▶ Provide inside information to law enforcement.
 - Log in IP
 - Posts to show location or activities on a particular day
 - Pictures:
 - Vehicles with LPs
 - Associates



ICAC Investigations

- ▶ Reactive
 - Parental contact
 - Intelligence from peers
 - Teachers
 - Law enforcement
- ▶ Proactive
 - Online chat sessions



Reactive Investigations (Slide 1 of 4)

- ▶ Cyber crimes and child sexual victimization
 - Is a specialized area that requires intensive training and experience
 - It also requires specific tools and investigative equipment.
 - Not every law enforcement agency is fortunate enough to have a trained investigator/equipment.
 - The Texas Attorney General's Cyber Crimes Unit is always available to assist.



Reactive Investigations (Slide 2 of 4)

- ▶ Determine if an offense has been committed.
 - Make sure the victim did not lie about his or her age.
 - Make sure the contact meets the elements of an offense.



Reactive Investigations (Slide 3 of 4)

- ▶ Contact the CyberTipline if:
 - The report is not the result of a CyberTip,
 - To determine if any other agency is working the case, or;
 - To obtain additional information such as prior reports.
- ▶ Contact other agencies for assistance if you have questions.



Reactive Investigations (Slide 4 of 4)

- ▶ Collect pertinent information
 - Victim user/screen names and passwords
 - Suspect user/screen names
 - Location of Internet contact
 - Secure computer for forensics examination



Victim Interviews (Slide 1 of 3)

- ▶ Questions to ask victims
 - Devices used
 - Screen and user names or phone numbers
 - Internet location – chat room, social networking site, etc.
 - Ages discussed – both victim and suspect
 - Specific description of content



Victim Interviews (Slide 2 of 3)

- ▶ When responding to a victim:
 - Avoid dismissing an outcry due to "bad behavior" by the victim.
 - Tardiness, sleeping in class or other mishaps may be beyond the child's control.
 - Avoid asking questions like:
 - "Why didn't you.....?"
 - "Why did you.....?"
 - "Are you sure...?"



Victim Interviews (Slide 3 of 3)

- ▶ Remember, victims may:
 - Be emotionally attached to the suspect
 - Avoid calling the suspect "bad"
 - Feel guilty or at fault for the situation
 - Think they deserve the abuse
 - Be afraid for their safety
 - Be embarrassed or ashamed



Proactive Investigations (Slide 1 of 3)

- ▶ **Do not** conduct these investigations without the proper authority to do so.
- ▶ Specialized training is necessary in order to conduct undercover operations.
- ▶ **Do not** create undercover profiles or "chat" from your home, **ever!**



Proactive Investigations (Slide 2 of 3)

- ▶ **Do not** use your personal computer to:
 - Communicate with suspect(s)
 - Create undercover profile
 - Attempt to arrange a meeting with the suspect(s)



Proactive Investigations (Slide 3 of 3)

- ▶ Why?
 - Your safety and the safety of your family!
- Home Internet:
 - IP address = you
 - CyberTip may be generated.
 - Family members may be exposed.
 - Contraband may be sent to you.
 - Your computer could be seized and introduced as evidence.



Federal Law

Federal Law



The Adam Walsh Child Protection and Safety Act of 2006

- ▶ Effective July 27, 2006
- ▶ Created the national public sex offender registry
- ▶ Established that every time child pornography is viewed the victim depicted is further harmed



Federal Definitions (Slide 1 of 2)

Child Erotica

- ▶ 18 U.S.C. § 2252 (a) (2), 18 U.S. (a) (4) and 18 U.S.C. § 2256 (2) (E)
 - Address violations for depictions of clothed children if they constitute "lascivious" exhibitions of the genitalia or pubic area.
- ▶ 10th Circuit Court of Appeals defines "lascivious" as
 - "tending to excite lust; lewd; indecent; obscene; sexual impurity; tending to deprave the morals in respect to sexual relations."



Federal Definitions (Slide 2 of 2)

- ▶ *United States v. Dost*
 - Six standards that originated in 1986 to judge whether or not an image is child pornography
 - Focal point of the image is genital area
 - Sexually suggestive setting
 - Unnatural pose, inappropriate attire in relation to the age of the child
 - Fully, partially clothed or nude
 - Suggestive of sexual coyness or willingness to engage in sexual activity
 - Designed to elicit a sexual response



Federal Case Law

- ▶ *United States v. Knox*
 - 1994 case which set aside the question of nudity by stating images of clothed children may constitute "lewd" or "lascivious exhibition"
- ▶ *Supreme Court Jenkins v. Georgia*
 - 1998 Customs seized over 200 nudist magazines depicting nude images of minors engaging in activities otherwise normal for their age
 - Cannot be held obscene, and nudity in and of itself does not constitute obscenity



Internet Safety Tips (Slide 1 of 11)

1. Establish rules for Internet use.
 - ▶ Who can they talk to?
 - ▶ What sites can your child visit?
 - ▶ How long will they be online?
 - ▶ Where can they use a computer?
 - ▶ **Keep house rules posted near the computer!**



Internet Safety Tips (Slide 2 of 11)

2. Keep the computer in a common room, not a child's bedroom.
 - ▶ **Monitor webcams!**



Internet Safety Tips (Slide 3 of 11)

Web Cams

"Hacker Uses Webcam To Spy On Family"

Montgomery County, Texas

- ▶ 15-year-old female surfing Internet
- ▶ Typing message to girlfriend and her message turned sexually explicit.
- ▶ Hacker remotely opened her disc drive
- ▶ The hacker watched her via webcam and listened to conversations through the computer microphone.
- ▶ Attempted to meet with her for sex



Internet Safety Tips (Slide 4 of 11)

Web Cams

- ▶ Webcam hackers use viruses, including worms and Trojan horse programs.
- ▶ These viruses are available to anyone on the Internet.
- ▶ Viruses can be disguised as popular movies, songs or videos.



Internet Safety Tips (Slide 5 of 11)

3. Monitor cell phones/iPods

- ▶ Still pictures
- ▶ Video
- ▶ Email
- ▶ Instant messaging applications
- ▶ Sexting



Internet Safety Tips (Slide 6 of 11)

4. Monitor interactive video and computer games

- ▶ Video and computer games
 - Chatting
 - Webcams
 - Voice chat



Internet Safety Tips (Slide 7 of 11)

5. Be prepared

- ▶ Read social networking privacy statements.
- ▶ Know what will happen to posted information.
- ▶ Look for support numbers, phone numbers and email addresses to report abuse.



Internet Safety Tips (Slide 8 of 11)

6. Communicate

- ▶ Discuss the importance of telling a trusted adult if something ever makes your child feel scared, uncomfortable or confused while online.
- ▶ Keeping your cool encourages them to trust and confide in you.



Internet Safety Tips (Slide 9 of 11)

7. Be Informed

- ▶ Learn everything you can about the Internet. Education is a key part of prevention. Use educational resources such as
 - www.NetSmartz.org
- ▶ Learn chat room lingo and acronyms, like "POS=Parent Over Shoulder."
 - www.missingkids.com



Internet Safety Tips (Slide 10 of 11)

8. Consider safeguarding options

- ▶ Check out blocking, filtering and rating applications
- ▶ Learn about filtering and monitoring software and when to use them.
 - ▶ www.internetfilterreview.com
 - ▶ www.getnetwise.org



Internet Safety Tips (Slide 11 of 11)

- ▶ Look for clues
- ▶ Ask questions
- ▶ Avoid high risk situations
- ▶ **No opportunity, no abuse!**



Questions?

▶ Recommended reading

- Child Molesters: A Behavioral Analysis
- Texas Attorney General's website
- National Center for Missing and Exploited Children



Contact Information

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