

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention



Understanding and Investigating Child Sexual Exploitation

*Portable Guides to
Investigating Child Abuse*

Foreword

Awareness of the victimization of children by sex offenders is creating increased concern for parents, law enforcement officers, and other professionals working on child victimization issues. *Understanding and Investigating Child Sexual Exploitation* is designed to enhance the professional investigator's understanding of child sexual victimization, in particular that perpetrated by "preferential sex offenders"—serial offenders who prey on children.

This Portable Guide includes legal and professional definitions of key terms and explores the dynamics of child sex rings. It sets forth the characteristics of preferential sex offenders and details instructive investigative techniques. Helpful tools, including a victim interview checklist and a consent-to-search form, are provided as well.

Understanding the predilections and practices of preferential sex offenders and their impact on the child victim is critical to bringing these criminals to justice. I hope this Portable Guide—and others in the series—will assist you in your efforts to protect America's children.

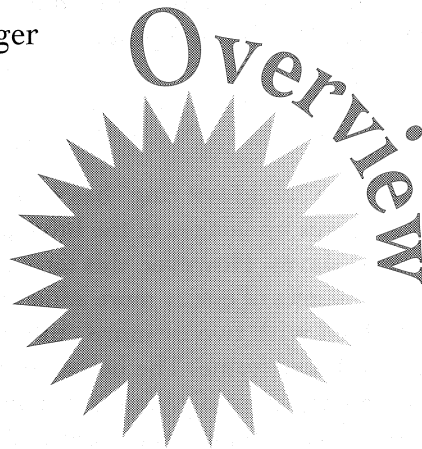
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The sexual victimization of children ranges from one-on-one intrafamilial (within the family) abuse to multioffender/multivictim extrafamilial (outside the family)

sex rings and from stranger abduction of toddlers to prostitution of teenagers.

As used in this guide, the sexual exploitation of children refers to forms of victimization involving pornography, sex rings, or prostitution.



Although a variety of individuals sexually victimize children, preferential sex offenders are the primary sexual exploiters of children. They are serial offenders who prey on children through the operation of child sex rings and/or the collection, creation, or distribution of child pornography. The term “preferential sex offender” is a descriptive label used only to identify, for investigative purposes, a certain type of offender. The potential significance of this identification will be discussed. The commonly used term “pedophile” has not been used here to refer to these offenders, in order to avoid confusion over whether investigators are qualified to apply what is also a mental health or diagnostic term.

Apart from legally defined child prostitution (a significant form of child exploitation that will not be discussed here), the sexual exploitation of children does not necessarily involve commercial or monetary gain. In fact, in the United States, child pornography and child sex rings most often result in a net financial loss for the offender. Cases of sexual exploitation of children may involve intrafamilial offenders and victims, although this is not typical.

Child Sex Rings

The term “child sex ring” has no legal definition. For many it conjures up images of the buying and selling of children as sexual slaves. However, this term is used simply to describe the dynamics of one or more adult offenders who are sexually involved with two or more child victims during the same general time frame. The behavior pattern of such offenders is predatory, prolific, and serial: They usually recruit, seduce, molest, and “dump” numerous child victims repeatedly over many years.

In general, a child is defined as someone who has not yet reached his or her 18th birthday. However, legal definitions of who is considered a child and to what extent consent is an issue vary from case to case, from statute to statute, and from State to State and must be considered in any criminal investigation. Unlike one-on-one intrafamilial sexual abuse, in which the victim is most often a young female, in child sex rings the victim is frequently a boy between the ages of 10 and 16.¹

A child sex ring need not and usually does not involve any moneymaking element. When something of monetary value is exchanged, it is usually given by the offender to the victim as part of the seduction or “grooming” process. A child sex ring can involve a daycare center, a school, a scout troop, a Little League team, and neighborhood or runaway children. It can also involve intrafamilial molestation of children, including the use of marriage or a live-in relationship as a method of access to children and the use of family children to attract other victims.

¹It is possible for girls to be victims in child pornography and sex rings and for women to be sex offenders. In this guide, for simplicity's sake, the male pronoun has been used to refer to both victims and offenders.

However, the dynamics of child sex ring cases are different from those of the more commonly investigated cases of one-on-one intrafamilial sexual abuse. Child sex rings are more likely to involve interaction among the multiple victims. These interactions—both before and after discovery—must be examined and evaluated. Possible child victims in sex ring cases are more often interviewed as a result of discovery (e.g., identification in recovered pornography) or suspicion (e.g., a known offender had access to them) than as a result of voluntary disclosure by the victim.

Although parents are usually not the abusers in sex ring cases, they cannot be ignored in the investigation. Their interaction with their victimized children can be crucial to the case. If the parents interrogate their children or conduct their own investigation, the results can be damaging to the case. Investigators must maintain ongoing communication with the parents of victims and attempt to channel their energy and concern in positive ways.

Child Pornography

The legal definition of the term “child pornography” varies from State to State and under Federal law. Under most legal definitions, child pornography involves a visual depiction of a child that is sexually explicit. The Federal child pornography law defines a child (minor) as someone who has not yet reached his or her 18th birthday. Under the Child Pornography Prevention Act of 1996, the Federal definition of “child pornography” has been expanded to include not only a sexually explicit visual depiction using a minor, but also any visual depiction that “has been created, adapted, or modified to *appear* [emphasis added] that an identifiable minor is engaging in sexually explicit conduct.” Although this new law makes the prosecution of cases involving manipulated computer images easier, it also means that it is no longer possible in every case to argue that child pornography is the permanent record of the abuse or exploitation of an actual child.

According to Federal law, sexually explicit conduct means actual or simulated sexual intercourse (including vaginal, oral, and anal), bestiality, masturbation, sadistic or masochistic abuse, or lascivious exhibition of the genitals or pubic area. In some cases, the child may not need to be naked in order for the depiction to be covered by this definition. It is important to understand that the lasciviousness often mentioned in child pornography cases is *not* in the child's mind or even necessarily the photographer's, but in the mind of each producer, distributor, and collector of the material.

Some grossly explicit visual depictions of children clearly and obviously are always child pornography, and some visual depictions of children, no matter the context or use, do not meet the minimum legal threshold and are never child pornography. Often investigators and prosecutors want to make a decision about the nature of a visual depiction of a child based only on looking at it. The difference between simple nudity (e.g., innocent family photographs, works of art, or medical illustrations) and the lascivious exhibition of the genitals is often not in the visual depiction itself, but in the context. Many visual depictions of children may or may not be considered child pornography, depending on how they were produced (abuse, deception, trickery), saved (location, labels, packaging, modifications, computer file name), or used (to lower inhibitions of or arouse victims, to pander, to trade, to sell). Assuming it meets the minimum legal criteria, potential child pornography must always be evaluated in the total context in which it is discovered, and it must be objectively investigated.

Not all collectors of child pornography physically molest children, and not all molesters of children collect child pornography. Not all children depicted in child pornography have been sexually abused. For example, some have been photographed without their knowledge while undressing, others manipulated into posing nude. Depending on the use of the material, however, all can be considered exploited. For this reason, even those who "only" receive or collect child pornography produced by others play a role in the sexual exploitation of children, even if they have not physically molested a child.

Offenders

Preferential sex offenders tend to be predatory serial offenders.² Because operating a child sex ring or trafficking in child pornography usually requires above-average interpersonal skills and economic means, these offenders will generally be from a higher socioeconomic background. Preferential sex offenders may be “pillars of the community” and are often described as “nice guys.” They almost always have a means of access to children (for example, through marriage, neighborhood, or occupation). Determining their means of access helps to identify potential victims. Investigators should always verify the credentials of those who attempt to justify their acts as part of some “professional” activity. Just because an individual is a doctor, priest, minister, or therapist, for example, does not mean that he cannot also be a child molester.



Characteristics of Preferential Sex Offenders

A preferential sex offender can usually be identified by the following interrelated behaviors:

✱ **Long-term and persistent patterns of behavior.**

- Begins pattern in early adolescence.
- Is willing to commit time, money, and energy.
- Commits multiple offenses.
- Makes ritual or need-driven mistakes.

✱ **Specific sexual interests.**

- Manifests paraphiliac preferences (see next section), possibly more than one type.
- Focuses on defined sexual interests and victim characteristics.
- Centers life around preferences.
- Rationalizes sexual interests.

²**Note:** The category of predatory serial sex offenders includes other types of offenders, such as those who use intimidation and force to engage in sexually motivated child abduction. A discussion of these other types of offenders is beyond the scope of this guide.

✱ **Well-developed techniques.**

- Evaluates experiences.
- Lies and manipulates, often skillfully.
- Has method of access to victims.
- Is quick to use modern technology (e.g., computer, VCR) for sexual needs and purposes.

✱ **Fantasy-driven behavior.**

- Collects pornography.
- Collects paraphernalia, souvenirs, videotapes.
- Records fantasies.
- Acts to turn fantasy into reality.

Because these sexual behavior patterns are highly predictable, it is important for investigators to recognize and utilize them, if present. If the investigation identifies enough of these characteristics, many of the remaining ones can be assumed. Most of these indicators mean little by themselves, but as they are identified and accumulated through the investigation, they can constitute reason to believe a suspect is a preferential sex offender.

Paraphilias and Sexual Ritual Behavior

Paraphilias are psychosexual disorders defined by the *Diagnostic and Statistical Manual of Mental Disorders, 4th edition* (DSM-IV, Washington, DC: American Psychiatric Association, 1994) as recurrent, intense sexually arousing fantasies, sexual urges, or behaviors that generally involve (1) nonhuman objects, (2) the suffering or humiliation of oneself or one's partner, or (3) children or other nonconsenting persons, and that occur over a period of at least 6 months. Pedophilia, sadism, voyeurism, and fetishism are examples of paraphilias.

On an investigative level, the presence of paraphilias often means highly repetitive and predictable behavior focused on specific sexual interests that goes well beyond a "method of operation" (MO). The concept of an MO—something done by an offender because it works and will help him get away with the crime—is well known to most investigators. An MO is fueled by thought and deliberation. Most offenders change and improve their MO over time and with experience.

The repetitive behavior patterns of preferential sex offenders involve some MO, but are more likely also to involve the less-known concept of sexual ritual. Sexual ritual is the repeated engaging in an act or series of acts in a certain manner because of a sexual need; that is, in order to become aroused and/or gratified, a person must engage in the act in a certain way. Other types of ritual behavior can be motivated by psychological, cultural, or spiritual needs. Unlike an MO, ritual is necessary to the offender but not to the successful commission of the crime. In fact, instead of facilitating the crime, ritual often increases the odds of identification, apprehension, and conviction because it causes the offender to make need-driven mistakes.

Ritual and its resultant behavior are fueled by erotic imagery and fantasy and can be bizarre in nature. Most important to investigators, offenders find it difficult to change and modify ritual, even when their experience tells them they should or when they suspect law enforcement scrutiny. Understanding sexual ritual is the key to investigating preferential sex offenders.

Victims

In child pornography and sex ring cases, offenders typically control their victims by seducing them with attention, affection, kindness, and gifts until they have lowered the victims' inhibitions and gained their cooperation and "consent." Because victims of child pornography and sex rings usually have been carefully seduced and often do not realize they are victims, they repeatedly and voluntarily return to the offender. Society and the criminal justice system find this difficult to understand. If victims are molested by a neighbor, teacher, or priest, why do they "allow" it to continue?

The offender may be treating these children better than anyone has ever treated them, and they may not realize they are victims until the offender pushes them out of the ring. Then they see that all the attention, affection, and gifts were just part of a master plan to use and exploit them. This may be psychologically harmful for a troubled child who has had a traumatic life.

Officers investigating child sex rings and child pornography cases must remember that children are human beings with human needs, not “innocent angels sent from heaven.” Many children, especially those victimized through the seduction process, often:

- * Trade sex for attention, affection, or gifts.
- * Are confused about their sexuality and feelings.
- * Are embarrassed and guilt ridden about their activity.
- * Describe victimization in socially acceptable ways.
- * Minimize their responsibility and maximize the offender’s.
- * Deny or exaggerate their victimization.

These things do not mean that the child is not a victim. The activity is **not** the fault of the child, even if he:

- * Did not say no.
- * Did not fight.
- * Actively cooperated.
- * Initiated the contact.
- * Did not tell.
- * Enjoyed the sexual activity.
- * Accepted gifts or money.

Dynamics of Child Sex Rings

The operation of a child sex ring is like a pipeline. At any given moment, there are victims being recruited, victims being seduced, victims being molested, and victims being let go, or “dumped.” For most preferential sex offenders, it is easy to recruit, seduce, and molest the victims. Offenders have the most difficulty in ending the relationship without causing their victims to turn against them and disclose the abuse.

Controlling the Victims

Once victims are in the pipeline, offenders control them through a combination of bonding, competition, and peer pressure. Most children, especially adolescents, want to be a part of some peer group. Any offender operating a sex ring has to find a way to bind the victims together. Some offenders use an existing

structure such as a scout troop, a sports team, or a school club. Others create their own group, such as a magic club, computer club, or religious cult. Some offenders just make up a name—for example, the “88 Club” or the “Winged Serpents”—and establish their own rules and regulations.

Offenders are most likely to use violence, threats of violence, and blackmail when pushing a victim out of the group or when attempting to hold on to a still-desirable victim who wants to leave. Sexually explicit notes, audiotapes, videotapes, and photographs effectively ensure a victim’s silence. Victims worried about disclosure of illegal acts such as substance abuse, joyriding, petty theft, and vandalism are also subject to blackmail.

Many victims, however, are most concerned over (and therefore more likely to deny) disclosure of engaging in:

- * Sex for money.
- * Bizarre sex acts.
- * Homosexual acts in which they were the active participant.
- * Sex with other victims.

In child sex rings, not only does the offender have sex with the children but, in some cases, the children have sex with each other. While children may admit that they were forced by the offender to perform certain acts with him, they find it hard to explain sexual experiences with other children and frequently deny such activity. One offender stated that if you select and seduce your victims properly, getting them to keep the secret takes care of itself.

The Offender-Victim Bond

Because of their bond with the offender, victims frequently resent law enforcement intervention and may even warn the offender. Even the occasional victim who comes forward and discloses the abuse may feel guilty and then warn the offender. The offender may also continue to manipulate the victims after the investigation has begun—for example, by appealing to their sympathy or by making a feeble attempt at suicide to make them feel guilty or disloyal. Some offenders may threaten victims with physical harm or with disclosure of the blackmail material; some may bribe the victims and their families.

A particular aspect of the offender-victim bond is especially troubling for the criminal justice system. Some victims, when being pushed out or while still in the pipeline, may assist the offender in obtaining new victims. They become the bait to lure other victims. Such recruiters or “graduate” victims can and should be considered subjects of investigation. Their offenses, however, should be viewed in the context of their victimization and the dynamics of child sex rings.

Coordinating the Investigation

The investigation of sexual exploitation cases involving multiple victims molested by preferential offenders is usually complex and difficult, not only because of the amount of work involved, but also because of intense pressure from the media and the community to resolve the investigation quickly. To bring the investigation to a successful conclusion, law enforcement should work with the prosecutor, child protective services, and medical and mental health personnel in a **multidisciplinary team (MDT)**. If a protocol for MDT investigations has not been previously developed, the first step is for the team members to meet together to decide the following:

- * Which agency will take the lead in the investigation, and who will be in charge?
- * What office space will be utilized in order for the team to work together?
- * Which agency will provide the clerical help for the team?
- * Which agency will author all of the investigation reports that the team develops?
- * Which agency will handle the telephone calls from the victims’ parents, and who will serve as liaison with them?
- * Where and when will the interviews of the victims take place, and who will conduct the interviews?
- * Who will do the medical examinations of the victims and where will they be conducted?
- * Will the victims be taken into protective custody and, if so, where will they be placed?
- * Which agency will handle the press and the media?
- * Which agency will handle the telephone calls from the community?

The agencies involved in the investigation should coordinate their needs and paperwork so that only one MDT report will be generated under the byline of one of the participating agencies—for example, the police department. If possible, all the victims should be interviewed at one centrally located, “safe” place such as a children’s advocacy center. Every attempt should be made to have the same physician—ideally, a member of the MDT with experience in this type of case—conduct the medical examinations of all of the victims.

Interviewing the Victim

The interview of the “outcry” victim (the first victim to disclose abuse) or, if there is no outcry victim, of the first victim to be discovered, should be completed first. After this child has been interviewed, determine whether any children are living at the offender’s residence or are in immediate danger. If a child is at risk, the MDT may need to take the child into protective custody immediately.

When attempting to identify additional victims of a child sex ring, begin with those who are about to leave or have just left the offender’s pipeline. The victim most likely to disclose the abuse is one who has just left the ring and who has a sibling or close friend about to enter the ring. The desire to protect younger victims from what he has endured is a victim’s strongest motivation for overcoming shame and embarrassment. Some victims are motivated by jealousy to disclose the abuse when they are pushed out of the ring after being replaced by younger victims. The next best candidates for interviewing are victims who have just entered the pipeline.

The victim may have many positive feelings for the offender and may resent law enforcement intervention. Before beginning the interview, take the time to attempt to develop a working relationship with the victim. Investigators should:

- * Be able to discuss a wide variety of sexual activity without being judgmental.
- * Understand the victim’s terminology. Investigators must be familiar with the graphic street jargon used by victims.
- * Carefully communicate to the victim that he is not at fault even though he did not say no, did not fight, did not tell, or even enjoyed it.

Investigators who have a stereotyped concept of child sexual abuse victims or who are accustomed to interviewing younger children molested within their family may have a difficult time interviewing adolescents molested in a sex ring, many of whom will be troubled, even delinquent children from broken homes. It may be more difficult to avoid being judgmental with a delinquent adolescent seduced by a “pillar of the community” than with an innocent 8-year-old girl abused by her father. A judgmental attitude can be easily and unknowingly communicated through gestures, facial expressions, and body language and can hinder the investigation. When the victim believes that the investigator understands what he experienced, he is more likely to talk.

Allow the victim to use scenarios to save face when disclosing the victimization. Adolescent boy victims are highly likely to deny certain types of sexual activity. Even if a victim discloses the abuse, the information is likely to be incomplete and may minimize his involvement and acts. Subsequent investigation may uncover evidence that contradicts the victim’s sworn statement or additional victims whose stories directly conflict with the first victim’s story. The most common example of this is that the victim admits that the offender performed oral-genital sex on him, but denies that he did the same to the offender. The execution of a search warrant then leads to the seizure of photographs of the victim performing oral-genital sex on the offender. Additional victims may also confirm this but vehemently deny that they did the same thing.

Investigators and prosecutors must understand and learn to deal with the incomplete and contradictory statements of victims of child sex rings. The dynamics of their victimization must be considered. They are embarrassed and ashamed of their behavior and rightfully believe that society will not understand their victimization. Many adolescent victims are most concerned about the response of their peers.

If all else fails, the investigator can try the no-nonsense approach. No matter what the investigator does, most adolescent boys will deny they were victims. Therefore, it is important to interview as

many potential victims as legally and ethically possible. It is also possible that some troubled teenagers may exaggerate their victimization or even falsely accuse individuals. Allegations must be objectively investigated and all possibilities considered.

After the interview, the child may feel the need to warn the offender that a child abuse investigation has commenced. Once warned by the victim, the preferential sex offender may attempt to hide or to destroy any evidence of the abuse. For this reason, investigators must be careful about what they disclose to the victims and must be prepared to move quickly with the search and other phases of the investigation.

Investigating the Offender

Preferential sex offenders are like human evidence machines. During their lifetime, they leave behind a string of victims and a collection of child pornography and erotica. This long-term, persistent pattern of behavior makes preferential sex offenders easy to convict if investigators understand how to recognize them and how they operate.

The investigation of the offender should establish:

- * Where the offender lives and who lives with the offender.
- * When the offender is usually at home.
- * Where the offender works.
- * Whether the offender does any volunteer work with children.
- * Whether the offender has any hobbies or interests that appeal to children.
- * The type of vehicle(s) the offender owns or drives and where they are located.
- * Whether the offender has access to a computer and, if so, where it is located and whether the offender uses one of the online computer services.
- * Whether there are any weapons in the offender's residence.
- * Whether the offender has any storage places or safety deposit boxes.

Investigator's Checklist for Interviewing Victims of Preferential Sex Offenders

In interviewing victims, investigators should attempt to obtain information that would provide answers to the following questions:

The Abuse

- What are the specific circumstances of the abuse?
- Where did the abuse take place? (Obtain as specific a description as possible, including details about decorations and type of furniture.)
- When did the last incident of abuse take place?
- What were the specific dates, time of day, and frequency of the abuse?
- What was the duration of the abuse (i.e., days, weeks, months, years)?
- Did the offender use a specific name for the abuse?
- What specific items (e.g., toys, gifts, clothing) did the offender use to seduce or lure the victim, and where are these items now?
- Did the offender provide the victim with any drugs or alcohol in order to help him "relax"?

The Offender and the Victim

- Who is the offender? Were other offenders present at the time of the abuse?
- Does the offender know the exact age of the victim? If so, how?
- How can the victim identify the offender?
- Did the offender make any threats?
- When did the victim last speak with the offender?
- When did the victim last see or visit with the offender?

Other Victims

- Can the victim identify any other victims or possible victims?
- What witnesses were present at the time of the abuse? Is there anyone else who may have any knowledge of the abuse?

Pornography

- Did the offender display for the victim any pornographic images (e.g., photographs, magazines, videotapes, computer images)?

Investigator's Checklist for Interviewing Victims of Preferential Sex Offenders (*continued*)

- Did the victim independently observe any pornographic images of other children (e.g., photographs, videotapes, or computer files) in the residence of the offender? If so, does the victim know the identity of these children?

Photographing or Videotaping of the Victim

- Did the offender take any photographs or videotapes of the victim?
- Did the offender make sexually graphic photographs or videotapes of the victim?
- When were these photographs or videotapes made?
- When was the last date and time the victim saw these photographs or videotapes?
- What was the exact location where the victim last saw these photographs or videotapes?
- If photographs of the victim were taken, which processing laboratory developed them?
- How were the videotapes marked? How were the photographs packaged?

Other Forms of Physical Evidence

- Did the offender use items such as condoms, sexual devices, lingerie, lubricants, or oils with the victim?
- Did the offender keep any personal effects of the victim, such as hair, pubic hair, fingernail clippings, or soiled underwear?
- When and where were these items last seen?
- What is the specific location of any other physical evidence that may be involved in the abuse?
- Where and when did the victim last see this physical evidence?
- Does the offender hide anything anywhere and, if so, where is it hidden?

Other Instances of Abuse and Results for the Victim

- Has the victim ever been sexually abused in the past by any other offender?
- What were the circumstances of that abuse?
- Has the victim been in therapy as a result of the abuse?

Background Check

Identifying the type of offender with whom you are dealing requires the most complete, detailed, and accurate information possible. As part of the evaluation process and, if possible, before interviewing or interrogating a suspected preferential sex offender, investigate his background thoroughly. The following kinds of records should be considered as sources of information:

- * Criminal records.
- * Sex offender and child abuse registry records.
- * Child protection records.
- * Juvenile court records, unsealed or sealed.
- * Civil court records, unsealed or sealed.
- * Driving or automobile records.
- * Military records.
- * Bank records.
- * School records.
- * Medical records.
- * Employment records.

Knowing the kind of offender with whom you are dealing can go a long way in determining investigative strategy. This knowledge can influence interview or interrogation approaches and help identify both the kind of corroborative evidence that might be found and where it might be found. It can also help determine the existence and location of other potential or past victims and of child pornography or erotica.

Interviewing the Offender

Unfortunately, many investigators put minimal effort into interviews of offenders who abuse children sexually. However, many of these offenders really want to discuss either their behavior or at least their rationalization for it. If treated with professionalism, empathy, and understanding, they will make significant admissions.

Before interviewing the alleged offender, evaluate his background information and develop an interview strategy. Simply asking an alleged perpetrator if he molested a child does not constitute a proper interview. If the offender is allowed to rationalize or project some of the blame for his

behavior onto someone or something else, he is more likely to confess. Most sex offenders will admit only what has been discovered and what they can rationalize. If you do not confront the subject with all your evidence, he might be more likely to minimize his acts rather than totally deny them. Many child molesters admit their acts but deny the intent. A tougher approach can always be tried if the soft approach does not work.

Consider noncustodial (i.e., no arrest), nonconfrontational interviews of the subject at home or work as well as interviews during the execution of a search warrant. Do not overlook admissions made by the offender to wives, girlfriends, neighbors, friends, and even the media.

Polygraphs and other lie detection devices can be valuable strategic tools in the hands of skilled interviewers. If the suspect believes that a lie detection test is available and, if administered, will reveal the truth or falsehood of his statements, he is more likely to be honest without taking the test. However, investigators must remember that, once these tests are utilized, their value is limited, because the results usually are not admissible in court. The results of polygraphs and other lie detection tests should never be the **sole** criterion for discontinuing an investigation of child sexual abuse allegations.

Recovery of Child Exploitation Evidence

The recovery of evidence in a case of multiple victim molestation can be very significant, because the evidence can be used both to corroborate the victim's statement and to identify other victims. Those who deal in child pornography and child erotica treat these materials as valuable commodities—sometimes even regarding them as collections—and retain them in secure but available places for extended periods of time. To recover this evidence from the preferential sex offender's collection, the MDT should:

- * Obtain the offender's consent to search his premises and belongings. (A sample consent-to-search form is shown in figure 1 on page 18.)
- * Obtain a search warrant.

Figure 2 (page 20) presents a list of items to recover from the offender. After the search, make a detailed inventory of all materials seized. Any videotapes seized should be reviewed from beginning to end, as child pornography often is found hidden

Figure 1

Sample Consent-To-Search Form

I, _____, have been informed
(name of property owner)

of my constitutional right not to have a search made of the premises and/or automobile owned by me and/or under my care, identified below, without a search warrant. However, knowing my right to refuse consent to such a search, I hereby authorize _____ and
(name of officer or agent)

_____ of _____
(name of officer or agent) (name of law enforcement agency)

to conduct a complete search of the premises, garage or storage shed, and any other structure at the property commonly known as _____

(address and property description)

and/or the following automobile: _____
(vehicle description)

license # _____. These officers or agents are authorized by me to take from my premises and property any videotapes, photographs, letters, computer disks, or any material that is evidence in the nature of child abuse. This written permission is given by me to the above-named persons voluntarily and without any threats or promises of any kind at _____ on this _____
(time, a.m./p.m.)

day of _____, 19____.
(month)

I further understand that I will be given a receipt for any property that is taken.

Signed _____

Name _____
(please print)

WITNESSES (both law enforcement officers named above):

Signed _____

Name _____

Agency _____

within commercial pornography and nonpornography videotapes. Identify any children found in photographs or videotapes taken by the offender.

Expert Search Warrants

An expert search warrant³ is one in which an expert's opinion is used to supplement the case-specific facts learned through the investigation. The opinion usually sets forth known and documented behaviors that preferential sex offenders repeatedly engage in and then applies them to the targeted individual. Determining the type of offender in question and understanding the concept of sexual ritual (see above) are crucial to the use of expert search warrants. Note that if the expert opinion is based on the subject being a certain type of offender, the affidavit for the search warrant **must** set forth the probable cause to believe the subject is that type.

Because of legal uncertainties, expert search warrants in child sexual exploitation cases should only be used when absolutely necessary. These warrants should be considered in cases where they are needed to:

- * Provide additional probable cause.
- * Justify expansion of the scope of the search.
- * Address problems concerning the staleness of information.

Prosecution

Most preferential sex offenders spend their entire lives attempting to convince themselves and others that they are not perverts and that they love and nurture children. Because most of them have hidden their activities for so long, when they are identified and prosecuted, they try to convince themselves that they will somehow continue to escape responsibility. This is why they often proclaim their innocence right up to the time of their trial. If, however, the investigator and prosecutor have properly developed the case, preferential sex offenders almost always change their plea to guilty. The last thing they want is to have

³For additional information on expert search warrants for child exploitation cases, see appendix I of Lanning K.V., *Child Molesters: A Behavioral Analysis. For Law-Enforcement Officers Investigating Cases of Child Sexual Exploitation*. 3d ed. Washington, DC: National Center for Missing and Exploited Children, 1992.

Figure 2

Suggested Items To Recover From Suspected Preferential Sex Offenders

- * Any videotapes, 8mm movies, photographs, negatives, magazines, pictures, books, computer files, or any materials depicting a person under the age of 18 years engaged in sexual intercourse, sexually explicit conduct, or lewd exhibition of the genitals.
- * Any undeveloped rolls of film or commercial and noncommercial videocassettes.
- * Any video equipment, television equipment, photography equipment, darkroom equipment, computer equipment (both hardware and software), or any equipment used in the production, reproduction, display, or distribution of images of a minor being sexually exploited. Before computer equipment is seized, all connections should be noted and marked. The suspect should be prevented from touching the computer. Technical resources for avoiding accidental erasures and retrieving all available information should be identified and used in the investigation.
- * Any and all documents, correspondence, calendars, telephone or address books, diaries, computer disks, or any other written or tape-recorded materials that identify or will lead to identification of persons under the age of 18 years.
- * Any nonsexual photographs of a minor with whom the suspect may have had any contact.
- * Any and all documents, correspondence, financial records, and other materials on paper, computer disk, or computer hard drive relating to the purchase, sale, ordering, receipt, or payment for any materials involving the exploitation of children.
- * Any photographs, albums, posters, paintings, books, manuals, nudist magazines, advertisements, or any type of clothing material that could be used for training or instructing a minor in posing, modeling, or performing either clothed or unclothed.
- * Any keys to safe deposit or post office boxes, bank statements, invoices, or canceled checks that would indicate the use, rental, or ownership of any storage facility, post office box, or safety deposit box.
- * Any and all documents, correspondence, financial records, and other materials on paper, computer disk, or computer hard drive relating to the purchase, sale, transfer, ordering, or receipt of any materials involving the sexual exploitation of children.

the public hear the details of their sexual activity with children. After pleading guilty, they attempt to convince the sentencing authority that their lives have been ruined and that they are “sick” and need treatment. (However, they will usually tell everyone else that, although they pled guilty, they really are not guilty.)

Cases Involving Computers

The investigation of child sexual exploitation cases involving computers requires knowledge of the technical, legal, and behavioral aspects of the use of computers. However, because each of these areas is so complex, investigators must also identify experts and resources available to assist in these cases. Exploitation cases involving computers present many investigative challenges, but they also present the opportunity to obtain a great deal of corroborative evidence and investigative intelligence.

The computer — whether a system at work or, more likely, a personal computer at home — provides the preferential sex offender with an ideal means of filling his needs for validation, organization, and pornography and for finding potential new victims. It is simply a matter of modern technology catching up with long-known personality traits.

Uses of the Computer

Many preferential sex offenders are drawn to online computer services to validate their interests and behavior. The computer may enable them to communicate and obtain active validation with less risk of identification or discovery. The great appeal of this type of communication is perceived anonymity and immediate feedback.

Many preferential sex offenders are compulsive recordkeepers, and the computer offers an ideal means for organizing their collections and correspondence. Innumerable characteristics of victims and sexual acts can easily be recorded and analyzed. An extensive pornography collection can be cataloged by subject matter. Even fantasy writings and other narrative descriptions can be stored and retrieved for future use.

An offender can now use a computer to transfer, manipulate, and even create child pornography. With the typical home computer and modem, still images can easily be digitally stored, transferred from print or videotape, and transmitted, and the quality of each copy will be as good as the original. Visual images can be stored on hard drives, floppy disks, or CD-ROM's.

The offender can also use the computer to troll for and communicate with potential victims with minimal risk of being identified. The use of a vast, loose-knit network like the Internet can make identifying the actual perpetrator difficult. On the computer, the offender can assume any identity or characteristics he wants or needs. The child can be indirectly victimized through conversation ("chat") and the transfer of sexually explicit information and material or can be evaluated for future face-to-face contact and direct victimization.

Types of Offenders

Offenders who traffick in child pornography using computers usually fall into two broad categories:

- * **Dabbler**— Usually either a typical adolescent searching for pornography or a curious adult with a newly found access to pornography. Dabblers can be investigated and prosecuted, but their behavior tends not to be as long term, persistent, and predictable.
- * **Preferential offender**— Usually either a sexually indiscriminate adult with a wide variety of deviant sexual interests or a pedophile with a definite preference for children. The main difference between them is that the collection of the sexually indiscriminate preferential offender will be more varied, usually with a focus on the offender's particular sexual preferences or paraphilias, whereas a pedophile's collection will focus primarily on children. Also, the sexually indiscriminate offender is less likely to molest children, especially prepubescent children.

Conclusion

Investigators must recognize how child sexual exploitation cases are like and unlike other types of child sexual victimization cases. Understanding victim and offender patterns of behavior, identifying types of offenders, and applying this knowledge to the investigative process can be of significant value in the resolution of these complex and difficult cases.

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Supplemental Reading

Burgess AW, Grant CA. *Children Traumatized in Sex Rings*. Washington, DC: National Center for Missing and Exploited Children, 1988.

Child Safety on the Information Highway (pamphlet). Washington, DC: National Center for Missing and Exploited Children, 1994.

Lanning KV. *Child Molesters: A Behavioral Analysis. For Law-Enforcement Officers Investigating Cases of Child Sexual Exploitation*. 3d ed. Washington, DC: National Center for Missing and Exploited Children, 1992.

Lanning KV. *Child Sex Rings: A Behavioral Analysis. For Criminal Justice Professionals Handling Cases of Child Sexual Exploitation*. 2d ed. Washington, DC: National Center for Missing and Exploited Children, 1992.

Shepherd JR, Dworin B, Farley RH, Russ BJ, Tressler PW, National Center for Missing and Exploited Children. *Child Abuse and Exploitation: Investigative Techniques*. 2d ed. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1995.

Whitcomb D. *When the Victim is a Child*. 2d ed. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 1992.

Organizations

National Center for Missing and Exploited Children (NCMEC)
2101 Wilson Boulevard, Suite 550
Arlington, VA 22201-3052
800-THE-LOST (800-843-5678)
(hotline and child pornography tipline)
703-235-3900 (business number)
703-235-4067 (fax)
<http://www.missingkids.org>

A clearinghouse of information on missing and exploited children, NCMEC operates a 24-hour hotline and child pornography tipline. NCMEC also provides a wide range of free services, just a few of which are technical case assistance, link and pattern analysis on cases, forensic assistance, training programs, and educational material and publications. Single copies of the NCMEC publications listed above can be obtained free of charge by contacting NCMEC.

Other Titles in This Series

Currently there are 10 other Portable Guides to Investigating Child Abuse. Additional guides in this series may be developed at a later date. To obtain a copy of any of the guides listed below, contact the Office of Juvenile Justice and Delinquency Prevention's Juvenile Justice Clearinghouse by telephone at 800-638-8736 or e-mail at askncjrs@ncjrs.org.

Recognizing When a Child's Injury or Illness Is Caused by Abuse,
NCJ 160938

Sexually Transmitted Diseases and Child Sexual Abuse, NCJ 160940

Photodocumentation in the Investigation of Child Abuse, NCJ 160939

Diagnostic Imaging of Child Abuse, NCJ 161235

Battered Child Syndrome: Investigating Physical Abuse and Homicide,
NCJ 161406

Interviewing Child Witnesses and Victims of Sexual Abuse,
NCJ 161623

Child Neglect and Munchausen Syndrome by Proxy, NCJ 161841

Criminal Investigation of Child Sexual Abuse, NCJ 162426

Burn Injuries in Child Abuse, NCJ 162424

Law Enforcement Response to Child Abuse, NCJ 162425

Additional Resources

American Bar Association
(ABA)
Center on Children and the
Law
Washington, D.C.
202-662-1720
202-662-1755 (fax)

American Humane Association
Englewood, Colorado
800-227-4645
303-792-9900
303-792-5333 (fax)

American Medical Association
(AMA)
Department of Mental Health
Chicago, Illinois
312-464-5066
312-464-5000
(AMA main number)

American Professional Society
on the Abuse of Children
(APSAC)
Chicago, Illinois
312-554-0166
312-554-0919 (fax)

C. Henry Kempe National
Center for the Prevention
and Treatment of Child
Abuse and Neglect
Denver, Colorado
303-321-3963
303-329-3523 (fax)

Federal Bureau of Investigation
(FBI)
Child Abduction and Serial
Killer Unit and Morgan P.
Hardiman Task Force on
Missing and Exploited
Children
Quantico, Virginia
800-634-4097
540-720-4700

Fox Valley Technical College
Criminal Justice Department
Appleton, Wisconsin
800-648-4966
414-735-4757 (fax)

Juvenile Justice Clearinghouse
(JJC)
Rockville, Maryland
800-638-8736
301-519-5212 (fax)

National Association of Medical
Examiners
St. Louis, Missouri
314-577-8298
314-268-5124 (fax)

National Center for Missing
and Exploited Children
(NCMEC)
Arlington, Virginia
703-235-3900
703-235-4067 (fax)

National Center for the
Prosecution of Child Abuse
Alexandria, Virginia
703-739-0321
703-549-6259 (fax)

National Clearinghouse on
Child Abuse and Neglect
Information
Washington, D.C.
800-FYI-3366
703-385-7565
703-385-3206 (fax)

National Committee to Prevent
Child Abuse (NCPA)
Chicago, Illinois
800-CHILDREN
312-663-3520
312-939-8962 (fax)

National Network of Children's
Advocacy Centers
Washington, D.C.
800-239-9950
202-639-0597
202-639-0511 (fax)

National SIDS Resource
Center
Vienna, Virginia
703-821-8955, ext. 249
703-821-2098 (fax)

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Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention

Washington, DC 20531

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