“Making Better Decisions for Investigating and Prosecuting Cases involving the Possession of Child Sexual Abuse Images”
The Problem

• Many, if not most, “possession only” cases of child exploitation are dealt with through plea-bargains. They rarely go to trial.
• Plea negotiations are made based on very limited data:
  • Elements of crime discovered by LE Computer Forensic Lab.
  • Information provided by the defendant through the defense attorney.
• This lack of information does not serve Justice.
More Problems

The “Perfect Storm” of electronic devices
• More and more devices owned by every person
• Storage capacity on each device growing
• Many old devices kept for their secret “library”

Insufficient Investigatory Resources and Forensic Investigators/Examiners
Statistics and Research of Child Molesters/Sex Offenders

- Gene Abel is one of the foremost researchers on SO’s. He began doing studies on SO’s in the early 80’s and his research and results has been duplicated many times over by many different researchers.

- In short, Abel and his colleagues worked with known and convicted sex offenders to try and determine their truer rate of offending behavior versus what they were convicted for. Remarkable results:
Abel 1983 study: Studied 411 sex offenders and found that over a 12 year period, offenders averaged 581 attempted crimes, completed 533 crimes, had 336 victims. Average = 44 crimes per year.

These types of results were duplicated over and over by Abel and others:

1998 Freeman-Longo and Blanchard:
- 23 rapists admitted committing 5090 sex offending behaviors, including 319 child molestations and 178 rapes.
- 30 child molesters averaged 1.5 arrests, but collectively admitted to 20,667 offenses: 5891 SAOC, 213 SA.

Crossover Studies: Replicated these same findings above

• Criminal investigations targeting internet users have resulted in apprehension of child molesters.
  – Many child pornography users later admit to molesting/raping children or other deviant behaviors
  – Majority of child pornography users admit interest in children, not just images.

• Internet has not created new offenders—it has simply given pedophiles a new way to offend.
  – Should not consider use of child pornography to be sole deviance (e.g., cyberpictophilia) or attribute internet-related cause (e.g., cybersex addiction).
  – For each offender, must consider many factors.
Psychopathy Studies

Significant implications on recidivism rates of being classified as a psychopath versus non-psychopathic individuals.

“The Psychopath: Emotion and the Brain” by Mitchell and Blair in 2008

“There are now a relatively large number of studies indicating that individuals with psychopathy reoffend at higher rates than non-psychopathic individuals.”
Hart, et al., 1988 – 231 offenders released from prison. Within 3 years, 25% of non-psychopathic individuals had been re-incarcerated, by contrast 80% of the psychopathic had been re-incarcerated

Serin and Amos, 1995 – of 299 offenders, within 3 years, 65% with psychopathy versus only 25% of the non-psychopathic individuals had been convicted of a new offense

Grann et al, 1999 – Swedish study of forensic patents found that individuals scoring above 25 on PCL-R violently reoffended at a rate of 66% vs only 18% for those with score less than 26

Hare et al, 2000 – 278 offenders – 82% with psychopathy vs 40% of non-psychopathic individuals were reconvicted of an offense. Of those offenses, 38% were violent offenses for the psychopathic group, while only 2.7% were violent for those with lower PCL-R score.
Prevalence of psychopathy “appears to be relatively high among convicted rapists.” Forth and Kroner (1994)

Psychopathy is a general predictor of both sexual and violent recidivism. Quinsey, Rice, and Harris (1995).

Within 6 years, 80% of psychopaths but only 20% of others violently re-offended. Many offenses were sexual in nature.

Sexual recidivism (as opposed to violent recidivism) was strongly predicted by a combination of a high PCL-R and phallometric evidence of deviant sexual arousal.

Accordingly, psychopathy can be a stand alone risk factor!
“Next time the prosecutor shows you pictures of the crime scene, try not to blurt out, ‘Been there, done that.’”
Up your Game in Plea Negotiations ...
The Psychosexual Evaluation (PSE)  
Or  
Offense Specific Evaluation (OSE)
Purpose of a Psycho-sexual Evaluation

• Is the offender amenable to treatment?
• Can the offender be safely managed in the community, and if so, how?
• What are the offender’s treatment needs?
• NOT used to determine guilt or innocence!
In Colorado, Psychosexual Evaluations Must Assess For:

<table>
<thead>
<tr>
<th>Impact on victim</th>
<th>Stability of functioning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug/alcohol use</td>
<td>Marital/family</td>
</tr>
<tr>
<td>Development history</td>
<td>Access to children</td>
</tr>
<tr>
<td>Cognitive functioning</td>
<td>Employment / Education</td>
</tr>
<tr>
<td>Intellectual functioning</td>
<td>Social skills</td>
</tr>
<tr>
<td>Neuropsych functioning</td>
<td></td>
</tr>
<tr>
<td>Academic achievement</td>
<td></td>
</tr>
<tr>
<td>Mental Health</td>
<td>Sexual evaluation</td>
</tr>
<tr>
<td>Character pathology</td>
<td>Sexual history</td>
</tr>
<tr>
<td>Mental illness</td>
<td>Arousal / Interest pattern</td>
</tr>
<tr>
<td>Self esteem</td>
<td>Specifics of instant offense</td>
</tr>
<tr>
<td>Sadism</td>
<td>Sexual deviance</td>
</tr>
<tr>
<td></td>
<td>• Reinforcements</td>
</tr>
<tr>
<td></td>
<td>• Sexual functioning</td>
</tr>
<tr>
<td></td>
<td>• Attitudes / cognition</td>
</tr>
<tr>
<td>Medical / Psychiatric health</td>
<td>Risk</td>
</tr>
<tr>
<td>Pharmacological needs</td>
<td>Reoffense</td>
</tr>
<tr>
<td>Relevant medical condition</td>
<td>Failure in Tx / supervision</td>
</tr>
<tr>
<td>Medical history</td>
<td>• Motivation / Amenability to Treatment.</td>
</tr>
</tbody>
</table>

Source: https://docs.google.com/a/state.co.us/file/d/0B67htTDuFr48eXJZWUNycHFkbkE/edit?usp=sharing
But is the PSE enough?

Would you like more?

Do you have the resources for more?
Our Cooperative Solution

Through a cooperative agreement between:

- Prosecuting Attorney’s Office
- Law Enforcement Computer Forensic Labs
- Probation Department – Cyber Crime Lab
- Psychosexual Evaluator

We have implemented a Pre-Plea Evaluation Program which improves the quality of negotiations within our jurisdiction.
Both Prosecution and Defense have better information about offender.
Secondary Analysis by Probation Lab

• Utilizes a copy of the evidence files generated by the LE Lab.
• Broader scope of digital behavior analysis.
• Focused on investment in digital sexual behavior.
• Focused on amenability to treatment / containment in the community.
• Utilizes KBSolution’s 14 Factors as a primary foundation.
• Report goes to both Defense Attorney and Evaluator, and later to the Court
• Readable and Understandable!
### 14 Factors which indicate increased interest in digital sexual behavior

<table>
<thead>
<tr>
<th>The “Big Six”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Digital sexual material catalogued or organized.</td>
</tr>
<tr>
<td>Membership in sexual content site.</td>
</tr>
<tr>
<td>Digital sexual content created or altered by defendant.</td>
</tr>
<tr>
<td>Use Group or P2P was used to obtain digital sexual content.</td>
</tr>
<tr>
<td>Solicitation or grooming of minors using digital approaches.</td>
</tr>
<tr>
<td>Use of specialized technology: IRC/IM, SMS/MMS, Web 2.0, TOR</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Remaining eight factors</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than 10 hours a week of digital sexual content.</td>
</tr>
<tr>
<td>More than 50% Internet activity is digital sexual behavior.</td>
</tr>
<tr>
<td>More than 20% of digital sexual content was saved (versus cached).</td>
</tr>
<tr>
<td>More than 20% of sexual images larger than 30kb.</td>
</tr>
<tr>
<td>Nude pictures of defendant on computer.</td>
</tr>
<tr>
<td>Erotic literature written by defendant.</td>
</tr>
<tr>
<td>“Trophy materials” on defendant’s computer.</td>
</tr>
<tr>
<td>Red Flag themes present in any significant numbers: Bestiality, Exhibitionism, Voyeurism, Non-Consensual, Minors</td>
</tr>
</tbody>
</table>
The Computer Facilitated Sex Offender and Things to Look For
About Dr. Jim Tanner

2. Served on faculty at three universities, taught undergrad and grad classes in Criminal Justice, Corrections, Social Psych, and Statistics.
3. Was the 97th person in the world to achieve certification through SANS/GIAC in Computer Security Leadership.
4. Worked with NSA in Berlin during the 1960s hacking Soviet crypto systems.
5. Started as a Probation Officer in August of 1970.
6. Assigned my first Sex Offender in October of 1970.
7. Worked with sex offenders for the past 44 years in almost every capacity within community corrections.
8. Developed the Structured Sex Offender Treatment Review (with Dr. Steve Brake). The SSOTR is in use in numerous states.
9. Sworn staff in Colorado - Cyber Crime Analyst – provide service to Probation/Parole in Colorado – examined over 1,600 sex offenders’ computers.
11. Instructor on sex offender cognitive sets and field forensics for APPA, NLECTC, HTCIA, USDOJ, DOD, ICAC and other “alphabet” agencies in the US and EU.
12. Project Leader for Field Search, a computer forensic program distributed free to law enforcement. In use world-wide with more than 15,000 users.
13. Master Trainer for Certified Field Search Instructors.
Computer-Facilitated Sex Offenders
By Dr. Jim Tanner – kbsolutions.com

14 factors indicating increased sex offender investment in digital sexual content:

1. Surfing > 10h.
2. High ratio of sex sites to general, regardless of number of hours.
3. Saved versus cached material. As the ratio of saved to cached goes up, so does risk.
4. Any cataloging of sexual content.
5. Low ratio of “Splash Page” to “Inside Site” images.
6. Membership in adult sites or organizations promoting sexual behavior.
7. Nude pictures of the offender on the offender’s devices.
8. Pictures with sexual content taken by, created by, or altered by the offender.
9. Erotic literature written by the offender.
10. Trophy materials stored on the offender’s devices.
11. Usegroup or Peer to Peer activity seeking sexually explicit materials.
12. “Red Flag” Themes, if they have a significant number of images/files.
13. Internet grooming or solicitation of minors using any medium.
14. Use of technology for sexual content which indicates a more heavily invested approach.
1. **Surfing more than 10 hours a week of sexual content.**

Addiction to cyber-sex is a concern for those charged with or convicted of sex crimes, but there is no set rule as to what constitutes addiction. Each individual’s pattern sexual content use must be compared to their pattern of general, non-sexual use.

Offenders who used digital sexual content more than 10 hours a week also reported higher incidence of intrusive sexual thoughts, deviant sexual ideation, and feeling like they were addicted to technology use.

More than 10 hours of use indicates enhanced investment in digital sexual content.
2. **High ratio of sexual sites to general surfing, regardless of number of hours.**

Calculating the percentage of digital sexual activity to non-sexual digital activity gives the treatment team valuable information concerning investment.

An offender who views sexual content 80 hours of 100 hours of technology use is different from the offender who views sexual content 10 hours of 100 hours of technology use.

The higher percentage of sexual content to general technology use, the higher the investment in digital sexual content.
3. Saved versus cached material.

Cached: All internet browsers automatically write the content of the sites visited to the local hard drive in a folder called the “cache.”

Saved: Saving material to hard drive is not an automatic function and allows the user to catalog the material. It requires human interaction. Saving indicates special significance to the offender.

The higher proportion of saved material to cached material, the greater the investment. The themes contained in saved material also indicate special interest on the part of the offender.
4. Cataloging of sexual content.

When offenders begin to save and organize material into folders/categories, they have become “collectors.” Names of folders are important to evaluators and treatment teams. For example, folders named “blondes” or “outdoors” give us an insight into the offender’s cognitive structure.

Saving sexual content indicates an offender’s unwillingness to part with it. Organizing and cataloging is a major step into the investment in sexual content. It is easier and faster for an offender to find specific content if it has been organized and cataloged.

Cataloging behavior indicate a substantial increase in the investment in digital sexual content.
5. **Low ratio of “Splash Page” to “Inside Site” images.**

**Splash Page:** Home page containing advertisements and free images designed to draw users deeper into site.

**Inside Site:** Material on pages other than the splash page are accessible only by user action. Once a user clicks through or “drills down” into a site, the images are larger and of higher quality and the videos are longer. Drilling down indicates the offender has more interest in the material.

Thorough examinations of URL histories indicate whether content was on a splash page or deeper inside the site. File size can be shortcut (smaller files on splash page). Even 80:20 ratio of splash to inside can indicate significant drilling down behavior on the part of the offender.
6. **Membership in adult sites or organizations promoting sexual behavior.**

Adult websites make money by selling memberships. Attract customers by giving access to small number of images.

Literally tens of thousands of images and videos available for free on the web. Thus, paying for a membership shows increased investment in sexual content.

When an offender joins a group/site, treatment team should pay close attention.

It is important to note that behavior between non-offender consenting adults is different. It is when one’s behavior draws the attention of law enforcement that membership in such sites and groups becomes significant.
7. **Nude pictures of the offender on the offender’s devices.**

Approximately 25% of offenders whose devices were examined contained nude pictures of themselves. This should raise questions like: “What are they doing with the pictures?” “Are they sharing them?” “With whom are they sharing?”

Having nude pictures of themselves indicates increased investment in defining themselves as a sexual object. The more graphic the images, the greater the investment. Can indicate resistance to containment or treatment.

Sharing by consenting adults is different. It is when one’s behavior draws the attention of law enforcement that the possession of self-erotic images becomes significant.
LARRY HAD BEEN PICKED LAST HIS ENTIRE LIFE - A TREND, THAT FOR ONCE, HE HOPED WOULD CONTINUE.
8. **Pictures with sexual content taken by, created by, or altered by the offender.**

If an offender uses their digital equipment to create sexual images or videos of others, it again raises the question of what they are doing with them? As a producer of adult material, rather than just a consumer, the offender indicates an increased investment in digital sexual content.

It is also important to note whether the offender has altered the material. This can include, cropping, editing, retouching, and morphing content.

Again, it is important to note that this behavior between non-offender consenting adults is not at issue here.
9. Erotic literature written by the offender.

Offenders who produce erotic literature are demonstrating an increased investment in sexual content. Some topics are illegal when found in images or videos, including rape and incest. Offenders who have shifted their focus from images to text are often doing so to avoid prosecution. While the creation of such prose may be protected by the 1st Amendment, it should be of concern when created by sex offenders. This is particularly significant because of how much more focus and imagery is involved in creative writing.

If offender-produced erotica is discovered, the content of the material should be of great interest to the treatment team.

Again, this kind of behavior between non-offender consenting adults is not at issue here.
10. Trophy materials stored on the offender’s devices.

Some (10%) offenders save articles, clippings, or news stories about themselves. Indicate that the offender has not grasped the magnitude of the behavior.

Not uncommon to find pictures of the victim on the offender’s devices (especially when victim is family). Examining the last access dates of images helps the treatment team determine whether the image should be considered trophy material.

Surveying sex offender registries can constitute trophy.

The presence of trophy materials on the digital devices of sex offenders indicates a greater investment in their behavior.
11. **Usegroup or Peer to Peer activity seeking sexually explicit materials.**

**Usegroup:** Decades ago, bulletin boards were the primary source of sexual content. They consist primarily of advertisements for adult sites and amateurs posting images. Downloading from Usegroups is time consuming and generally requires unpacking content. Because it is risky behavior, few sex offenders will download from Usegroups. Offenders who continue to use this approach demonstrate a heavy investment in sexual content.

**Peer to Peer:** Most exploitation of children material is passed through P2P. Offenders active in P2P are generally interested in child pornography. Any P2P activity on an offender’s devices indicates an increased investment in sexual content and, more specifically, an increased investment in illegal sexual content.
12. “Red Flag” themes with high number of files

“Theme” characterized by more than 30-50 indications of interest. Themes are often unrelated to the precipitating offense. Knowing the offender’s themes of interest substantially advances the job of containment and treatment.

Most common red flag themes include:

A. Bestiality
B. Exhibitionism
C. Voyeurism
D. Non-Consensual
E. Minors/Children

“Snuff” – Rare but obviously significant.
13. Internet grooming or solicitation of minors using any medium.

Common among two types of offender:

1. Offender too stupid to know it could be a police officer on the other end. Dangerous because willing to do anything.
2. Offender who knows it could be a police officer, but whose drive to get a victim outweighs their survival instinct.

Internet grooming more prevalent in federal prosecutions.

Most state-level offenders generate victims from a position of trust (rather than internet grooming). Family members, relatives, students, and members of congregations are the common victim pool.
14. **Use of technology for sexual content which indicates a more heavily invested approach.**

There are few technologies not generally associated with sexual content. If an offender is found to have used these technologies to further sexual interests, it indicates an increased investment in digital sexual content and a concomitant increase in resistance to containment and treatment.

These technologies are:

A. IRC/IM (Chat/Instant Messaging)

B. SMS/MMS (Texting – risk determined by level of use and age of correspondents)

C. Virtual World Web 2.0 (e.g., Second Life – yes, it has sexual content)
Finding Dr. Tanner’s 14 Factors publication ...

Go to Kbsolutions.com
We provide service, innovation, and expert resources for criminal justice and social service agencies.

What's New?
Field Search v 5 Updated on 8/15/16

Structured Sex Offender Treatment Review (SSOTR)

Cyber Crime
Training on Managing Sex Offenders' Computer Use

Field Search latest version is 5.2.3.205 (FSWin.exe) - released August 15, 2016
The latest Field Search manual released December 20, 2015.
Field Search-Mac (will run on Mac OS X) - released September 16, 2008

CFSI Courses Scheduled:
We are currently working with CO Judicial to set up a CFSI course. We will post here when we have dates.

Professional Training
Cognitive-Behavioral Skill Building Curriculum

Two conferences you should attend:

March, Dallas, TX

August, Dallas, Tx
To learn more about Field Search click the logo below

Check out WinFE here
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<table>
<thead>
<tr>
<th>Resource Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Grooming</strong></td>
<td>This paper explores the patterns of behavior sex offenders use to groom victims and the victim’s environment.</td>
</tr>
<tr>
<td><strong>P2P Prosecution Paper</strong></td>
<td>This paper examines prosecution decisions regarding youth in possession of ‘age appropriate’ content that meets the Dost criteria as being exploitive.</td>
</tr>
<tr>
<td><strong>Why Do People Molest Children?</strong></td>
<td>We get asked that question all the time. While there is no simple answer, here are some ideas on how to help the public understand a very complex issue. (85k)</td>
</tr>
<tr>
<td><strong>Rethinking “Don’t Touch”</strong></td>
<td>This paper presents an argument for the use of Live-Box investigation of computers under certain circumstances. (35k)</td>
</tr>
<tr>
<td><strong>Fantasy in Chat</strong></td>
<td>A short paper on how to assess risk relative to fantasy and role play in chat cases. (24k)</td>
</tr>
<tr>
<td><strong>Porn as Contraband</strong></td>
<td>This paper presents an argument for the prohibition of a convicted sex offender viewing or possessing any sexual material. (30k)</td>
</tr>
<tr>
<td><strong>Beyond Prosecution: Improving Sex Offender Computer Management</strong></td>
<td>This file contains an overview of how to examine a convicted sex offender’s computer. (87k)</td>
</tr>
<tr>
<td><strong>Rethinking Computer Management</strong></td>
<td>This file contains a paper discussing the management of convicted sex offenders’ computers. (233k)</td>
</tr>
<tr>
<td><strong>14 Factors Indicating Higher Risk Offenders</strong></td>
<td>This paper identifies 14 factors when found on a computer indicate higher risk of resistance to treatment and higher risk of recidivism.</td>
</tr>
<tr>
<td><strong>Sexting Decision Grid</strong></td>
<td>A simple grid to assist in making charging decisions regarding Sexting.</td>
</tr>
<tr>
<td><strong>Need For Computer Monitoring</strong></td>
<td>This file contains a grid developed by Dr. Stephen Brake and Dr. Jim Tanner. The grid proposes the level of need for computer monitoring of convicted sex offenders. (17k)</td>
</tr>
</tbody>
</table>
Case A

• 44 year old Hispanic Male

• Mr. X was arrested subsequent to a UC officer downloading multiple CP videos from his computer via the ARES P2P network. Upon interview at his house, Mr X admitted to downloading, viewing, and masturbating to videos and pictures depicting exploited children. Further, he indicated to investigators that he would delete the images and videos after feeling guilty, but would later download more and repeat the process.

• Mr. X was cooperative with law enforcement on scene and pointed out the main computer and USB drive he used to store his collected child pornography.
Case A

My review included, but was not limited to the following:

1. ARES records of 415 files downloaded by Mr. [Redacted] between 4/17/12 and 5/1/13.
2. ARES records of 84 files shared a total of 310 times from Mr. [Redacted] computer.
3. 640 search terms carved from the desktop computer by Det. Shavin. These terms were used an aggregate of 1,839 times.
4. 33,685 files located on a USB Thumb Drive owned by Mr. [Redacted] This drive contained files created between 11/27/12 and 7/22/13. The files included:
   A. 32,173 images
   B. 1,334 videos

Ninety four percent of the images and videos were placed on the thumb drive in one session on 4/23/13. The table below reflects the number of files created on the thumb drive by date.

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## Case A

<table>
<thead>
<tr>
<th>Date Created</th>
<th>File Count</th>
<th>Cumulative Count</th>
<th>Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/27/2012</td>
<td>7</td>
<td>7</td>
<td>0.04%</td>
<td>0.04%</td>
</tr>
<tr>
<td>11/29/2012</td>
<td>111</td>
<td>118</td>
<td>0.70%</td>
<td>0.74%</td>
</tr>
<tr>
<td>11/30/2012</td>
<td>1</td>
<td>119</td>
<td>0.01%</td>
<td>0.75%</td>
</tr>
<tr>
<td>1/6/2013</td>
<td>35</td>
<td>154</td>
<td>0.22%</td>
<td>0.97%</td>
</tr>
<tr>
<td>2/26/2013</td>
<td>216</td>
<td>370</td>
<td>1.36%</td>
<td>2.33%</td>
</tr>
<tr>
<td>4/23/2013</td>
<td>14966</td>
<td>15336</td>
<td>94.22%</td>
<td>96.55%</td>
</tr>
<tr>
<td>5/12/2013</td>
<td>129</td>
<td>15465</td>
<td>0.81%</td>
<td>97.36%</td>
</tr>
<tr>
<td>6/8/2013</td>
<td>11</td>
<td>15476</td>
<td>0.07%</td>
<td>97.43%</td>
</tr>
<tr>
<td>6/29/2013</td>
<td>119</td>
<td>15595</td>
<td>0.75%</td>
<td>98.18%</td>
</tr>
<tr>
<td>7/5/2013</td>
<td>262</td>
<td>15857</td>
<td>1.65%</td>
<td>99.83%</td>
</tr>
<tr>
<td>7/13/2013</td>
<td>12</td>
<td>15869</td>
<td>0.08%</td>
<td>99.91%</td>
</tr>
<tr>
<td>7/17/2013</td>
<td>7</td>
<td>15876</td>
<td>0.04%</td>
<td>99.95%</td>
</tr>
<tr>
<td>7/22/2013</td>
<td>8</td>
<td>15884</td>
<td>0.05%</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

The last access dates on the files reflect a more equalized distribution:

<table>
<thead>
<tr>
<th>Date Last Accessed</th>
<th>File Count</th>
<th>Cumulative Count</th>
<th>Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/10/2013</td>
<td>43</td>
<td>43</td>
<td>0.27%</td>
<td>0.27%</td>
</tr>
<tr>
<td>4/23/2013</td>
<td>11914</td>
<td>11957</td>
<td>75.01%</td>
<td>75.28%</td>
</tr>
<tr>
<td>5/12/2013</td>
<td>22</td>
<td>11979</td>
<td>0.14%</td>
<td>75.42%</td>
</tr>
<tr>
<td>6/8/2013</td>
<td>200</td>
<td>12179</td>
<td>1.26%</td>
<td>76.67%</td>
</tr>
<tr>
<td>6/9/2013</td>
<td>605</td>
<td>12784</td>
<td>3.81%</td>
<td>80.48%</td>
</tr>
<tr>
<td>6/26/2013</td>
<td>24</td>
<td>12808</td>
<td>0.15%</td>
<td>80.63%</td>
</tr>
<tr>
<td>6/29/2013</td>
<td>2</td>
<td>12810</td>
<td>0.01%</td>
<td>80.65%</td>
</tr>
<tr>
<td>7/22/2013</td>
<td>3074</td>
<td>15884</td>
<td>19.35%</td>
<td>100.00%</td>
</tr>
</tbody>
</table>
Case A

B. Mr. [redacted] had a very short latency period between uses of ARES. He downloaded files daily 53% of the time and was able to wait more than three days between ARES sessions only 18.8% of the time.

<table>
<thead>
<tr>
<th>Days Between Sessions</th>
<th>Count</th>
<th>Cumulative Count</th>
<th>Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>68</td>
<td>68</td>
<td>53.13%</td>
<td>53.13%</td>
</tr>
<tr>
<td>2</td>
<td>20</td>
<td>88</td>
<td>15.63%</td>
<td>68.75%</td>
</tr>
<tr>
<td>3</td>
<td>16</td>
<td>104</td>
<td>12.50%</td>
<td>81.25%</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>108</td>
<td>3.13%</td>
<td>84.38%</td>
</tr>
<tr>
<td>5</td>
<td>7</td>
<td>115</td>
<td>5.47%</td>
<td>89.84%</td>
</tr>
<tr>
<td>6</td>
<td>2</td>
<td>117</td>
<td>1.56%</td>
<td>91.41%</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
<td>121</td>
<td>3.13%</td>
<td>94.53%</td>
</tr>
<tr>
<td>9</td>
<td>2</td>
<td>123</td>
<td>1.56%</td>
<td>96.09%</td>
</tr>
<tr>
<td>10</td>
<td>1</td>
<td>124</td>
<td>0.78%</td>
<td>96.88%</td>
</tr>
<tr>
<td>11</td>
<td>2</td>
<td>126</td>
<td>1.56%</td>
<td>98.44%</td>
</tr>
<tr>
<td>39</td>
<td>1</td>
<td>127</td>
<td>0.78%</td>
<td>99.22%</td>
</tr>
<tr>
<td>43</td>
<td>1</td>
<td>128</td>
<td>0.78%</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

3. Artifacts on Mr. [redacted] desktop computer validate his statements to investigators that he downloaded files and then deleted them, only to download more next time he wanted to masturbate to CP. There were no CP files on his desktop computer. The only CP found was on his USB drive, and that was a small percentage of the logical files on that drive.
Case A

<table>
<thead>
<tr>
<th>FACTOR</th>
<th>FINDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. More than 10 hours a week of digital sexual behavior</td>
<td>Present</td>
</tr>
<tr>
<td>2. More than 50% of Internet activity was digital sexual behavior</td>
<td>Present</td>
</tr>
<tr>
<td>3. More than 20% of digital sexual content was saved.</td>
<td>Absent</td>
</tr>
<tr>
<td>4. Digital sexual material catalogued or organized</td>
<td>Absent</td>
</tr>
<tr>
<td>5. More than 20% of sexual images were larger than 30kb</td>
<td>Present</td>
</tr>
<tr>
<td>6. Membership in sexual content sites</td>
<td>Absent</td>
</tr>
<tr>
<td>7. Nude pictures of defendant on the computer</td>
<td>Absent</td>
</tr>
<tr>
<td>8. Digital sexual content created or altered by defendant</td>
<td>Absent</td>
</tr>
<tr>
<td>9. Erotic literature written by defendant</td>
<td>Absent</td>
</tr>
<tr>
<td>10. Trophy materials of the computer</td>
<td>Absent</td>
</tr>
<tr>
<td>11. Use group or P2P was used to obtain digital sexual content</td>
<td>Present</td>
</tr>
<tr>
<td>12. Red Flag themes in any significant numbers (Bestiality,</td>
<td>Present</td>
</tr>
<tr>
<td>Exhibitionism, Voyeurism, Non-Consensual, Minors/Children)</td>
<td></td>
</tr>
<tr>
<td>13. Solicitation or grooming of minors using digital approaches</td>
<td>Absent</td>
</tr>
<tr>
<td>14. Use of IRC/IM, SMS/MMS, Virtual Web, TOR</td>
<td>Absent</td>
</tr>
</tbody>
</table>

Mr... has 35.7% of the digital investment factors present in his computer use. We found Mr... did not catalogue materials, did not save 20% of materials. We found no evidence of membership in adult sites, no nude pictures of himself, no sexual content created or altered by him, no erotic literature written by him, and no trophy materials present on his computer. Mr... did use P2P to obtain sexual content. Mr... did have exploitative images and admitted to masturbating to these images.
Case A

A. There were no CP materials on the computers used to download CP, all the CP files had been deleted. His “collection” was small. There were a limited number of CP videos on the thumb drive as well as CP images and images of clothed children in inappropriate poses. This is unusual for individuals who have been using CP for more than a decade. Generally, individuals with such an extensive history have substantial and highly organized collections of CP. Mr. [redacted] had no apparent organization to his storage of CP and it was not catalogued.

In comparison to other sex offenders in possession of CP, Mr. [redacted] presents more as an individual addicted to masturbation to porn than an individual interested in having a “hands on” event with a child. This is diminished, however, by the fact that frequent masturbation to CP images reifies deviant ideation. Actuarial assessment combined with Abel Screening will be a better assessment of his sexual interest toward children.
Case A

• While interviewing Mr. X, he admitted to Dr. Brake that he had been viewing internet pornography for about 10 years. “He said that he began watching adult pornography and videos such as Girls Gone Wild but one day he typed “girls” and saw child material. He said that these videos depicted female children touching each other and adults having sexual contact with female children.”
• “Mr. X said that he felt curious about the material and began to view it more and more frequently. He said that he might view the material on a daily basis for a few days (for about 15 minutes each viewing session) and then feel guilty, erase what he had downloaded, and vow not to watch it again.”
• “He said he found that adult regular pornography began to seem “more fake” to him and that the child material was more exciting. He acknowledged that he was sexually aroused by the videos and that he masturbated while watching them but he also said that he believes that he isn’t sexually interested in females younger than about 16.”
Case A

• “When asked to talk further about why he began to view child material more frequently, he said that adult pornography didn’t seem ‘real’ to him after a time and so he began to view adult material that appeared to employ hidden cameras or purportedly ‘real’ encounters between, for example, a boss and his secretary. He said the child material was similarly exciting because it was ‘taboo’ and ‘less fake’.”

• When asked if he did anything wrong, Mr. X said yes. “He went on to say that the children portrayed in the videos didn’t really understand what was happening and weren’t able to make mature decisions about what they were doing. He said that the experience was probably traumatizing to them and may have been physically damaging to them as well.” “He said he felt guilty watching the material, as noted, but still returned to viewing it until he was caught.” “He said he justified viewing the material by saying that he didn’t make the videos and was just viewing what was already out there, but he said that he knows that the acts portrayed were wrong and harmful and so it was wrong for him to watch.”
Case A

- Under the section entitled “Psychiatric History,” Mr. X said that “he had been feeling depressed for a few months prior to his arrest and attended mental health counseling with a therapist. He said that he believes his depression was centered around guilt about his pornography use and family difficulties.”
- MMPI-2: Mr. X’s “test results were similar to those of adult men who are feeling depressed, angry, and frustrated about not being able to control their impulses. ... They tend to be passive or dependent persons who find it difficult to assert themselves.”
- AASI-3: “The objective measure suggests that Mr. X does not have a high degree of sexual interest in female children (pre-pubescent) or males of any age. The measure also suggests that he has no interests in sadism or sexual violence.”
- PCL-R: “Results indicate the presence of few psychopathic or antisocial personality traits. Mr. X score was in the 4th percentile of male forensic clients.”
- Under the section entitled “Risk Factors for Contact Offenders,” Mr. X had “a relatively small number of factors and none of those regarded as particularly important are present. This suggests that it is reasonable to assume that his risk for sex offending is probably in the low range (although, again, a specific risk level with recidivism probability percentages cannot be assigned).
Case A

• When assessing the “Factors Suggesting of Progression Toward Contact,” Mr. X’s behaviors were assessed in the “lower range of behaviors on the list suggesting a lower tendency to move from fantasy to contact. He also presents with relatively few total factors. On the whole, his inclination towards moving from fantasy to contact can probably be regarded as low.”

• “While Mr. X’s use of pornography involved masturbating to images of children as well as adults, he maintains he is not sexually interested in children and this was confirmed by an objective measure. Mr. X’s masturbation to child pornography is seen more of a reflection of sexual compulsivity than of sexual interests in children and so a diagnosis of Pedophilia was considered and ruled-out.”

• “I believe that his use of child pornography is more indicative compulsive or ‘addictive’ behavior than it is of any attraction to children. I believe that his use of child material grew as he became habituated to adult material and sought more sensational or novel images.”

• “I believe that Mr. X is highly amenable to treatment. He acknowledges wrongdoing, verbalizes remorse with sincerity, and expresses a desire to participate in treatment. It should be noted that he had already begun to seek counselling for symptoms of depression prior to his arrest. He is capable of addressing his issues in treatment. He has no antisocial personality characteristics or abuse problems that would impede therapy.”
Case B

- 56 year old Caucasian Male.
- Colorado police were contacted by a Spytek company out of Austin, TX that had received a key fob video camera device in for repair by the owner. The Spytek employees noted that on the memory card in the “keychain” there were “pictures of a little kid’s crotch” and other pictures that “just weren’t right.” They also believed there was video content that appeared to be the videographer “watching and following little kids in what appeared to be a Walmart” and him/her trying to record images of their intimate body parts, including breasts, buttocks, and up the children’s skirts/shorts.
- Local police obtained a search warrant for the keychain owner’s home, and a triage team executed the warrant on Mr. X’s home. When they went to execute the warrant, Mr. X was downloading child porn. Mr. X’s digital devices were all seized and analyzed. On scene, Mr. X admitted to taking the videos on the keychain, but gave minimized or alternative explanations for why he took the videos. Mr. X initially denied possessing child porn, but as the search continued in the home and detectives discovered “numerous files of obvious child pornography,” the Defendant then stated “he was hoping they wouldn’t find anything.” He denied using file sharing programs to receive the CP, but admitted being a member of a paid website ($50/month) to access a site where he downloaded his CP.
Case B

Mr. [REDACTED] was caught when he returned a “keychain” video recorder to the manufacturer (www.stuntcams.com) for repair. The technicians found video on the camera which included young girls and apparent attempts to record video up their skirts.

4. On 12/2/12, Mr. [REDACTED] had, or was in the process of purchasing a ‘Cadence model life-sized doll’ from www.boytoydolls.com. He made specific requests for the doll (e.g. “puffy nipples”, skin color, eye makeup, etc.). Further he was concerned about its actual size compared to a real person. He was unspecific as to whether he wanted it smaller or larger than a real person. Artifacts indicate he was also looking at “sex dolls” from China.
7. Mr. [redacted] had a folder named “Fav Vids”. This folder contained 67 video files. Approximately 95% of these videos appeared to meet the criteria to qualify for exploitation of children. A listing of the videos contained in this folder is attached to this report.

8. Mr. [redacted] is a collector. The drive was highly organized and catalogued. Snapshots of two portions of his drive are shown.

9. Based on the totality of images and videos found on Mr. [redacted]’s drive, it appears he has a significant preference for girls aged 7-11. He does collect images and videos of teens and adult women, but the majority of his collection focuses on younger girls.
Case B

ASSESSMENT OF DIGITAL BEHAVIOR

1. Mr. [redacted] is a long time user of digital sexual content. He is a collector who organizes his collection.

2. While he maintains adult relationships and collects some adult pornography, artifacts on his drive indicate a sexual preference for girls aged 7-11.

3. Mr. [redacted] is very visually oriented. He exchanged video messages with the adult women in his life, and appears drawn to visual stimulation.

4. Mr. [redacted] has a rather large collection of pornography, both images and videos. More than 3/4 of his videos depict child pornography and about 1/4 of his images contain child pornography.
Based on an examination of Mr. [redacted]’s digital behavior, we find the following:

<table>
<thead>
<tr>
<th>FACTOR</th>
<th>FINDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. More than 10 hours a week of digital sexual behavior</td>
<td>Present</td>
</tr>
<tr>
<td>2. High ratio of sexual content to non-sexual content</td>
<td>Present</td>
</tr>
<tr>
<td>3. Saved versus cached material</td>
<td>Present</td>
</tr>
<tr>
<td>4. Cataloguing</td>
<td>Present</td>
</tr>
<tr>
<td>5. Drilling down into content</td>
<td>Present</td>
</tr>
<tr>
<td>6. Membership in adult sites</td>
<td>Present</td>
</tr>
<tr>
<td>7. Nude pictures of self</td>
<td>Absent</td>
</tr>
<tr>
<td>8. Nude pictures taken by, created by, or altered by offender.</td>
<td>Present</td>
</tr>
<tr>
<td>9. Erotic literature written by offender</td>
<td>Absent</td>
</tr>
<tr>
<td>10. Trophy materials</td>
<td>Possibly (covert video)</td>
</tr>
<tr>
<td>11. Usegroup or P2P activity</td>
<td>Present</td>
</tr>
<tr>
<td>12. Red Flag themes</td>
<td>Present</td>
</tr>
<tr>
<td>13. Internet grooming of minors</td>
<td>Absent</td>
</tr>
<tr>
<td>14. Use of IRC/IM, SMS/MMS, Virtual web, TOR</td>
<td>Absent</td>
</tr>
</tbody>
</table>

Mr. [redacted] has 64% of the digital investment factors present in his computer use. If we consider the covert videos as “trophy material”, he has 71% of the investment factors present.
Risk Assessment of Digital Behavior

Based solely on his digital behavior and comparing his digital behavior to more than 1,500 sex offenders’ computers I have examined, I would assess Mr. [REDACTED] risk as follows:

Risk to community: **High** – he is a significant consumer of child pornography and has demonstrated multiple attempts to make inappropriate videos of young girls.

Risk to family: **High** – He is indiscriminate in who he videos and access to any children or adolescent females, especially from a position of trust, poses risk. He has taken covert (non-child exploitative) video of at least one girl who was obviously either family or friends of the family.
Case B

- Observations of Mr. X included “He was soft-spoken and neither glib nor flamboyantly grandiose but he appeared somewhat self-centered.”

- During interviews for this evaluation, Mr. X said he got the keychain camera for taking videos up the skirts of girls, just as he had done, but he said that he had rationalized that he had the camera by saying he used it to covertly take pictures of celebrities in his job as a private pilot.

- He admitted taking the videos, and later watching them were sexually arousing, but he said that he doesn’t believe he masturbated while watching these particular videos.

- When asked how long he had been collecting pornography, Mr. X said “for as long as I can remember. He said that he first saw pornography in magazines when he was in the 6th grade and he said that over time he began to go to adult book stores to watch videos. He said that he began looking at pornography on the internet when he was in his late teens. He said that what he searched for when viewing pornography changed over the years. He said that when he became sated with one type of video he would look for something else. He said that he started viewing ‘child model sites’ about six or eight years ago.”
Case B

• “Mr. X said that he is sexually attracted to children but he denied that he ever had any kind of sexual contact with a minor since being an adult.”
• “When asked whether he believes he did anything wrong, Mr. X said ‘yes’ and went on to say that it was wrong to take videos looking up the skirts of girls. He said that such behavior ‘crossed the line’ both morally and legally although he also said that the laws regarding possession of material ‘are kind of stiff’ even if ‘you don’t hurt anyone’.”
• Criminal History: Mr. X had a prior shoplifting incident when he was 12 years old but no charges were filed. He said he crawled into the ceiling of a recreation center when he was 16 to look into the women’s dressing area- the police were contacted but he doesn’t recall if charges were filed against him. Records also indicate that Mr. X was charged with Public Indecency in 1980. When asked about this charge, “Mr. X said that it must be related to the incident in which he attempted to voyeur in the recreation center (although Mr. X would have been in his mid-20s, not 16, in 1980).
Case B

- Mr. X admitted to being sexually interested in females of all ages including female children.
- ASSI-3: “Accordingly to objective measure, it should be strongly suspected that Mr. X has a high degree of sexual interest in pre-pubescent females, adolescent females, and adult females.”
- PCL-R: “Results indicate the presence of relatively few psychopathic or antisocial personality traits. Mr. X’s score was in the 8th percentile of male forensic clients.”
- Diagnostic Formulation: Axis I: Pedophilia, non-exclusive, opposite sex (fantasies only, no contact behavior)
- Dr. Brake lays out and adopts Dr. Tanner’s assessment for and ultimate conclusion that Mr. X is at high risk for continued illicit internet use. However, when assessing the risk factors for “contact offenders,” Mr. X has only the “presence of two factors and the absence of any ‘particularly important’ factor related to contact offending suggests that it is reasonable to assume that his risk for contact sex offending is probably in the low range (although, again, a specific risk level with recidivism probability percentages cannot be assigned).
Case B

- Furthermore, however, in assessing Mr. X’s factors suggesting “progression towards contact offending,” Mr. X is deemed to be “on the whole, his inclination towards moving from fantasy to contact can probably be regarded as moderate.” Therefore, it is concluded that “Mr. X’s current risk for contact sex offending appears to be in the low range but his behaviors are progressing and he is currently displaying a moderate inclination to move from fantasy to contact.”

- “Mr. X said that he became interested in child pornography six to eight years ago and has since sought and obtained thousands of videos of child related material; he estimates that about 50% of the pornography collected featured children although he also said that only 15% or so depicted sex acts among children and adults. A forensic examination of his digital devices, however, suggests that the percentage of child pornography on his devices is much higher. “

- “It is of serious concern that he has progressed from simply viewing material to making covert ‘upskirting’ videos of children particularly since he was in very close proximity to at least some of the children he recorded. It is also of concern that his sexual obsessions are now so strong that he hasn’t ceased viewing pornography since his arrest (although, as noted, he said that he has avoided child pornography since his arrest). All of this suggests that his inappropriate sexual behavior is escalating and that his risk for contact behaviors is increasing.”
THANK YOU to every one of you....
This is tough work....
But you are making a difference!

“Child abuse casts a shadow the length of a lifetime.”
—Herbert Ward
Thank You!

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*Special Thanks and immense credit goes to Dr. Jim Tanner