

PROJECT SAFE CHILDHOOD IN MARYLAND
A COMPREHENSIVE STRATEGY
TO PROTECT THE CHILDREN OF MARYLAND
FROM ON-LINE SEXUAL EXPLOITATION AND ABUSE

I. Overview

Project Safe Childhood in Maryland is a unified and comprehensive strategy to combat on-line child exploitation and abuse that combines law enforcement efforts, community action and public awareness. There are five essential components to **Project Safe Childhood in Maryland**: building partnerships, law enforcement coordination, training, public awareness and accountability. The success of this strategy depends on a team effort among our local, state, and federal law enforcement agencies, and on the awareness, dedication and determination of concerned citizens, community activists, parents, educators, and civic organizations.

Evidence suggests that internet solicitation and exploitation of children is a growing problem nationwide. Interactive websites give potential predators a way to gain access to minors in their own homes. Many young internet users report having publicized their e-mail addresses, and many children receive unwanted sexual solicitations. Most teenagers admit that they engage in conduct on-line that they do not want their parents to know about, including corresponding with strangers, and some even send digital photographs of themselves to strangers. These conditions make it possible for sexual predators to exploit the innocence and trust of their young victims in violation of the safety of their own homes.

Project Safe Childhood in Maryland is a program developed by the United States Attorney's Office for the District of Maryland (USAO) to join forces with federal, state and local law enforcement, and with private and non-profit entities dedicated to protecting children against sexual abuse. It includes State's Attorneys' Offices, the Maryland State Police (MSP), local sheriffs offices and police departments, the Federal Bureau of Investigation (FBI), the United States Postal Inspection Service, United States Immigration and Customs Enforcement of the Department of Homeland Security (Customs), the United States Secret Service and the Internal Revenue Service's Criminal Investigation Division. The success of the program will depend on continued cooperation and coordination among this team of local, state, and federal agencies, as well as the investment of community, faith-based, public and private child-protection entities, and the deployment of the most effective prosecutorial tools available.

II. Partnerships

In the District of Maryland, there are already strong and effective partnerships between and among state, local and federal law enforcement, all focused on the prosecution and eradication of child exploitation. State and local law enforcement work closely with federal authorities to pool

intelligence and resources, and to ensure that offenders are prosecuted where they will receive appropriate sentences for their conduct.

The District of Maryland has traditionally been in the forefront of the federal effort to stamp out child exploitation, particularly through the FBI's Innocent Images program, located in Baltimore. This program has been highly effective in arresting and convicting "travelers," predators who seek to entice and compromise young internet users. The District of Maryland has also benefitted from the presence nearby of the Child Exploitation and Obscenity Section (CEOS) of the United States Department of Justice, which has supplied resources and expertise, including a full-time Special AUSA from CEOS.

The Maryland Internet Crimes Against Children (ICAC) Task Force, headed by the MSP, includes, *inter alia*, the Allegany County Sheriff's Office, the Baltimore City Police Department, the Carroll County Sheriff's Office, the Cecil County Sheriff's Office, the Cumberland Police Department, the Frederick County Sheriff's Office, the Frostburg Police Department, the Howard County Police Department, the Harford County Sheriff's Office and the Montgomery County Police.

Project Safe Childhood in Maryland seeks to expand participation in the ICAC Task Force to include representation from all Maryland counties. In addition, **Project Safe Childhood in Maryland** seeks to call upon the expertise of state prosecutorial partners such as the Child Advocacy Center of the Harford County State's Attorney's Office and the Baltimore Child Abuse Center.

Drawing on the principles of the successful Project Safe Neighborhoods and Project Sentry programs, **Project Safe Childhood in Maryland** involves building and maintaining strong partnerships among federal, state and local law enforcement, as well as with schools, non-profit and private entities. This effort will require effective and regular training, community outreach, and accountability. The partners will pursue traditional law enforcement strategies along with creative, innovative approaches that are tailored to the challenges of reducing child pornography and on-line exploitation.

Parents and schools are essential partners in the effort to protect children from on-line exploitation. **Project Safe Childhood in Maryland** seeks to develop programs and resources for parent-teacher associations, family advocacy groups, school resource officers, school librarians and teachers to educate them in the use of tools that minimize the ability of abusers to intrude into children's lives through their computers.

Finally, **Project Safe Childhood in Maryland** seeks the participation of internet service providers, local businesses and media to educate the community about the dangers of on-line exploitation and the steps that parents and educators can take to reduce that threat.

Building on the success of Innocent Images, the USAO for the District of Maryland has already developed highly innovative and effective strategies for identifying and prosecuting child

abusers. For example, by examining on-line images of child abuse, prosecutors and investigators in the District of Maryland have been able to isolate the faces of the abusers, and by partnering with America's Most Wanted to disseminate photographs of those faces, to indict "John Does," and identify the persons who victimized the children. One such "John Doe" prosecution led eventually to the recent successful prosecution of a serial molester who had four convictions but who had never received a lengthy sentence for his conduct. He is now serving life. **Project Safe Childhood in Maryland** will continue to partner with America's Most Wanted and similar news media outlets to identify child predators and rescue victims. **Project Safe Childhood in Maryland** seeks to empower partners to place public service announcements (PSAs) and to inform the media and the public about prosecutions and sentences, both local and federal.

III. Law Enforcement Strategy

The **Project Safe Childhood in Maryland** law enforcement strategy will continue to focus integrated law enforcement resources on the worst offenders to ensure that they are detained before trial and that they get appropriate sentences and stringent post-sentence supervision. Recognizing that every transmission of a pornographic image of a child is a repeated harm, law enforcement will also use all tools available to identify and dismantle the informal networks through which predators trade and transmit child pornography.

A. History of USAO Successes in Attacking On-line Child Exploitation

As stated above, the USAO for the District of Maryland has a history of innovative and aggressive investigation and prosecution of crimes against children, including many recent cases. In the case of Thomas Moser, the defendant contacted an undercover United States Postal Inspector in an internet chatroom which contained the word "incest" in its title. Moser made arrangements to travel from Pennsylvania to Maryland in order to have sex with what he believed were two girls aged 12 and 14, and to bring photographic equipment to film the encounter. When Moser showed up in Frederick, Maryland, he was arrested by federal and Frederick County authorities. On March 31, 2006, Moser became the first person to be sentenced under the enhanced penalty provisions of Section 2251A of the Protect Act. He was sentenced to a term of 30 years, to be followed by supervised release for life.

This USAO was the first to obtain an unconditional guilty plea to 18 U.S.C. § 2423(c), the extraterritorial sex-tourism provision, in the case of Richard Schmidt, age 62, who had travelled to Cambodia and Viet Nam to engage in sexual activity with adolescent (and younger) boys. This case resulted in Mr. Schmidt being sent to federal prison until he is nearly 80, and remaining under supervision for the remainder of his life, without the necessity of bringing the children and their families to Maryland to testify.

Outreach and close collaboration with local authorities led to a 19-year federal sentence for a 42-year-old St. Mary's County man. When the St. Mary's County Bureau of Investigation searched

the defendant's home, they found over 600 pornographic images of a female child between the ages of 12 and 15. Realizing that federal penalties were available for the production of child pornography, the investigators contacted the USAO and the FBI, resulting in the successful federal prosecution.

In a recent example of outstanding coordination among concerned citizens, local and federal law enforcement, 45-year-old Brian Dotson pled guilty and was sentenced in July 2006 to 35 years' incarceration and supervised release for the rest of his life for abusing a five-year-old and making video recordings of the acts. The defendant's crimes were discovered when he pawned his laptop and webcam. The pawnshop owner turned the laptop over to the Harford County Sheriff's Office, and Dotson was arrested and charged with state sex offenses. Caught in a coordinated enforcement action, Dotson pled to a 35-year term for the state offenses, to run concurrent to a 30-year term for the federal offenses of exploiting a minor to produce pornography. The state and federal authorities coordinated their efforts so that the child would not have to testify.

These cases illustrate how a collaborative and creative approach to securing the most appropriate sentences against sexual predators has borne fruit. **Project Safe Childhood in Maryland** is committed to building on our successful partnerships to incarcerate and deter anyone who tries to endanger our children.

B. Law Enforcement Partnerships

Our goal in heading a PSC partnership is to increase the sharing of leads among law enforcement agencies, to insure that cases will be brought in the venue where the most appropriate sentence will be imposed and to minimize, to the extent possible, having children testify. Federal and state resources can be leveraged - as shown by the *Dotson* case above - to accomplish these goals.

In addition to sharing leads and leveraging the threat of federal sentences as mentioned above, the USAO is establishing protocols to deconflict among agencies while ensuring that national and regional takedown initiatives are coordinated. The Major Crimes Section of the USAO's Criminal Division has primary responsibility for crimes against children.

All leads originating from non-law enforcement sources (such as the National Center for Missing and Exploited Children) are handled by the PSC coordinator, who determines which investigative agency is best suited to follow up the lead. The PSC coordinator also is responsible for coordination with local law enforcement in situations where a joint local/federal operation is warranted.

One of the perennial challenges to law enforcement in addressing the problem of on-line child exploitation is the tremendous amount of time it takes to complete a forensic examination of a hard drive. The USAO has secured the agreement of the United States Secret Service and the MSP to supplement the resources of the FBI and ICE where necessary in order to reduce the length of time it takes to complete a forensic examination. Additionally, the First Assistant United States Attorney

personally monitors online exploitation cases to hasten the forensic examination process. The partners thus coordinate to ensure that all resources are being appropriately used and that in any given case, there is no undue delay in examining computer evidence.

C. Using All Appropriate Tools

In addition to bringing the criminal process to bear, the USAO is committed to pursuing forfeitures wherever possible and appropriate. It is the policy of the USAO to include forfeiture allegations in all child exploitation indictments and plea agreements.

IV. Training

This USAO is committed to offering law enforcement training at ICAC meetings, and to sponsoring in-house training on the investigation and prosecution of child exploitation cases. We plan to present approximately three regional training sessions for investigators in 2007. We hope to be able, through training, to expand the capacity of local law enforcement to perform forensic examinations of computers and thereby to reduce further the delay between seizing the computer and prosecuting the offender. To the extent that there is training at the NAC for which our partners are eligible, we will pass that information along and encourage them to attend.

V. Outreach and Public Awareness

There are three audiences for the USAO's message on child exploitation: potential offenders, people responsible for the protection of children, and children themselves. This USAO already publicizes its successes in the media. Hopefully, the lengthy sentences imposed in child exploitation cases will have a significant deterrent effect on people who might consider compromising a child.

As for people responsible for protecting children, parents and teachers primarily, our primary partner for outreach will be the state Parent Teacher Association (PTA). Our LECC coordinator, Steven Hess, has decades of experience as a police officer, and excellent contacts at every level of the state. He has been in contact with the state PTA president who is eager to work with the USAO to develop and present regional outreach programs for parents and teachers.

Our partners agree that our ultimate goal should be to reach the children, not just their parents and teachers. Parents and teachers have only limited control over their children's on-line activities, and it is the children who need to be made aware of the dangers that threaten them. In order to reach kids, however, to develop Public Service Announcements and the like, we need the help of professionals: advertisers and marketers. It is hoped that Project Safe Childhood will develop ways to fund this kind of professional assistance.

VI. Ensuring Accountability

We will create a database, to be maintained by the lead secretary for the Major Crimes group, which will track the status of federal PSC cases, including the following information:

- i. how many were charged in federal court;
- ii. the specific charges;
- iii. whether the defendant was detained pretrial;
- iv. the dispositions of the cases; and
- v. the sentences received, including special conditions

We are committed to publishing our statistics and letting the public know how we are doing in the fight against child exploitation. We also plan to recognize outstanding performance by our AUSAs and our partners in this program.

EFFECTIVE DATE: October 4, 2006