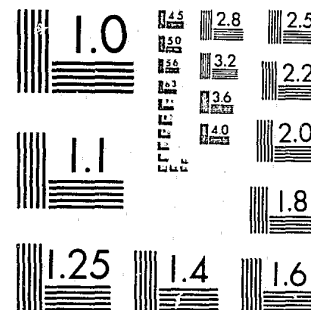


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**FBI** LAW  
ENFORCEMENT  
BULLETIN

JANUARY 1984

**Pedophilia** /pēd-ə-fil-ē-ə/ *n* :  
sexual perversion in which  
children are the preferred  
sexual object

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93133



U.S. Department of Justice  
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# FBI LAW ENFORCEMENT BULLETIN

JANUARY 1984, VOLUME 53, NUMBER 1

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ACQUISITIONS

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FBI

Pedophilia /pə-də-fil-ē-ə/ n:  
sexual perversion in which  
children are the preferred  
sexual object



This special issue  
centers on the  
theme of child  
sexual exploitation—  
a crime which  
remains a potential  
threat to every child  
in America.

Federal Bureau of Investigation  
United States Department of Justice  
Washington, D.C. 20535

William H. Webster, Director

The Attorney General has determined that the publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through June 6, 1988.

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## Director's Message

Last Spring, in a conference with religious and political leaders concerned over law enforcement's efforts against pornography, the President of the United States told the group that having "identified the worst hazardous-waste sites in America—we have to do the same with the worst sources of pornography." As hazardous wastes destroy this Nation's environment, pornography permeates the backbone of American society and destroys one of our most valuable resources—our children.

Public concern over this perverted assault on children was directly expressed in 1978 when Congress passed the Protection of Children Against Sexual Exploitation Act. The FBI investigates criminal conduct defined by the Act and gives high priority to those pornography cases involving children. One of the problems encountered in the investigation of this type of pornography is that much of the material is produced by a clandestine subculture with perverted sexual interests focusing on children. Because the pornographic material produced by this subculture is for members self-gratification rather than for commercial profit, these investigations are complicated.

The FBI has achieved notable success in combating the child exploitation problem that affects our Nation. Undercover operations conducted in major U.S. cities have resulted in a number of arrests, indictments, and convictions. Laboratory examination of pornographic materials often provides valuable information which can identify sources and locations of manufacture and distribution. Also, steps are being taken to expand our investigative techniques regarding these investigations to include storing data on violators in the Organized Crime Information System. However, the key element to a more effective enforcement program is cooperation.

The exploitation of children transcends jurisdictional boundaries. And because of the nature and national scope of this crime, many of the thousands of children who disappear without a trace each year fall victim to sexual exploitation, no single law enforcement agency can cope with the inherent investigative problems. Our efforts need to be coordinated—not fragmented. Information must be shared—not withheld.

The FBI has already established one joint task force specializing in child sex exploitation cases. Operating out of the New York City Office, the task force is composed of FBI Agents, U.S. Customs Service officers, investigators from the U.S. Postal Service, and officers from the New York City, Nassau, and Suffolk County Police Departments.

As another means to assist those in law enforcement who investigate child sex offenders, a network of Federal, State, and local officers has been formed through the efforts of members of the Behavioral Science Unit at the FBI Academy, Quantico, Va. Twenty-five officers from various agencies throughout the United States took part in a 5-day seminar, during which attendees presented and participated in a discussion of various topics concerning the sexual exploitation of children. A major goal of this seminar was to foster personal contact among officers who work in this sensitive and difficult-to-penetrate area. Opening lines of communication between agencies eliminates one of the stumbling blocks to effective investigation and prosecution.

The dangers of sexual exploitation and pornography to its victims are only too evident—physical and emotional suffering and ruined lives. As a civilized society, we cannot afford to let our children pay the price for our inaction. Every child in America is a potential victim of sexual abuse and exploitation. For this reason, all of us in law enforcement must join together in the protection of our Nation's most valuable resource—our children.

*William H. Webster*

William H. Webster  
Director  
January 1, 1984



## Investigating Child Sexual Exploitation: Law Enforcement's Role

The sexual exploitation of children in America poses unique and special investigative problems for law enforcement. The crime has been misunderstood for many years, and as a result, has not been adequately addressed. As law enforcement did with the issue of rape in the early 1970's, it must now recognize the fact that sexual exploitation of children must be addressed in a different manner.

By  
SETH L. GOLDSTEIN  
*Inspector  
Office of the District Attorney  
County of Santa Clara  
San Jose, Calif.*

Since child exploitation is multijurisdictional in nature and crosses lines of investigative responsibility, unique specialized units and investigative training are necessary to address the problem. The underground subculture of persons who sexually exploit children through child pornography, prostitution, and molestation also requires a similar response on the part of law enforcement.

## "The basis of sexual exploitation of children in America is pedophilia—the sexual attraction to children."

### The Problem

The basis of sexual exploitation of children in America is pedophilia—the sexual attraction to children. There are many people with this desire, and several groups have been formed which profess sex with children. They have written and produced manuals and writings supporting their perspective. They have also lobbied legislative bodies and pressed for elimination of age-of-consent laws. One such group produced a pamphlet entitled *Paedophilia*, which explains the sexual attraction to children:

"... [pedophiles] can be of either sex or any [sexual] orientation [i.e.: homosexual, heterosexual or bisexual] ... [some pedophiles] believing that their sexuality is natural, harmless, and an integral part of their personality, would not wish to be changed [of their sexual orientation] even if this were possible—which it is not ... paedophiles haven't chosen their sexual feelings. They just find themselves attracted to children." 1

What the quote implies is that pedophilia may be a way of life—a lifestyle instead of an illness.<sup>2</sup> The sexual attraction and feelings may be as strongly and as deeply rooted as those of heterosexuality, homosexuality, or bisexuality. To try to change or alter a pedophile's sexual persuasion may be impossible. For this reason, law enforcement's direction in dealing with pedophilia should reflect the recognition that it may be a way of life and is a major subculture to be reckoned with.

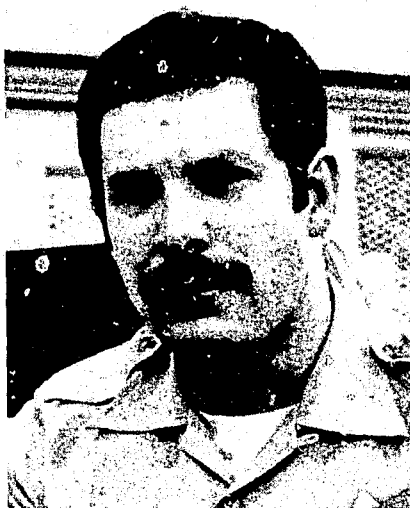
The definition of sexual exploitation of children is best understood when the crime problems related to pedophilia are discussed. In 1978, the Texas State Legislature examined the problem of sexual exploitation of children, defining it as a problem which placed children in positions where they were taken advantage of sexually because of their inability to cognitively assess or resist the contact or who were placed into positions where they became dependent upon the offender.<sup>3</sup> Those contacts, and the basis for sexual exploitation of children, can be broken down into three distinctive, yet directly related, crime categories: Pedophilia (sexual molestation), child prostitution, and child pornography. In the vast majority of cases, it is the pedophile who seeks out and produces child pornography, often using children as young as a few months old, and who seeks sexual encounters with those same children.

The distinction between molestation and prostitution is often not easily made, especially when one considers how formal some of the "sex rings" have become.<sup>4</sup> Ordinarily, prostitution is considered the act of sex for money; however, when the dynamics of child molestation are examined, this definition, by necessity, may have to include the act of sex for satisfaction of other needs. Most children involved are trapped by the need to survive, having been cast into their situations by abuse, neglect, abandonment, or poverty. Few, if any, enjoy what they do, and strangely enough, most find a means of financial and emotional support in prostitution and pornography. They perceive a distorted feeling of being wanted and a

sense of importance which is, in the absence of true and sincere emotion, a temporary degree of satisfaction. Regardless of the many explanations for a child's involvement, the true and ever-present underlying factor is addressing the child's need for love, friendship, interest, and survival.<sup>5</sup> Study after study has found that the prostitute and porn model do what they do as a means of dealing with an impossible situation.<sup>6</sup>

Like the child prostitute, the child molest victim is similarly looking to address unsatisfied needs. Children still in the home who are seeking the satisfaction of these same needs may become entangled in sexual activities with adults, seduced by video games, candy, or a trip to a fast food restaurant. One molester had actually visited the homes of the children he was molesting and had convinced the parents that he was genuinely interested in the children and was doing good things for them.<sup>7</sup>

The truth is that most pedophiles operate within their own neighborhoods; they don't go out seeking the services of child prostitutes.<sup>8</sup> Some subscribe to the underground publications and correspondence which supply them with a ready number of child victims. One article appearing in an underground sex publication explained how a child molester could acquire access to children by volunteering to become involved in programs dealing with children, noting that access is not only easy to obtain but such participation by adults is encouraged. In 1977, an official of Boy



Mr. Goldstein

Scouts of America (BSA) was charged with various pornography and delinquency violations. He had been recruiting children from his job at a local YMCA. Found in his apartment were 5,000 pictures and slides of children as young as 2 years old. Investigators reported that he had worked for the BSA for 5 years.<sup>9</sup>

Just as molestation and prostitution are distinctly related, so are pornography and molestation. The three form a triad of law enforcement problems which, traditionally, had been considered unrelated. The lynch pin of this triad is the pedophile. Pornography and prostitution are only "side-lines" to the sexual desires of the pedophile and all else becomes "ancillary to the act of child molestation."<sup>10</sup> In one study, without exception, producers of child pornography were found to be child molesters and that child pornography was either an "adjunct or tool to the crime" of molesting children.<sup>11</sup>

It is clear from the discussions in literature that the problem of child pornography is a byproduct of child molestation and that the relationship child pornography has to child molestation is a greater threat to children than had been previously considered.<sup>12</sup> A case which may illustrate this is a clergyman who ran a farm for wayward boys. He had the boys engage in sexual orgies with sponsors and clients of the farm which were filmed and sold as a remembrance or memento of the acts which transpired.<sup>13</sup> This is a good example of how the illicit desires of the pedophile

have created networks of pedophiles who seek out children for sexual purposes. These networks often have national and international connections, making this a "conspiracy" of crime which has, to date, not yet been adequately addressed by the law enforcement community.<sup>14</sup>

To better understand this conspiracy, it is necessary to take a different look at the problem than has been done in the past. Like rape and the issues of sexual assault, new directions must be taken to comprehend and successfully address the crime problem of sexual exploitation of children. In seeking those new directions, it is important to recognize that many misconceptions have distorted what we have believed to be the truth about the problem. The result has been that these fallacies have misguided law enforcement's posture in trying to resolve this problem. (See fig. 1.)

#### Magnitude and Scope

The true magnitude of the sexual exploitation of children in America has yet to be determined. One reason is that child molestation may be the "perfect crime" because of the manner in which it is committed and the fact that few victims report it.<sup>15</sup> Finding definitive statistics is a difficult, if not an impossible, task due to nonuniform reporting of crimes and integrating child molestation cases into the broader category of sex crimes/assault by the agencies reporting to the FBI and State governments.

Studies of the number of victims and people involved in the sexual exploitation of children in America provide confusing and misleading information. One study suggests that 25

**"... the problem of child pornography is a byproduct of child molestation and that the relationship child pornography has to child molestation is a greater threat to children. ..."**

Figure 1

#### The Offense

FALLACY: Child molestation is committed by sex-starved maniacs.

TRUTH: Child molestation is like rape and not an offense committed for sexual gratification, but rather committed as a result of other psychological factors.

FALLACY: This crime happens only in "open cities."

TRUTH: This crime is widespread and occurs in every community in the country, and perhaps, the world.

FALLACY: This crime problem only perils children when they are playing on playgrounds and alleys.

TRUTH: Child molestation is not committed solely on the street, in the playgrounds, or near schools. It is committed in areas once considered safe and impervious to threats of such things—our home, schools, juvenile programs, and day care centers.

FALLACY: Child molesters and child pornographers work alone and only molest one child at a time.

TRUTH: Single incidents are not isolated and often involve or are connected to a number of other offenders and victims.

#### The Offender

FALLACY: It is easy to recognize a child molester because he is the "typical dirty old man who always wears a raincoat."

TRUTH: He is not easily recognizable.

FALLACY: Only "criminal types" and people of lower social status commit these crimes.

TRUTH: The offender may be a well-respected, prominent member of the community. He comes from all walks of life and may be from any

aspect of the social spectrum. Child molestation knows no cultural or economic boundaries.

FALLACY: Children should be warned only to stay away from strangers.

TRUTH: In the majority of cases, the offender is not a stranger, but rather, someone not only known to the victim but the family as well.

FALLACY: Homosexuals molest children.

TRUTH: The offender is not a homosexual. Pedophilia, per se, must be viewed as a completely separate issue from one's gender and sexual preference.

FALLACY: Only men molest children.

TRUTH: The offender can be a woman.

FALLACY: It doesn't matter which child a molester goes after, (s)he is attracted to any and all children.

TRUTH: Pedophiles have identifiable sex and age preferences.

#### The Victim

FALLACY: We should only warn girls about being molested.

TRUTH: Girls are not the only target of the pedophile. There may be an equal number of boys victimized.

FALLACY: Only lower-class children are photographed or molested.

TRUTH: Victims are representative of every social and economic status.

FALLACY: The only way a child could be molested or involved in pornography is to be forced against his/her will.

TRUTH: Children are not forced, compelled, or enticed into acts with threats of harm. They are, in many cases, willing, noncomplaining victims. Some children have actually described the people who molest them as their "best friends."

percent of the women in this country will have been molested before they reach age 13. This translates to 25 million women.<sup>16</sup> Another study suggests that 19.2 percent of all girls and 8.6 percent of boys are victimized as children. This calculates to 28 million boys and girls molested in this country.<sup>17</sup> DeFrancis first estimated that the problem of sexual abuse of children in America was of "enormous incidence," however, conceded that its national dimensions could not be adequately measured because of the lack of accurate statistics.<sup>18</sup> Several investigative reports have concluded that the reported incidence is "only the tip of the iceberg" and that actual incidence is far greater than the reports received.

Like rape, child molestation is one of the most underreported crimes in the Nation, and virtually every study of the crime problem acknowledges the fact that only 1 to 10 percent of the incidents are ever disclosed.<sup>19</sup> The American Humane Association estimates some 200,000 to 300,000 molestations of females alone occur every year.<sup>20</sup> Dr. Caroline Swift, Director of the South West Community Health Center, Columbus, Ohio, testified that she estimated there are 500,000 to 5 million incidents each year.<sup>21</sup> Florence Rush, in her book *The Best Kept Secret: Sexual Abuse of Children*, suggests that there are some 5 to 35 million victims and 5,000 to 1 million incidents each year.<sup>22</sup> Pedophiles themselves claim 2 to 20 million men in this country are attracted to boys alone.<sup>23</sup> A study



**"The problems inherent in the investigation of the sexual exploitation of children in America all relate to the 'conspiracy' which bonds its participants together."**

conducted by Dr. Gene G. Abel, Director of the Sexual Behavior Clinic in the New York State Psychiatric Institute, suggests that "child molestation is a more serious and frequent crime than rape." Abel found that the child molesters he studied were "responsible for molesting an average of 68.3 victims, more than three times the number of adult women assaulted by each rapist."<sup>24</sup>

Police investigations have also revealed some frightening findings regarding the number of those involved in sexual exploitation of children. In 1982, police in Los Angeles arrested Catherine Wilson for commercial distribution of child pornography. They found a mailing list of 30,000 customers.<sup>25</sup> Police in North Syracuse, N.Y., broke another child porn ring, finding another mailing list with over 20,000 customers.<sup>26</sup> In 1972, officers of the Los Angeles, Calif., Police Department arrested a child pornographer who had produced a travel guide for the child molester which listed 378 places in 54 cities and 34 States where a child could be found. Records found by the investigators revealed the publication entitled *Where The Young Ones Are* sold over 70,000 copies at \$5 each in a 13-month period.<sup>27</sup>

Interviews conducted by police investigators with pedophiles also reveal some startling information. A 52-year-old man told an investigator of 5,000 boys he had molested in his lifetime; a 42-year-old man admitted to molesting more than 1,000 boys; a 62-year-old man, an oil executive with an \$11,000-a-month trust fund, stated he molested a boy a day for 30 years.<sup>28</sup>

Florence Rush points out that the problem of adult-child sex has been with us for centuries and that it is not something recently encountered.<sup>29</sup> Child pornography was found to be sold in the "adult bookstores" as early as the 1960's, and by 1976, it became a featured item made popular by the pedophile's demand. Kids age 3-16 were featured in every conceivable sex act and lewd pose.<sup>30</sup> In the early and mid-1970's, the primary source of child porn was the adult bookstore which sold commercially produced magazines and books. In these publications, pedophiles would find mail order forms which allowed them to select and buy this sensitive material in the privacy of their homes. These magazines also contained addresses and ordering information for publications created by the pedophile underground, which enabled the pedophile to establish contacts with others who had similar interests.<sup>31</sup> Once contacts were established, pedophiles would exchange magazines, homemade photographs, experiences, and the children themselves.

What these pedophile pornographers do is cater to the perverse desires of the pedophile underground, satisfying sexual fantasies through the medium of pictures.<sup>32</sup> Representative of the type of publications available are *Child Discipline*, a primer on how to derive sexual satisfaction from beating children, and *Lust For Children*, which comes complete with instructions on how to avoid prosecution

and which claims that a child's screams while being attacked are actually cries of pleasure.<sup>33</sup> Pictures, magazines, films, and video tapes depicting children in acts of sexual intercourse, sodomy, bondage, bestiality, sadomasochistic acts, boy/boy, boy/girl, girl/girl can be purchased for less than \$50.<sup>34</sup> The sale of child pornography has been estimated to be as high as \$500 million annually.<sup>35</sup>

#### **Why Change Is Needed**

The problems inherent in the investigation of the sexual exploitation of children in America all relate to the "conspiracy" which bonds its participants together.<sup>36</sup> Dr. Ann Burgess details the dynamics of a "sex ring," outlining the reasons why discovery, disclosure, or infiltration are so difficult to accomplish. Threats of retaliation by physical harm, blackmail, peer pressure, the "pledge of silence," obedience to the authority figure (offender), and guilt or fear of exposure all hold a tight, impervious bond which is difficult, if not impossible, to break.<sup>37</sup> In 1980, the Northern California Juvenile Officers Association (NCJOA), in an unpublished survey of northern California police agencies, determined that incidents of sexual exploitation of children were on the rise and that law enforcement, on the whole, had maintained a reactive stance to it, simply responding to complaints of violations of law rather than seeking or ferreting it out on its own. Seldom do any of the participants come forward and complain and therefore few, if any, cases come to light. If child molesters cannot be apprehended, if they simply continue to repeat their offenses, if law enforcement is unable to break the conspiracy, millions of children will be victimized. For these reasons alone, there

ought to be a strong motivation on the part of law enforcement to eradicate this problem.

Conspiracy also makes the investigation of child porn very difficult. Often, the porn producer insulates himself by hiding behind a myriad of "dummy" corporations. In addition, the sources of child porn are often "fly-by-night" operators who are "here-today-gone-tomorrow." Because of this clandestine method of operation, an investigator who has to prove the producer, possessor, or distributor knew the material is obscene and contains a minor under the stated age has an impossible task before him. That difficulty was faced when Catherine Wilson, one of the largest commercial distributors of child porn in the country, was arrested after 10 years of investigation.<sup>38</sup> A San Jose investigator stated that it takes an average of 1½ years to effect an arrest, citing 3 arrests in 2 years.<sup>39</sup> Generally, because of the conspiracy, it is impossible to locate and bring forward the children who are involved to testify.

Another reason investigations fail is the manner in which the problem of sexual exploitation of children in America is being handled by law enforcement. It has yet to recognize the conspiracy. Although most police agencies across the country operate on the "specialist system," wherein the initial crime report, in most cases, is investigated by a patrol officer and followed up by a person who "specializes" in investigating that particular

crime, this crime problem is not properly handled in this fashion. In other types of cases, the entire investigation, from initial report through final disposition (arrest or otherwise), is conducted by a specialist. It is this type of investigation which is most successful in cases involving sexual exploitation of children.

In most police agencies, the practice of using the skills of specialists to investigate certain types of crime is common and accepted. Vice, for instance, requires investigators who not only are specially trained to recognize and investigate complicated schemes of narcotics sales, prostitution rings, gambling, and similar offenses but who can also work in a covert capacity and "fit into" the type of group under investigation without question. Sexual assault and child abuse are also types of crime which are generally accepted as crimes which require the skills and understanding of specialists who recognize the symptoms, who are sensitive to the psychological needs of the victims, who are specially trained to understand the motive of those who commit the offenses, and who know the unique characteristics of the offenses.

The crime problems related to the sexual exploitation of children are varied in nature and often span the boundaries of investigative responsibility both within local jurisdiction (one or more police departments) and State and Federal enforcement agencies. For example, if a child is molested and photographed in sexually explicit acts, the responsibility for investigation might fall within a police department's juvenile unit which investigates child abuse. However, it may

also fall within the investigative responsibility of that same police agency's vice detail because of the pornography involved. In addition, the pictures may have been taken in other cities or molests may have been committed in places out of the city in which the investigation was initiated, all of which may mean that other law enforcement jurisdictions (local, State, Federal) may have investigative responsibility. In each of the above situations, officers in the units responsible for investigating one aspect of the offense may not have the training, experience, ability, interest, or desire to investigate the other aspects. As a result, the case suffers and may be lost because of indifference or inadvertent errors made by disinterested, inexperienced, or untrained personnel.

The following case illustrates the investigative problems encountered by Federal and local authorities. Child pornography was seized by U.S. Custom officers and turned over to U.S. postal authorities. They, in turn, notified the local jurisdiction for which the child porn was destined. A delivery was made to the suspected recipient, and a search warrant served. The search warrant yielded substantial amounts of child pornography which the subject had either collected or made himself, taking pictures of children he had molested. The subject was depicted in the pictures engaging in sexual acts with children, some of whom the local agency were able to identify. Although interviews were conducted with some of the persons identified, the local investigators (who were vice officers) missed a great deal of evidence and failed to ask questions which would have produced more evidence and probably resulted

**"... there are many inadequacies and complexities in the manner in which sexual exploitation of children is being dealt with by law enforcement."**

in more sex-related charges, as well as a more believable story on the part of the victims interviewed. The investigators accomplished a great deal with their limited experience. However, realizing their limitations, they sought the specialized skills they didn't have to bring a better case to trial, freely admitting their shortcomings. The inability to obtain certain items of evidence, destroyed by the subject because the investigators were unaware of their significance, was detrimental to the prosecution because essential elements of the sex crimes they were investigating could not be substantiated.

Child sex offenses are multijurisdictional crimes, committed by persons whose travel are limited only by the particular individual's means. Rarely is a case found to involve only one city or county; it is not uncommon to find interstate, as well as international, connections.

In order to investigate this type of crime successfully, specialized personnel must be assigned to work on the problem. However, few agencies have such investigators. Investigators normally assigned to sex crimes or child abuse units often do not have the expertise or experience to undertake such a sensitive and often prolonged investigation. It takes people who are aware of the fallacies and truths which abound about the problems of sexual exploitation of children to properly recognize and handle such cases. By recognizing that the case at hand is not an isolated incident, that it

may be connected to others, that it may involve other victims, and that certain evidence may be found which will corroborate the victim's story, the investigator will provide the prosecution with a case that has a greater chance of conviction.

In 1976, a Los Angeles Police Department task force was created to examine the problem of sexual exploitation of children. In the first 2 weeks of investigation, it identified over 300 local adults molesting or exploiting children. Additional information from their covert operations resulted in 34 crime reports and 10 adult arrests, totaling 44 felony counts of various sex-related charges. From the investigations, 17 juvenile victims were contacted, 11 under the age of 15, from which they identified 50 more victims and 30 additional offenders.<sup>40</sup> The task force's recommendations included developing a more "aggressive" approach to child sex crimes and specialized units to deal with the problems of child molestation, pornography, prostitution, and runaways. They have also recommended greater detailed followup on such cases. The result of the study conducted by the task force was the formation of the Sexually Exploited Child Unit (SECU).

The SECU has apprehended pedophiles who otherwise would not have been discovered. The examination of the information obtained from the arrest of pedophiles or gained from their address books and correspondence provided many leads. SECU's examination of Catherine Wilson's mailing list, for example, revealed that 30 to 40 percent of her clients were registered sex offenders.<sup>41</sup>

The SECU also has an excellent method of covert operations and ability to deal with the problem because it recognizes the conspiracy and existence of the pedophile underground. Only with such recognition and non-traditional investigative procedure can the related problems of child pornography and sexual exchange of children be dealt with effectively.

Child pornography, contrary to popular belief, has not been produced traditionally by large organized operations, but rather involves a network of individual pedophiles who share the spoils of their work, taking advantage of both the porn they produce and the children involved in making the product. Some loosely organized groups or rings of adults and children discovered by police may simply be an early stage of evolution of this network. For example, a Boy Scout troupe of 40 boys was found to have been created for the sole purpose of supplying sexual services to older men who would accompany the scouts on outings. Sexual acts and filming of those acts would occur with the knowledge of all involved, including the scoutmaster who was charged, along with 19 other men, with molestation and child pornography.<sup>42</sup> Other such networks have been discovered, many with the sanction of churches or other similar organizations.<sup>43</sup>

Pedophiles have been found to use the underground network as a means of trading, exchanging, and trafficking photographs of children, video cassettes, films, and even the children themselves.<sup>44</sup> One group, which had tapped into the network, was found to be receiving 300 pieces of mail each week; another, 600 pieces of mail. The same individuals operated both groups, which grossed

over \$70,000 in 1973. The ads listed by these groups sought sexual contacts with children.<sup>45</sup> With the advent of the home computer, the home sex business can be run with the ease and relative security (computer entries and informational release necessitate passwords and "secret" codes) of a legitimate enterprise. In one case, a computer network listed children by sex, race, hair and eye color, type of sexual act performed, and other particulars on a mailing list that was "hundreds of feet long."<sup>46</sup> The list contained names from six different countries.

Such findings might support the contention that there are well-organized and financed connections from small towns of America to large markets of sexual desires in major cities throughout the world. The fact is that such organizations are the exception rather than the rule. However, for those networks which do exist, only covert investigative tactics will work to infiltrate and expose them.

Recognizing that only special, concentrated, and sophisticated tactics are the proper way to deal with the problem successfully, the City of Berkeley, Calif., after creating a task force to look into the problem and make recommendations, budgeted a position for a special investigator. The attorney general of the State of California also concluded that the resources of his office should be made available to local jurisdictions for the same reasons. The use of specialized techniques will be the only proper way to deal with the problem.<sup>47</sup> NCJOA

found that proactive investigations and education of the public are also the prime deterrents. The Queens Bench Foundation found that changes in training of police officers, victim sensitivity, and support provided by police were necessary.<sup>48</sup> When a different approach was tried in Anchorage, Alaska, the law enforcement community found that they had the confidence of the public and that they got successful "results" they otherwise might not have achieved.<sup>49</sup> Those results are what the American Bar Association meant when it found that there are many inadequacies and complexities in the manner in which sexual exploitation of children is being dealt with by law enforcement. Its conclusion was that in order to attain successful results, law enforcement, among others, is going to have to change its perspective on the crime.<sup>50</sup>

To date, little effective investigative concentration by law enforcement has been accomplished because of a lack of coordination and a great deal of ignorance on the part of local agencies. The underground has better communication modes than do most law agencies. In addition, the underground communicates among themselves, something many police agencies do not do.

These investigations must be carefully planned, implemented, and analyzed for additional leads. Generally, one case mushrooms into many, many more. From the names found in address books, correspondence, and associates of the offender, properly trained investigators will discover other offenders, victims, and incidents.<sup>51</sup> At minimum, 7 to 8 additional cases could be generated from a properly reviewed and analyzed investigation. Part of the problem is that

there is no central bureau or collection point for leads or information obtained. As a result, many leads are never connected and many cases go unsolved. In California, leads which would have provided the identities of several of the victims in the L.A. Freeway Strangler case were not put together for several months. In the early stages of the Atlanta child killings, there was little, if any, cooperation among local agencies. In the computer matching operation run by two men from Los Angeles and San Jose, it took the combined efforts of the respective agencies to make the connections and effect the arrest. These two agencies ran into the same difficulty many others encounter. When the crime reaches beyond jurisdictional boundaries, they had to rely upon each other and State or Federal authorities as they had little or no ability or resources to legally act.<sup>52</sup>

Although the sexual exploitation of children is clearly a law enforcement problem,<sup>53</sup> most agencies give it a low priority as compared to other "major crimes." The New York Police Department, however, considers the problem to be "immediate . . . major . . . (and) serious" and has created a task force with other enforcement agencies to address the problem.<sup>54</sup> Many acknowledge the fact that there are unique aspects of this problem, yet there are few investigators who are specifically assigned to these cases. Federal laws are seldomly enforced, and there are few full time Federal investigators working on the problem. One U.S. Customs agent said that in 2 years, he conducted 150

**“... pornography and prostitution are only symptoms of the greater problem of pedophilia and that all three aspects are a serious and grave threat to our communities.”**

investigations which led to 40 arrests and 25 convictions. He noted, however, that the prosecutors were not “enthusiastic about going to trial.”<sup>55</sup> When authorities arrested Catherine Wilson, they claimed they had put a stop to 80 percent of the child pornography in this country. This is gravely misleading, as the arrest may have put a big dent in the commercial industry, yet did little to affect the underground networks operated by pedophiles.<sup>56</sup> Research conducted by individual States and local inquiries had found they “only scratched the surface and that there is a great deal of the problem which will never be uncovered.”<sup>57</sup> The underground networks are so extensive that the only successful means of penetration can be through specialized concentration.

**Conclusion**

It was estimated that 95 percent of the arrested child molesters in California do not go to prison. Of the possible 30,000 child molests committed each year in the same State, the Bureau of Criminal Statistics reports that only 58 molesters went to prison and that 104 went to Atascadero State Hospital for the year 1979.<sup>58</sup> These figures are frightening when one considers that they represent only a minute portion of the actual number of offenders. Statistics like these should stir law enforcement to action, to take an “activist” and “leadership role” in addressing the problem.<sup>59</sup> Because the nature of this

crime is much like a “victimless” crime, little attention is given or devoted to it. Yet, police devote manpower and resources to narcotics, gambling, and prostitution. When asked why this is so, many police agencies simply deny they have such a problem.<sup>60</sup>

Florence Rush says its “time to break silence which protects molesters and endangers children.”<sup>61</sup> Several Congressional committees have examined the problem and recognized that different measures must be taken than have been followed in the past. Several federally funded programs have been undertaken to determine the scope of the problem and find new methods to address it. In the interim, the U.S. Supreme Court, in its *New York v. Ferber* decision,<sup>62</sup> finally recognized that child pornography is child abuse and not a form of expression. This is only a step in the right direction. Now law enforcement has to take the cue and work to eradicate the abuse. In an article on the topic of legislation to cope with the problem of sexual exploitation, C. David Baker wrote that two distinct, but directly related, problems had to be addressed. What he, in essence, did was become one of the first to tie the problems of child molestation (child abuse) and sexual exploitation (prostitution and pornography) together.<sup>63</sup> The problem is that many have yet to recognize, as the Supreme Court did, this relationship.

In virtually every State in the country, law enforcement has a legal mandate to be involved in child abuse and neglect investigations. The issues are not over whether they will be involved, but rather, how and to what degree. What is expected of the law

enforcement agency is that they report, investigate, and provide emergency services for suspected cases of abuse or exploitation. Two law enforcement agencies in California are now faced with multimillion-dollar law suits for not properly following these provisions.<sup>64</sup> Similar law suits could be the possible result of any agency's mishandling of an abuse case of this nature. Law enforcement must recognize that pornography and prostitution are only symptoms of the greater problem of pedophilia and that all three aspects are a serious and grave threat to our communities.<sup>65</sup> Ethically, law enforcement has the sworn duty and obligation to uphold the law and the responsibility of the welfare of the citizens it serves. Those same ethics will not permit law enforcement to ignore the abused or endangered child. As early as 1977, experts have been crying for law enforcement to do more than it does to eradicate the problem. The experts have exposed the problem, baring its true magnitude and threat. To ignore it any longer would be unethical and a denial of all that law enforcement is sworn to carry out.

**FBI**

**Footnotes**

- <sup>1</sup> Paedophilic Informational Exchange, *Paedophilia: Some Questions and Answers*, London, England, 1978.
- <sup>2</sup> Florence Rush, *The Best Kept Secret—Sexual Abuse of Children* (New York: McGraw Hill, 1980), p. 2.
- <sup>3</sup> Texas House of Representatives, Select Committee on Child Pornography: Its Related Causes and Control, Interim Report, 66th sess. October 1978, p. 2.

<sup>4</sup> Ann W. Burgess, et al., “Child Sex Initiation Rings,” *American Journal of Orthopsychiatry*, vol. 51, No. 1, January 1981, p. 111.

<sup>5</sup> U.S. General Accounting Office, *Sexual Exploitation of Children: A Problem of Unknown Magnitude*, Report to the Chairman, Subcommittee on Select Education, House Committee on Education and Labor, HRD 82-64, Washington, D.C., April 1982, p. 11.

<sup>6</sup> Delancy Street Foundation, *Prostitution and Sexual Assault: Summary of Results*, San Francisco, Calif., March 12, 1981, pp. 1-3; see also, “Sexually Abused Children and Teenage Prostitution,” *Response*, Center for Women Policy Studies, Washington, D.C., May 1980, p. 2.

<sup>7</sup> Greg Mitchell, “Innocence For Sale,” *Police Magazine*, vol. 6, No. 1; January 1983, pp. 53-60.

<sup>8</sup> *Ibid.*, pp. 58-59.

<sup>9</sup> Illinois Legislative Investigative Commission, *Sexual Exploitation of Children*, Report to the Illinois General Assembly, Order 18345, Chicago, Ill., August 1980, p. 14.

<sup>10</sup> Judianne Densen-Gerber and Stephen F. Hutchinson, *Child Prostitution and Child Pornography*, International Conference on Legal Aspects of Health Care for Children, Toronto, Ontario, Canada, October 1979, p. 3; supra note 5, at 29.

<sup>11</sup> Supra note 9, at 31.

<sup>12</sup> David C. Baker, “The Sexploitation of Children in Pornography and Prostitution,” *Pepperdine Law Review*, vol. 5, 1978, p. 814.

<sup>13</sup> *Ibid.*, p. 815.

<sup>14</sup> Gerald M. Chaplan, “Sexual Exploitation of Children: The Conspiracy of Silence,” *Police Magazine*, vol. 5, No. 1, January 1982, pp. 46-51.

<sup>15</sup> Eloise Sahois, et al, “Beware of Child Molesters,” *Newsweek*, August 9, 1982, p. 45.

<sup>16</sup> Supra note 2, at 4.

<sup>17</sup> *Ibid.*, p. 5.

<sup>18</sup> Supra note 3, at 5.

<sup>19</sup> California Legislature, Senate and Assembly, Joint Committee on Revision of the Penal Code, *Child Molestation*, Hearing, Los Angeles, Calif., December 16, 1980, p. 34.

<sup>20</sup> National Committee for Prevention of Child Abuse, *Basic Facts About Sexual Abuse*, Chicago, Ill., 1978.

<sup>21</sup> Supra note 19, at 71.

<sup>22</sup> Supra note 2, at 2.

<sup>23</sup> Parker Rossman, *Sexual Experience Between Men and Boys* (New York: Association, 1977), p. 12.

<sup>24</sup> Supra note 15, at 45.

<sup>25</sup> *Morality in Media Newsletter*, New York, New York, June/July 1982.

<sup>26</sup> Robert M. Press, “Secrecy in Child Pornography Thwarts Law Enforcement,” *Christian Science Monitor*, May 26, 1982, p. 9.

<sup>27</sup> Lloyd Martin, *Sexual Exploitation of Children*, lecture, College of the Redwoods, November 17, 1980.

<sup>28</sup> *Ibid.*

<sup>29</sup> Supra note 2, at 15.

<sup>30</sup> Supra note 12, at 810.

<sup>31</sup> *Ibid.*, p. 813.

<sup>32</sup> Supra note 9, at 54-55.

<sup>33</sup> Peter Bridge, “What Parents Should Know and Do About Kiddie Porn,” *Parents Magazine*, January 1978, p. 43.

<sup>34</sup> Supra note 9, at 39.

<sup>35</sup> Supra note 12, at 812.

<sup>36</sup> Supra note 14, at 46.

<sup>37</sup> Supra note 4, at 114.

<sup>38</sup> Supra note 26, at 9.

<sup>39</sup> January Riddle, “The Far Side of Innocence,” *California Today*, San Jose, Calif., *Mercury News*, June 5, 1981.

<sup>40</sup> Supra note 14, at 46-47.

<sup>41</sup> Supra note 7, at 60.

<sup>42</sup> Supra note 9, at 13.

<sup>43</sup> Supra note 12, at 615.

<sup>44</sup> Supra note 5, at 30.

<sup>45</sup> Supra note 9, at 43.

<sup>46</sup> Lewis Leader, “The Men Behind Kid Porn Industry,” *San Francisco, Calif., Examiner*, February 17, 1980.

<sup>47</sup> Supra note 4, at 114-115.

<sup>48</sup> Queens Beach Foundation, *Sexual Abuse of Children*, San Francisco, Calif., 1976.

<sup>49</sup> Sheila Toomey, “The Average Molester May Be Your Neighbor,” *Anchorage, Alaska, Daily News*, September 19, 1982.

<sup>50</sup> American Bar Association, *Child Sexual Exploitation: Background and Legal Analysis*, Monograph, National Legal Resource Center for Child Advocacy and Protection, Washington, D.C., November 1982, p. 20.

<sup>51</sup> Supra note 14, at 48.

<sup>52</sup> Supra note 7, at 55.

<sup>53</sup> R. P. “Toby” Tyler, *Child Pornography: The International Exploitation of Children*, Fourth International Congress of Child Abuse and Neglect, Paris, France, September 9, 1982, p. 1.

<sup>54</sup> Supra note 5, at 40.

<sup>55</sup> Supra note 7, at 58.

<sup>56</sup> *Ibid.*, p. 53.

<sup>57</sup> Supra note 14, at 47.

<sup>58</sup> Letter to author, Irv Prager, Deputy District Attorney, Ventura County, Calif., August 18, 1980.

<sup>59</sup> Stephen F. Hutchinson, “The Use of Legislation As a Tool for Change as Related to the Problems of Sexually Victimized Children,” remarks prepared for a conference on “Intra-familial Childhood Sexual Assault,” Chicago, Ill., October 26-28, 1978.

<sup>60</sup> Supra note 14, at 46.

<sup>61</sup> Supra note 2, at 195.

<sup>62</sup> *New York v. Ferber*, 50 U.S.L.W. 5077 (July 2, 1982).

<sup>63</sup> Supra note 12, at 824-25.

<sup>64</sup> The parents of a group of children have filed a \$50 million law suit against a southern California law enforcement agency for not properly investigating allegations of sexual misconduct on the part of a day care provider. That suit is still pending and should serve notice of the possible result of mishandling such an investigation.

<sup>65</sup> Densen-Gerber and Hutchinson, supra note 10, at 9.

**END**