Technology Facilitated Sexual Crimes (TFSC)

NCMEC – The Hidden Epidemic
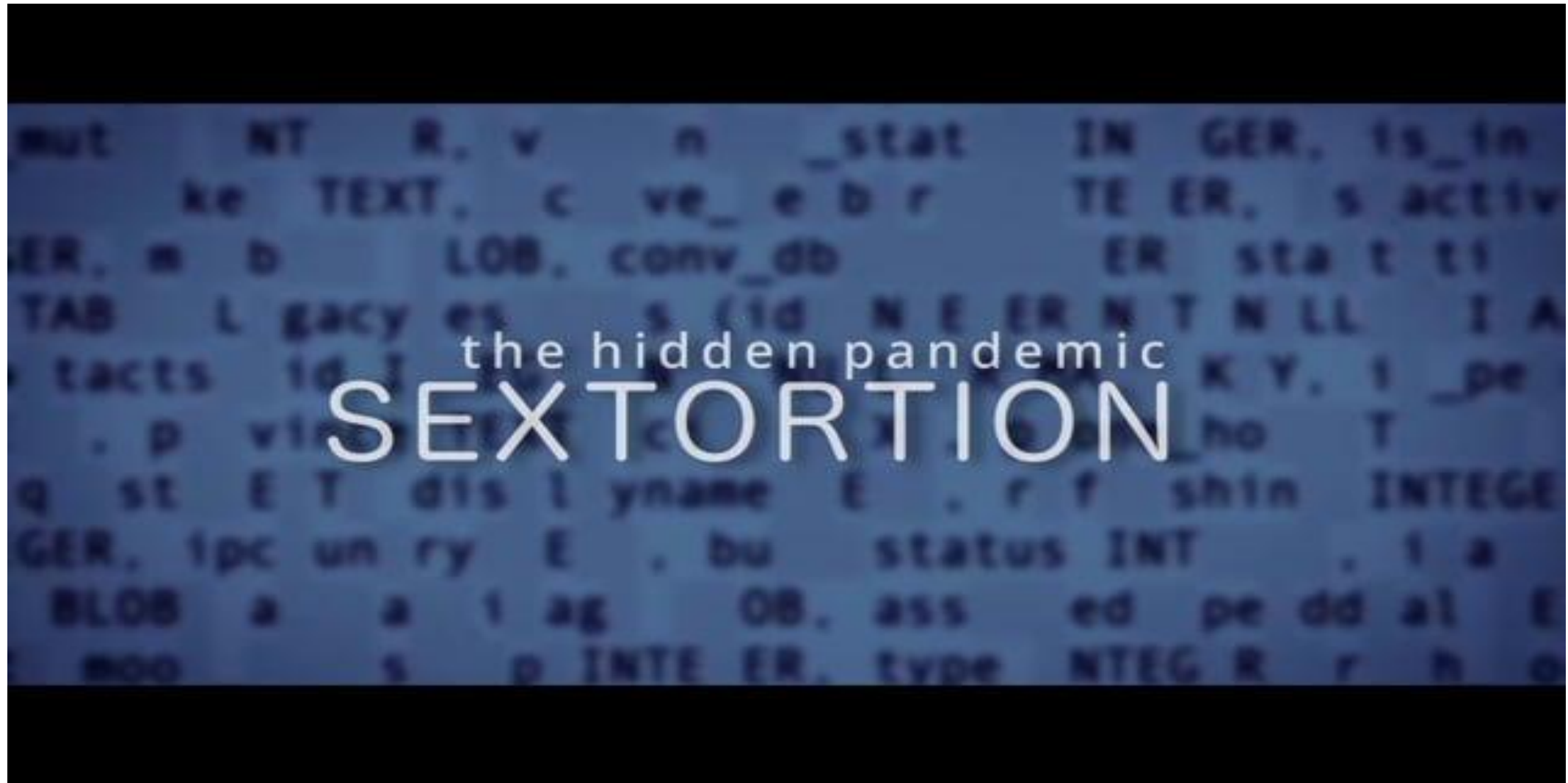
Objectives

- Gain working knowledge of the types of and methods utilized in TFSC

- Identify risk factors that make minors vulnerable to TFSC

- Identify and understand the impact of TFSC on victims

- Identify statute-driven questions that will aid in gathering relevant investigative information

Evolution of Technology

Since the more recent advances in computer technology, including the world wide web, search engines, peer-to-peer file sharing, social networking, smart phone technologies, mobile phone apps, and artificial intelligence, the dissemination of non-consensual nude or sexual imagery to potentially millions of people worldwide has become a significant global issue. (Henry et al., 2021, p. 2)

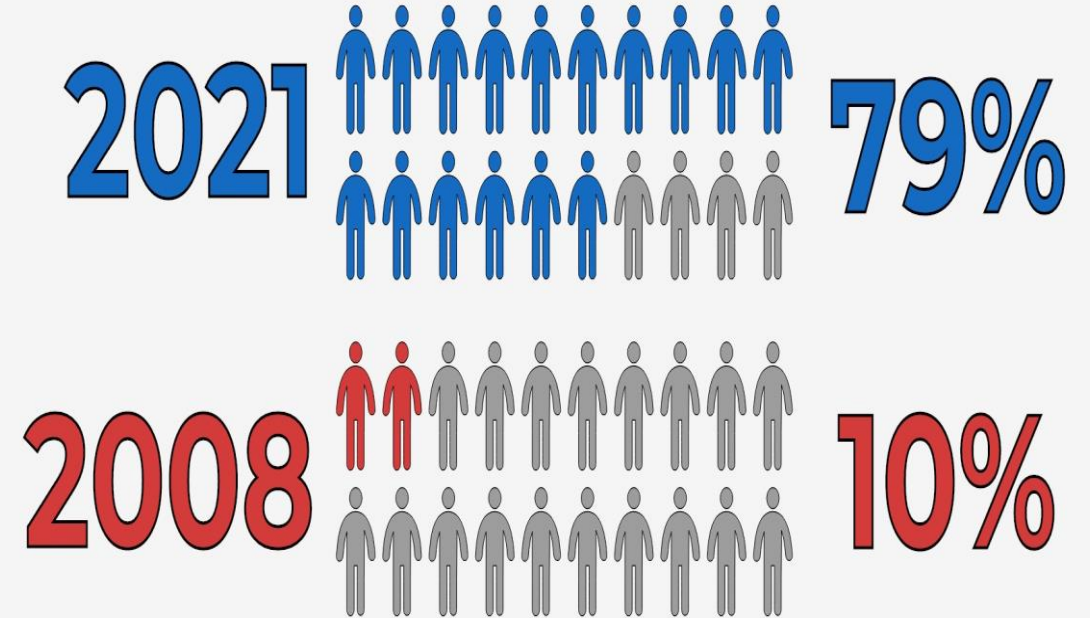# Evolution of Technology cont.

Social Media Use By Age
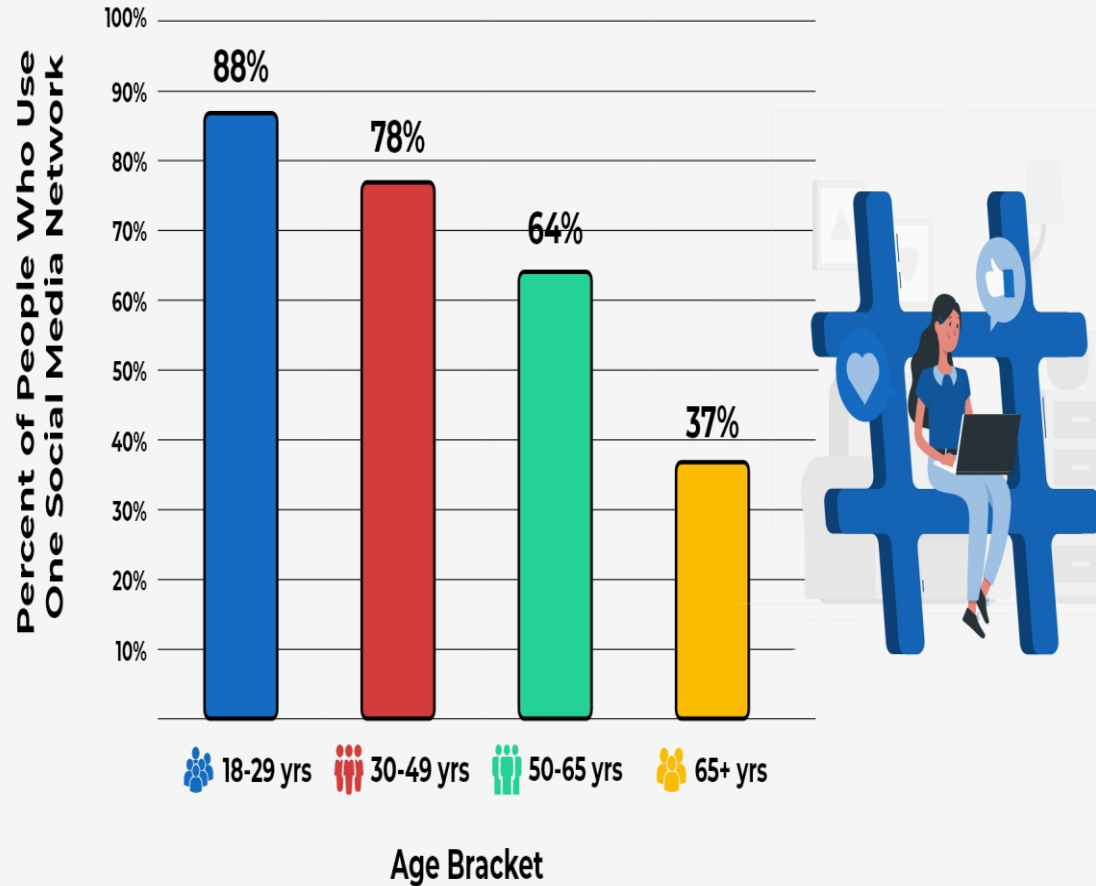
As of 2021, 79% of Americans have a social media profile.

2021 — 79%

2008 — 10%

This number is up from 10% in 2008 and from around 50% in 2011

(BroadbandSearch, n.d.)

Types of TFSC

Not all cases TFSC are created equal.

- Note how definitions have changed as a result of the evolution of social media usage.

Definitions of Technology Facilitated Sexual Crimes

Offenses in which internet technology is utilized for purposes of sexually exploiting minors (Durkin & DeLong, 2018).

TFSV: the creation, distribution, and threats to distribute intimate images or videos (Patel & Roesch, 2022).

Please note the differences in terms: Sexual Violence vs. Sex Crimes

Image-based sexual abuse (IBSA) and Technology-Facilitated Sexual Violence (TFSV) - have found wide usage as acceptable terms to cover a range of exploitative behaviors (Patel & Roesch, 2022; Henry & Powell, 2018).

Types of Technology Facilitated Sex Crimes

Sextortion/Sexual Coercion

Sextortion is a criminal act referring to the broad category of sexual exploitation in which abuse of power is the means of coercion. It can be coupled with the threat to release sexual images, or information.

Because the method of coercion is usually non-physical, these cases are sometimes erroneously and incorrectly thought of as less egregious than cases with hands-on offenses.

Types of Technology Facilitated Sex Crimes (cont.)

Self-Generated Images

- Often erroneously thought of as less egregious than hands-on offenses or cases involving extortion methods
- May be blamed by others for situation

"A complex challenge and represents a variety of experiences, risks, and harms for kids. Some images represent a child who is being groomed and coerced, their trust and vulnerabilities being intentionally exploited."

(Thorn, 2019)

66% of minors who shared their SG-CSAM with someone they had never met offline said they did so with someone who introduced themselves to the minor (versus someone whom the minor contacted).

(Thorn, 2022)

Types of Technology Facilitated Sex Crimes (cont.)

Digital Intimate Partner Violence

Digital dating abuse is a term used to describe physical, sexual, or psychological/ emotional violence that occurs between romantic partners through the use of texting, social media, and related online mediums.

The crime referred to as "revenge porn" would be an example of digital dating abuse. "The term 'revenge porn' was added to the Merriam-Webster dictionary in April 2016. It was defined as 'sexually explicit images of a person posted online without that person's consent especially as a form of revenge or harassment'"

(Henry et al., 2021, p. 3).

Types of Technology Facilitated Sex Crimes (cont.)

Digital Sexual Harassment
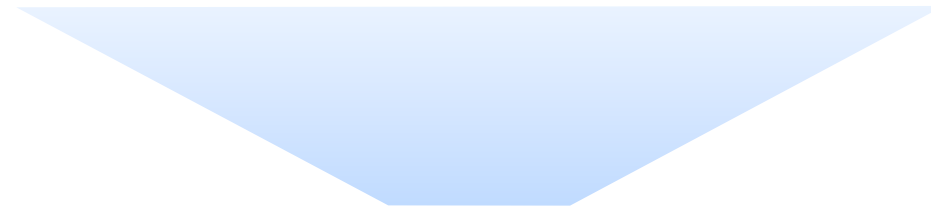
...**unwanted or unwelcome** sexual behavior facilitated via electronic means such as email, voice and/or video calls, text and/or picture messages, and posts in online platforms (e.g., social media, online forums, and virtual worlds).

(Powell & Henry, 2019)

Cyberstalking

"...use of the Internet or other
electronic means to stalk or harass an individual, group, or
organization."

"It may include false accusations, defamation, slander
and libel. It **may also include** monitoring, identity theft, **threats**,
vandalism, **solicitation for sex**, doxxing, or blackmail. Cyberstalking is
often accompanied by real-time or offline stalking. Both are motivated
by a desire to control, intimidate or influence a victim."

(Wikipedia, 2022)

Commonly Observed TFSC Motives

Sexually Motivated - A type of sextortion where the offender demands images for their own sexual gratification. These offenders may be a collector of CSAM or trade online with other sexually motived offenders.

Financially Motivated - A type of sextortion where offenders obtain images for the purpose of extorting victims for financial gain. These offenders move quickly from victim to victim whether they received funds or not. They **most often** do not share the images online.

(Fuller, A. & Hively, J. 2022)

FBI 2022 Press Release

- Financially motivated sextortion scheme targeting boys

Case Example – Financially Motivated TFSC

An adolescent male is talking to an "adolescent female" he met on SnapChat.

After talking briefly and sharing other account information, the female "peer" asks to exchange nude photos.

- Subject's behavior: "she" sends nude image first and asks for one in return.

- Male victim sends picture of his penis, subject screen-shots the picture and adds identifiable information (phone number, username, etc.).

- Subject threatens to send image to the victim's Instagram followers if he does not send money (ranges from $50-$1500).

- Subject provides various Venmo, iTunes, and CashApp usernames, instructing victim to send money.

- After subject receives money, "she" demands more until victim is no longer able to provide it. Subject *typically* moves on to next victim.

Case Example – Sexually Motivated TFSC

Group of adult individuals in a chatroom meant to help teens struggling with eating disorders.

- "Teen" from the group introduces minor to someone (the subject) who has been "helping" them with their struggles. (typically eating disorders or self-harm)

- Subject provides healthy meal and exercise regimen for the victim upon receiving "before pictures" of victim in sports bra and athletic shorts.

- Once victim sees progress, offender asks for more revealing pictures to address any "problem areas."

- Once picture without a bra on is received by the subject, the subject begins sextorting victim for additional images.

Methods Commonly Utilized by TFSC Perpetrators

Common Methods

- Perpetrators are cunning and will use whichever methods and means deemed most efficient to achieve their goals. It is important to note, this cycle can play out within a matter of hours, days, months, and can even span years.

The following progression is commonly observed in TFSC cases:

- **Initial contact**
- **Grooming**
- **Deception**
- **Coercion**
- **Threats**

Initial Contact: Platforms & Dark Web

CSAM-specific: *Youth who have shared, reshared, or been sent non-consensually shared CSAM use the same platforms as their peers. Youth who have experienced SG-CSAM behavior reported notably higher daily usage rates than the general sample population of their peers.*

(Thorn, 2022)

Gaming Platforms -
Top three gaming platforms youth (ages 9-17) frequented in 2021:

Minecraft (71%)

Roblox (59%)

Fortnite (57%)

These numbers saw an increase from 2020, which was driven by the platform engagement of younger users primarily ages 9-12)

General platform usage - While youth utilize a variety of social media platforms, in 2021, the top five platforms minors (ages 9-17) reported using daily were:

- YouTube (79%)
- TikTok (53%)
- Instagram (42%)
- Snapchat (42%)
- Facebook (36%)

(Thorn, 2022) 45

Grooming: Social Engineering

Developing a bond with flattery and praise

Promises reciprocity

Leading the victim to believe the perpetrator can be trusted

Case Example

14-year-old victim met a '15-year-old girl' online who had cheerleading in common. They began an online friendship.

- '15-year-old' told her she was modeling for an animator who makes video games and asked if she would like to make some money. Competitive cheerleading is expensive, and the victim thought it would be a good way to financially help her parents.

- '15-year-old' introduced her online to the "woman" for whom she was working, and the modeling sessions began. At first it was posing with clothes on, then in a swimsuit and underwear. Once the subject obtained video of the victim posing in her underwear, the extortion began.

- Victim feared disappointing her parents and those she mentored and was concerned about her images being distributed. Therefore, she continued to comply with demands for nudes and increasingly more explicit images and videos.

- This continued for more than a month. The victim became increasingly depressed and suicidal. She eventually was able to tell a friend who encouraged her to tell her parents.

Deception

Complicit (aka "self-generated") Material

- Multiple online identities used to first obtain images/videos from victim and later blackmail victim
  - The "blackmailer" and the "understanding friend"

Surreptitious Recording

- Secretly screen capturing sexually explicit videos & images of the victim, then using them to force compliance.

Duplicity

- May represent themselves as a business (e.g., modeling agency), friend, or even the victim's romantic partner.
- Pretending to be younger than actual age and/or female.

Deception Case Example

>> Richard Finkbiner, 46, of Brazil, IN, was sentenced to 40 years in prison for production of child pornography. Finkbiner used fake personas on social media and web-based platforms to exploit numerous minors by inducing them to send him sexually explicit images and videos.

>> He admitted that he tricked victims into stripping or performing sexual acts for him via webcam, then he used recordings of those sessions to coerce them into making more explicit videos.

Coercion and Threats

Types of Coercion

- Promises money, gifts, career advancement (e.g., modeling, social media popularity)
    - Negotiations and contracts
- Misleading promises of a relationship

Types of Threats

- To tell others false information about the victim
- Disseminate CSAM to family/friends
- Post CSAM images online
- Cause harm to the victim and/or to the victim's loved ones
- Suicidality—offender threatens to commit suicide

Other Methods Used

Hacking

Hacking or use of malware to assume control of a victim's computer, gaining access to the victim's files, and/or control of the computer's webcam, microphone, and online accounts.

- o In a minority of cases, images were acquired by the perpetrators without the knowledge or consent of the target, for example, by hacking a computer, recording webcam images, or taking them from a mobile phone without permission.

Theft

- o Stealing personal electronic devices that contain sensitive materials

- o Identity theft

(Patchin & Hinduja, 2018)

Prevalence of TFSC

Prevalence rates may vary across research studies; however, in a nationally representative sample of 5,568 middle and high school students, researchers found that 5% of 12–17-year-olds in the United States have been victims of sextortion.

(Patchin & Hinduja, 2020)

Prevalence of Sextortion

FREQUENCY/PREVALENCE AMONG YOUTH

Researchers found adolescent males were more likely to be victims than their adolescent female counterparts.

(Patchin & Hinduja, 2020)

INCREASED RISK FOR LGBTQ+ YOUTH

Youth who self-identified as non-heterosexual were twice (10.9%) as likely to be victims of sextortion than their heterosexual-identifying peers (4.5%).

(Patchin & Hinduja, 2020)

According to Thorn (2022), youth who identified as LGBTQ+ remained at a heightened risk for SG-CSAM as compared to their non-LGBTQ+ counterparts.

What Makes Minors Vulnerable to TFSC?

Risk Factors

We must consider:

Normalization of Self-Generated CSAM	**Normal Adolescent Development**	**Unsupervised Access to Technology**
Increased Utilization of Technology	**Lack of Support**	**Isolation**

Risk Factor: Normalization of Self-Generated CSAM

The perceived "normalcy" of SG-CSAM makes it appear more socially acceptable to youth.

→25% of minors reported believing it was *"normal"* to share nudes with each other

→This belief lowers inhibition and could *increase risk of victimization*

→1 in 6 minors reported sharing SG-CSAM in 2021

→43% of minors who shared SG-CSAM did so with someone they did not know offline

→Among minors who shared SG-CSAM, 42% reported SG-CSAM was shared with individuals whom they believed were 18 or older

Risk Factor: Adolescent Development

During the onset of adolescence, which is characterized by the biological transition into puberty, youth experience significant changes in motivation, cognition, behavior, and social relationships.

Social/Emotional → **Cognitive** → **Sexual**

(Suleiman et al., 2017)

Adolescent Brain Development

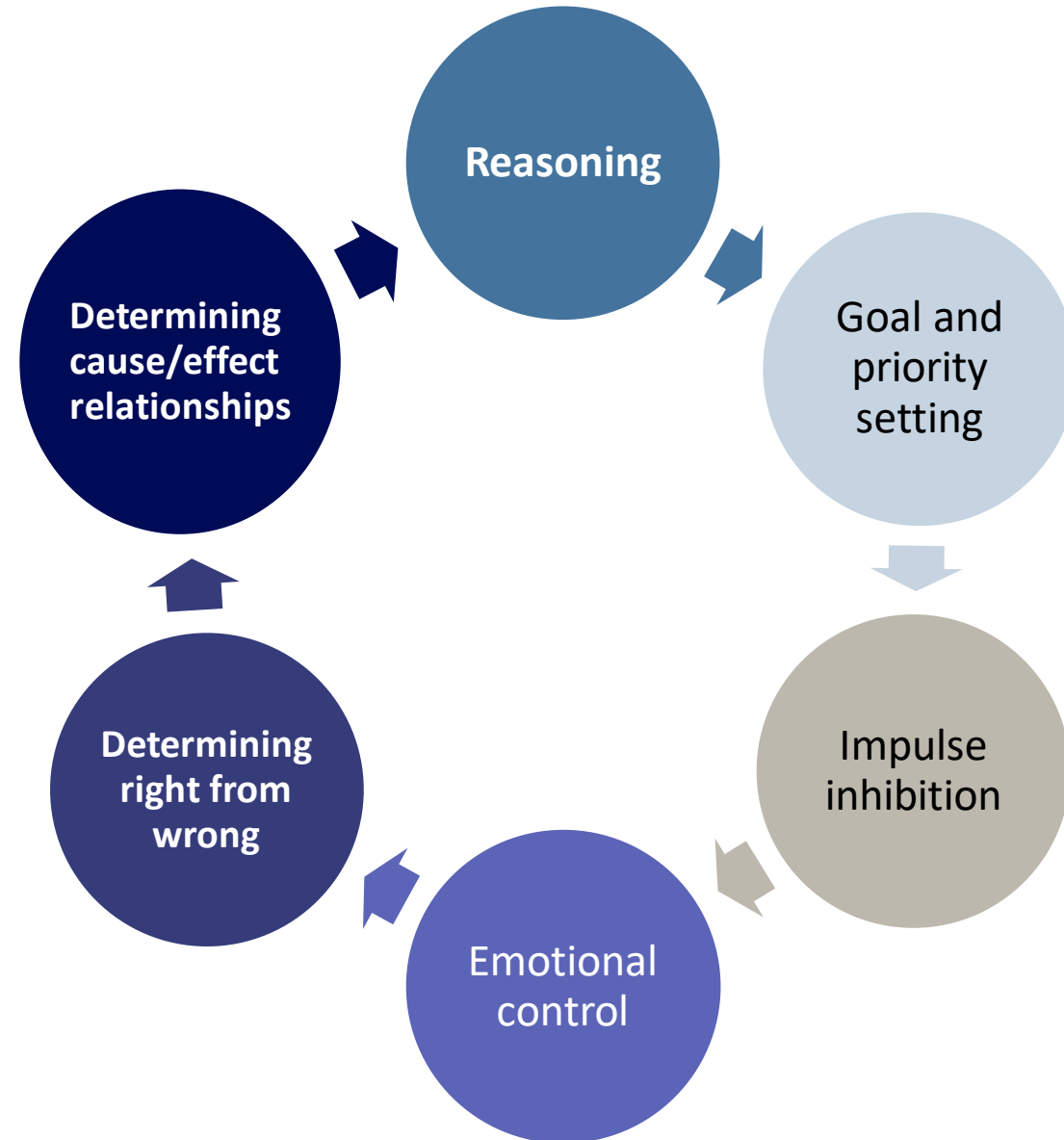**Amygdala doubles in size during teen years**

The emotional area tends to develop faster than the decision-making area, causing teens to experience increased emotionality and impulsivity.

Prefrontal Cortex

"…the area of the brain responsible for executive functions, such as planning, working memory, and impulse control are among the last areas of the brain to fully mature."

(Belger, 2013; Nichols, 2017)

Adolescent Brain Development

Frontal/Prefrontal lobes responsible for:

Reasoning

Goal and priority setting

Impulse inhibition

Emotional control

Determining right from wrong

Determining cause/effect relationships

Adolescent Social/Emotional Development

Impulsive Risk-Taking › Emotion regulation difficulties

Self-Blame › Dissonance between what they have been told by caregivers & other adults vs. their developing brains

Importance of Social Relationships Increase ›
- Online/offline media impact
- Parental influence decreases; peer influence and importance of peer acceptance increases
- Feelings of inferiority and inadequacy

Adolescent Sexual Development

"...*social media may be the new way in which sensation-seeking behavior is expressed.*"

(Crone & Konijn, 2018)

Vulnerabilities during the period of sexual development

- Concerned with physical appearance
- Increased curiosity & exploration
- Exploring dating & romantic partnerships
- Increased intensity of arousal
- Sexual fantasies
- Increase in sexual activity
- Integration of sexual activity with intimate relationships
- Often given inaccurate information by peers or via the internet

Risk Factor: Unsupervised Access to Technology

✓ Unfettered access to adult content

✓ Can lead to anxiety and depression

✓ Can cause an increase in sleep disturbances (e.g., "late night scrolling")

✓ Parents also become distracted by their own devices:
  - **68% of parents say they at least sometimes feel distracted by their phones when spending time with their children (Pew Research Center, 2020)**
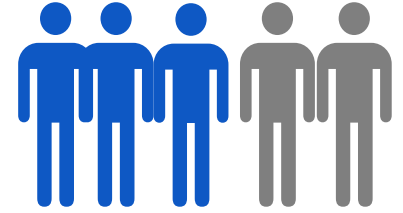
Other Risk Factors

- **Isolation & lack of perceived support**

  o Minors who feel isolated, or who receive limited support from their immediate environment, often seek connection in online contexts. Technology can facilitate connection and help minors to create a 'world' outside of their immediate lived experience, which can be empowering but also places them at greater risk.

Some minors, particularly LGBTQ+ youth, rely more heavily upon online communities than others. Therefore, while it is important to establish boundaries around online usage and ensure supervised access, it may not be in a youth's best interest to wholly close off the possibility for developmentally appropriate online support and connection. Doing so could lead to greater isolation and vulnerability.

Sextortion – Ashley's Story

Case Example

- Lucas Michael Chansler, a 30-year-old subject, was sentenced to 105 years in prison for producing CSAM. Over four years, Chansler is believed to have sextorted approximately 350 victims in 26 States, three Canadian provinces, and the United Kingdom.

- Chansler targeted girls through social networking sites, pretending to be an acquaintance, friend or admirer. He persuaded victims to expose themselves or engage in sexually explicit video chats, which he secretly recorded. He threatened to put the images online or send them to victims' parents unless they cooperated.
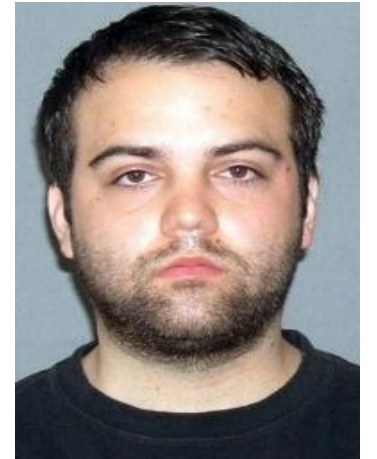
Impact of Technology Facilitated Sex Crimes

TFSC and other forms of Image-based sexual abuse has the potential to "shatter connections with others, often through a deep lack of trust."

(McGlynn et al., 2019)

Impact of TFSC: Cognitive

- **Cognitive Distortions**

  o **Self-perception** – impacting their sense of self, identity, and their view of their bodies

  o **Perception of others** – developing a mistrust of others (e.g., "no one and nothing can be trusted.")

  o **Perception of the environment (physical and virtual)** – perceiving danger all around, leading to elevated vigilance (e.g., internet now perceived as a "dangerous place")

  o **Negative beliefs about the future** – some examples we commonly hear: "This has ruined my life;" "I'll never be able to get past this;" "This will go on my permanent record and I'll never be able to go to college of get a job."

Impact of TFSC: Psychological

- **Emotional distress**

- **Self-harm**

- **Suicidal ideation and attempts**
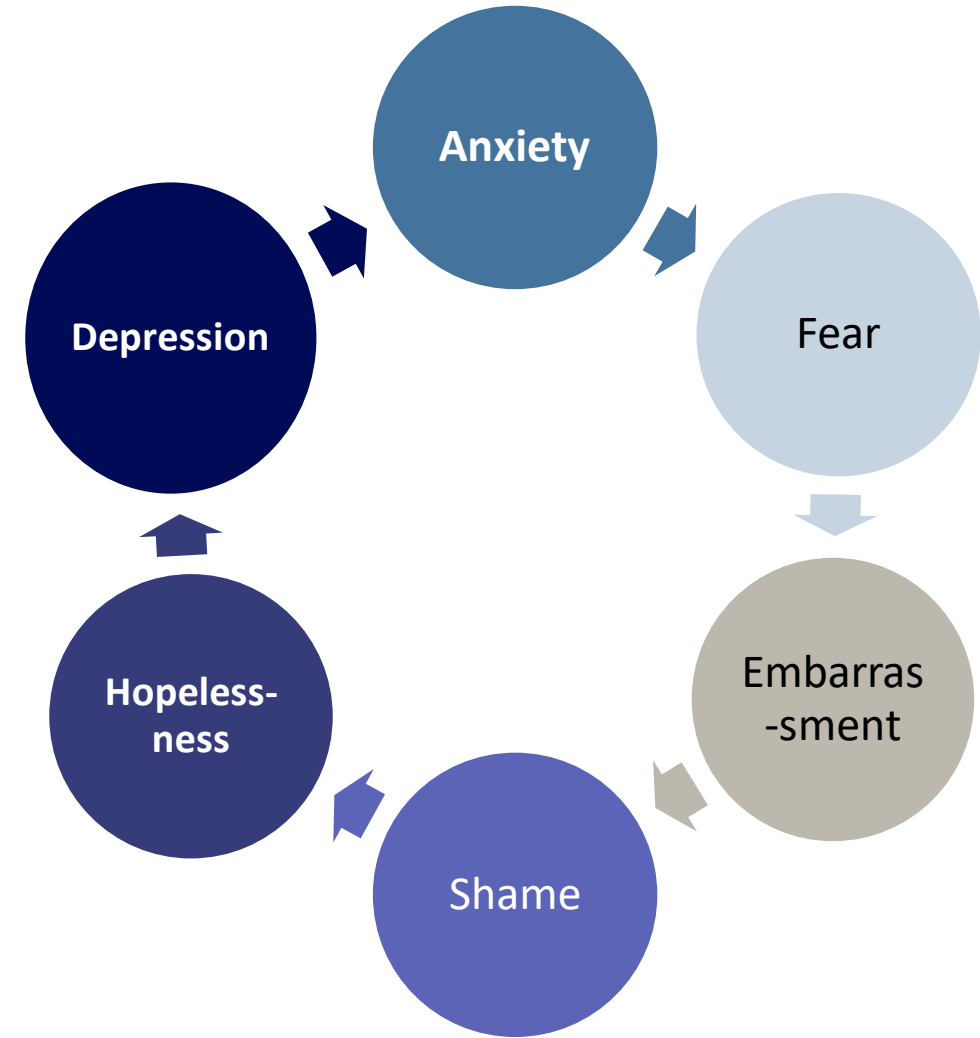
"It made me feel worthless. Everyone at school pegged me as a slut off of some weak moments, and it made me very depressed. I had honestly thought suicide was the answer for a while."

-14-year-old sextortion victim
(Thorn, 2017)

Impact of TFSC: Social/Interpersonal Impact

- **Bullying (cyber and otherwise):**

  o Typically intensifies when CSAM is shared beyond the initial recipient, such as when subjects and peers post sexually explicit content to "expose" victims. Unlike traditional bullying, cyber bullying can be more pervasive and experienced as all-encompassing because it's not limited to a particular setting; can spread rapidly; and can persist outside of the child's presence, such as when they transfer schools or deactivate their social media accounts.

Impacts of TFSC: Social/Interpersonal Impact (continued)

"Many victim-survivors experienced a profound sense of isolation from family and friends, from the online world and social media and, therefore, from society as a whole."

(McGlynn et al., 2019)

- **Social Withdrawal and/or Isolation:** victims/survivors may retreat as a result of shattered trust; to cope with shame and embarrassment; or to avoid bullying. Similarly, some children are ostracized by peers and other sources of relational support.

Impact of TFSC on
the Victim and the Forensic Interview

Impact on the Victim: FI Considerations

Social Rupture resulting from image based sexual abuse

- Social rupture: the totality of the harms experienced – for some, it's experienced as complete and utter devastation
- Extreme and intrusive violation, leading to drastically changed lives
- Victim-survivors distinguish their lives and sense of self in terms of 'before' and 'after' the incident
- "The impacts of their experiences were all encompassing and pervasive, radically altering their everyday life experiences, relationships and activities, and causing harms which permeated their personal, professional and digital social worlds" (Henry et al, 2021, p. 54).

Constancy

- The abuse itself is often ongoing, enduring and relentless
- Constantly living in fear
- Second-guessing every interaction
- Persistent digital threat and vigilance

(McGlynn et al., 2019)

Forensic Interviews Today

Technology's impact on the forensic interview:

o   Increases the value of pre-interview conversations
o   Scope of evidence
o   Language used in the interview
o   Increased need to explore federal statutes
o   Reluctant children may need more cues depending upon the source of their hesitation

> **Most interview models are designed for children who have previously disclosed abuse and who easily transition from the beginning of an interview to more substantive topics.**

Because of the nature of TFSC and the unique features of TFSC investigations (e.g., tips from Online Service Providers, Internet Service Providers, online undercover LEOs, info found in the process of other types of investigations), LE often contacts caregivers & potential victims BEFORE there has been an outcry. Thus, TFSC victims are often interviewed without having made a prior disclosure.

Management of Multi-victim Cases

❑Many TFSC cases have hundreds to thousands of victims.

❑Triage is needed to determine which victims will be interviewed first.

➢If sextortion has taken place the victim should be interviewed
➢If a minor's name/CSAM is found in subject's possession, but no contact has been made by the subject to sextort, an interview is still needed to determine how the CSAM was obtained
➢If a minor's name is found on subject's devices, but there are no images or active sextortion, perhaps begin with a minimal facts interview (MFI) to determine if minor has any knowledge of subject; based on MFI outcome a forensic interview may be needed

Important Considerations for TFSC Cases

- **Some factors to consider upon receipt of a TFSC case**
  - What evidence is available?
  - Triage and management of multi-victim cases

- **Timing**
  - If the child is safe, may want to hold off on an interview until evidence is available
  - Subject identification, if possible
  - Subject's location?
  - Potential for ongoing access to victim? Access to children? Other safety concerns?

Important Considerations for TFSC Cases

- **How to talk with parents/guardians?**
    - What to share during first contact:
    - Example language: "This is an investigation of a subject who is believed to have been contacting and/or exploiting minors online. Your child's name came up as someone with whom this person may have had contact. We'd like to talk to your child to see what they can tell us about that."

- ***Be prepared to sensitively address mistrust, suspicions, and parental concerns***
    - Reassure them that their child is NOT under investigation and is NOT in trouble with the investigative agency.
    - Because of outreach presentations re: CSAM, many students and parents have heard that it is illegal to create/possess/share nude images of minors, including SG images. Many parents worry that their child(ren) could face legal repercussions as a result of their FI disclosures.

Information Gathering During TFSC Interviews: Asking Questions With an Eye Toward the Statutes

Information Needed in TFSC Interviews

*This list of questions is not exhaustive. Please feel free to reach out to your nearest FBI CAFI for clarification and additional information regarding the need and intent of these questions in a forensic interview.

- Explore how the subject initially met/connected with the victim

- What did the subject know about the victim (e.g., age, location, school)?
  - Victim's age and subject's age when they met?
  - Did the subject know the victim's age? If so, how? At which point? If it's unclear, clarify whether it was prior to, or after, the subject solicited CSAM. How did the subject respond to learning the victim's age?

- What did subject tell victim about themselves (e.g., age, location, gender)?

- Production/Receipt
  - Pictures/videos exchanged?
  - Whose idea? What was depicted? Nudity? Asked to perform acts?

Information Needed in TFSC Interviews

Production/Receipt (continued)

- How did the victim know what to include?
- What was talked about before pics/videos sent?
- How did the subject respond upon receipt?
- How many pics/videos taken? (e.g., "one photo or more than one?")
- Victim's location when the images/videos were created? (clarifies venue/jurisdiction)
- Description of what could be seen in the background (e.g., description of bathroom, bedroom, place where CSAM was created)
- Who else was present?
- Did the subject ever get the victim to include someone else? If no, was there solicitation to do so?
- If it is unclear, clarify whether the photos/videos sent to the subject were ones that the victim already had, or whether they were taken/created specifically at the subject's request (this also has implications for production charges).

Information Needed in TFSC Interviews

Production/Receipt (continued)

- Did subject ever send pictures/videos? If yes, obtain descriptions of who/what was depicted? If yes, clarify purpose (for example, some subjects will send victims reference photos or videos to "teach" victims what to do). Clarify whether the individuals depicted were minors.
- Live streams or video calls? If yes, inquire about content.
  - Who initiated the calls?
  - Were they recorded? If it appears the subject surreptitiously recorded their video calls, inquire as to whether the subject ever talked with the victim about recording their calls.
  - What could the victim see/hear?
  - If instructions were provided, how? (e.g., audibly, via text/chat feature)
- Explore the subject's stated reason for requesting the material.
- What did the subject say they were going to do with what was requested?

Information Needed in TFSC Interviews

Means of facilitation/communication:
- If internet facilitated, inquire about all platforms used.
- Other methods of communication (texts, phone calls, video calls/video chats, email)?
- Devices used? Where are said devices now?
- Within-App camera or another device?

Deception/Fraud:
- What did the victim believe was going to happen? What were they told?
- With whom did the victim believe they were communicating?

Coercion/Force
- Gifts? (If yes, for what? Where are those gifts now?) Money? (If yes, for what? How much? How was the money received?)
- Promises of any kind? (If yes, did the subject ever follow through?)
- Threats? If yes, did subject ever follow through?
- What did victim think would happen if they didn't follow through with requests?

Information Needed in TFSC Interviews

- Description of subject

- Did the victim retain any of their correspondence (e.g., messages, letters, images/videos, voice notes)?
    - If not, what happened to this media?
    - If deleted/destroyed, how come and whose idea?

- If applicable, usernames for victims and subjects
    - If specifically requested by SA or TFO, inquire about the passwords for the victim's accounts (if applicable, be sure to obtain separate password for "My Eyes Only" on Snapchat).
    - Telephone numbers?

Information Needed in TFSC Interviews

- In-person meetings?
  - Plans to do so? If yes, explore those plans.
  - If they met in person, thoroughly explore all aspects of those meetings, including whether they engaged in any sex acts.
  - If subject and victim connected in person, be sure to inquire about whether there were any images taken/videos created. If yes, device used? What happened with the CSAM once it was created?

- How did it end?
  - Ever block the subject or attempt to end contact?
  - How did the subject respond?
  - Any further attempts to contact the victim after being blocked?

- Other potential victims
  - Know about subject doing this to others?
  - Anyone else they are concerned about?
  - Any friends/followers in common?
  - Anyone else they think we should speak to? (Reassure we will not disclose their name if we reach out to others.)

After the TFSC Interview

After the TFSC Interview

Post Interview

- Suicide risk screening (not recorded)

- Conversations with the team
  - Clarify disclosure
  - Collaboratively determine what info will be shared with caregivers
  - Discuss next steps and, if applicable, necessary referrals

After the TFSC Interview

Post Interview

- Team conversations with the family
    - Provide victim-sensitive disclosure information (balance right to privacy with caregivers' need to know)
    - Frame conversation in context of abuse and grooming dynamics, and make it clear that the subject is responsible, even if case involves SG-CSAM, or if the minor demonstrated 'compliance' at any point in the process.
    - Provide appropriate case and charging information
    - Discuss outcome of risk screening, then safety plan and/or connect with crisis resources, as needed
    - Much like the invitation extended to interviewees, invite caregivers to reach out with additional information and questions

After the TFSC Interview

- NCMEC (LEO responsible for child victim identification)
- Resources available to minors and families
  - NetSmartz (www.missingkids.org/netsmartz or NetSmartzKids.org)
  - FBI.gov
- Systems-level efforts
  - TFSC is a public health crisis
  - Begin addressing technology usage and risks with our youth as early as possible.
  - Utilizing targeted public health campaigns and education as early as primary school would raise awareness of the seriousness of this behavior, help individuals identify their involvement as victims or perpetrators, and provide information on rights and responsibilities (Patel & Roesch, 2022).

We Must Confront This Beast Together: Importance of the MDT in TFSC Investigations

Benefits of the MDT Approach

What your state says about MDT and Computer-Facilitated Luring or Solicitation of a Child: *ndaa.org*

Every member is important:

Child Protection Services-Often possess invaluable knowledge of family history; may already have a case open; they can provide resources and transportation of victims and family, as necessary.

FI-Knowledge of updated research regarding forensic interviewing process; attends training on presenting evidence; seeks advice from peers; assists with educating MDT members who do not always have access to training and research

LE-Often has initial contact with victim/family; investigative entity; direct knowledge of evidence to be used in FI

Benefits of the MDT Approach, cont'd

Every member is important:

VS-Provides support to the non-offending caregiver(s) during forensic interview; assists with victim identification and notification; coordinates forensic interview and services for victims after the interview

Medical-Be available to conduct SANE exams; ability to testify; knows rules of attending interview and the Hearsay Rule

Prosecution-Attend FIs and contribute knowledge of local laws

Benefits of the MDT Approach (continued)

- **How do we get our teams on board?**
    - Invite honest dialogue regarding MDT partners' reservations and concerns
    - Highlight common goals across partner agencies and disciplines
    - Explain there isn't research in the field that asserts presenting evidence, in and of itself, is more traumatizing to children
    - Skilled, intentional, victim-centered approaches to evidence presentation can aid disclosure
    - Where is the middle ground?

- **Consistent messaging driven by continued education among MDT partners**
    - Are youth in trouble/not in trouble?
    - How can we as professionals avoid increasing shame/blame?
    - Encourage collective MDT participation in training

Wrap Up: Emerging Challenges

Emerging Challenges

- Changes in offenders
  - In an earlier analysis, the dominant motive of offenders was to get more explicit images of a child, but in reports from early 2022, 79% of the offenders were seeking money (NCMEC, 2022).

- Ongoing Evolution of Technology
  - Ever-changing platforms
  - Virtual Reality/Virtual Age-play (Esposito, 2022)
    - One experiences virtual reality when they put on an interactive hardware to "enter" a realistic three-dimensional virtual environment. VR is different from any other type of gaming experience in that it can convince the brain that it is somewhere it is really not. This experience is called "presence"---your mind accepts the illusion that you are there.
    - VR porn creates a "dramatically more intense erotic experience" for its users. It feels as if the viewer is actually engaged in sexual activity with the person.

Case Example – Virtual Reality

16-year-old male meets "friends" on Discord to discuss gaming, specifically VR games.

- o A "friend" introduces him to one of their online gaming "friends" (an adult).
- o They decide to meet in a VR room created by the adult.
- o The adult takes both minors into his VR bedroom and locks the door. Only creator of the room can unlock the door.
- o Both minors have created very young avatars and the adult is an imposing "ripped" adult furry creature with human male genitalia, which is exposed.
- o The adult begins to hug and kiss the 16-year-old and the victim is pushing away. The victim, in the VR world can feel the kiss and the powerful embrace.
- o The adult then begins to force the victim to perform oral sex and the victim is saying no. The other juvenile had to stay and watch. The victim experiences the physical sensations of the subject's penis in his mouth and feels the choking sensation.
- o The victim, who does not have a strong support system, became very distressed and experienced suicidal ideation.
- o Victim blaming comments were made, "Why didn't you take off the headset?"

Wrap-Up

- What emerging trends are you observing within your jurisdiction?
  - What do you see coming down the pike for the rest of us?
- What challenges are you facing within your area?

- Closing reminders:
  - Investigations of TFSC possess unique features
  - The ever-evolving technological landscape has its benefits but has also made it easier for perpetrators to gain access to children and evade law enforcement.
  - As MDT members, we want to ensure that we do not inadvertently impose barriers to disclosure or add potential distress following disclosures.
  - Minors who are seen as "complying" are still victims.

Legal Statutes

Legal Statutes

Federal Statutes

- **Note**: Although the prevailing professional terminology used to describe sexually explicit visual depictions of minors is now *Child Sexual Abuse Material* [CSAM], *Child Pornography* remains the terminology utilized within U.S. Federal Statutes.

- *Child Pornography*

Child pornography constitutes any visual depiction of sexually explicit conduct involving a minor (any person under age 18), including photos, videos, digital or computer-generated images indistinguishable from an actual minor, and images created, adapted, or modified, but appear to depict an identifiable, actual minor. *Regardless* of age of consent to engage in sexual activities in each state; any depiction of a person under age 18 engaging in sexually explicit activity is illegal under federal law. It is important to note that the legal statute *does **NOT*** require that an image depict a child engaging in sexual activity. If it is sufficiently sexually suggestive, a picture of a naked child may constitute illegal child pornography. More broadly, undeveloped videotape and film, and electronically stored data that can be converted into a visual image of child pornography are also illegal (Department of Justice [DOJ], 2020).

Legal Statutes

Federal Statutes

- ***Sexual Exploitation of Children (Production of Child Pornography)***
  - Federal law prohibits the production, distribution, reception, and possession of an image of child pornography using or affecting any means or facility of interstate or foreign commerce (e.g., Internet, U.S. Mail, common carriers). It is illegal to persuade, induce, entice, or coerce a minor to engage in sexually explicit conduct for purposes of producing visual depictions of that conduct (DOJ, 2020).

- ***Obscenity Involving Minors***
  - Federal laws prohibit obscenity involving minors. And, unlike for adults, there is a lower legal threshold for determining that matters involving minors are obscene (DOJ, 2021).
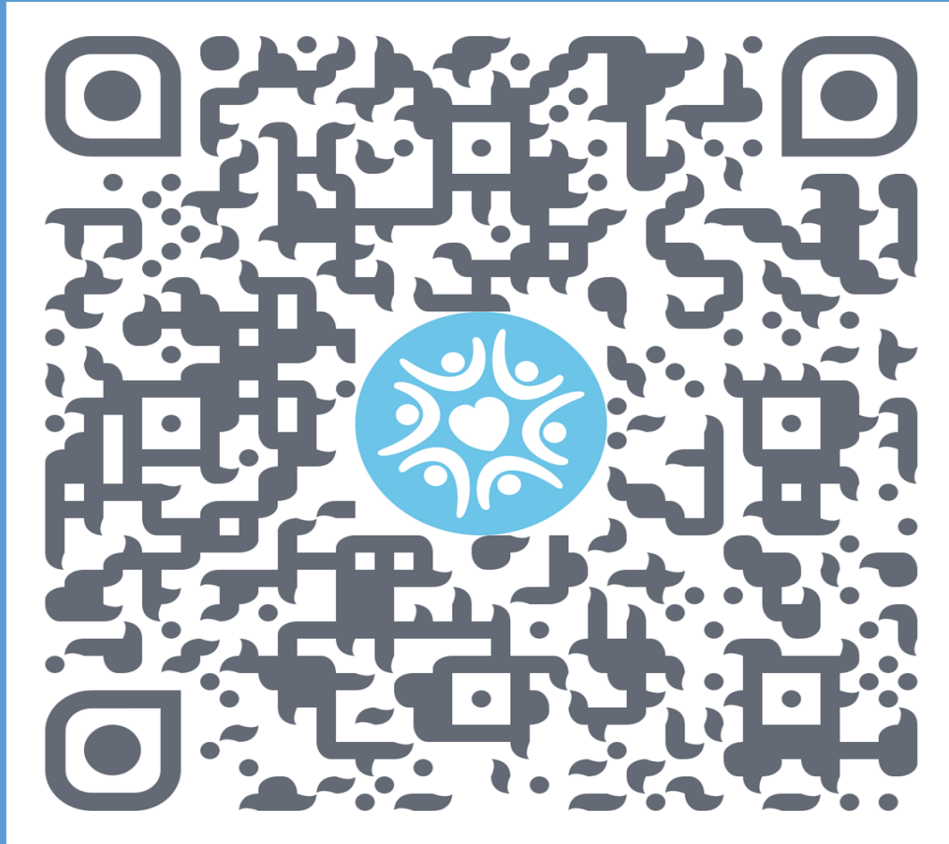
(See Sections 2256; 2251; 2252; 2252A; 1466A; and 1470 of Title 18, United States Code, for more detailed definitions)

Questions?

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