

Responses to the questions of Senator Tom Coburn, M.D.

Hearing: *“Challenges and Solutions for Protecting our Children from Violence and Exploitation in the 21st Century”*

United States Senate Committee on the Judiciary

Subcommittee on Crime and Drugs

April 16, 2008

Respectfully submitted by Flint Waters, Wyoming DCI

1. Through what type of grant system have the ICAC Task Forces been funded in the past? Why would a formula grant method, as proposed in S. 1738, be an effective method to fund these Task Forces, rather than a competitive application process? Wouldn't a competitive process be an incentive to the states to ensure proper focus of the Task Forces, as well as to provide state funds to enhance the resources of the Task Forces?

I would not be the right person to speak to this. I do not represent the ICAC Task Forces as a whole, rather a single ICAC in the State of Wyoming. We are dedicated to insuring this task fore maintains focus on the mission. We provide monthly, quarterly and semi-annual reports about our investigations, arrests and other operations.

- a. How much funding do states currently contribute to ICAC Task Forces, if any?

While we are not currently required to provide matching funds, the State of Wyoming provides the direct funding for our agents, their primary equipment and vehicles. Wyoming provides funds easily exceeding the \$300,000 that we received for 2007.

- b. Will the amount states contribute change if S. 1738 is enacted in its current form?

The proposed 25% matching funds would remain less than Wyoming is already contributing to this mission.

2. Are forensic laboratories used in Internet crimes against children completely separate from forensic laboratories used by state and local law enforcement for investigation of other types of crimes? If an allowable use in S. 1738 for grants for ICAC task forces is to “establish and support forensic labs utilized in Internet crimes against children investigations,” is it necessary to establish in Title II, Section 201, a separate authorization of \$56 million over 8 years only for regional computer forensic labs?

This area does not apply to Wyoming. We conduct our forensics examinations within our task force. We don not currently use the regional computer forensic laboratories.

- a. In addition, do grants such as the Paul Coverdell Forensic Sciences Improvement grant program provide funding for forensic lab use in child exploitation cases?

- b. Further, would this grant program overlap the grant funds already provided by the U.S. Secret Service to NCMEC's Exploited Children's Division (ECD) for "forensic and technical assistance" to NCMEC, federal, state and local law enforcement?
3. S. 1738 also states that an allowable use for ICAC Task Force grant money is to "conduct and assist with education programs to help children and parents protect themselves from Internet predators." What other federal programs currently exist to support this type of initiative?

We do not receive any grant funding for education programs. I am unaware of programs dedicated to or supplementing this tasking.

4. Under S. 1738, ICAC Task Force grant funds may also be used to "conduct and attend training sessions related to successful investigations and prosecutions of Internet crimes against children." What other federally-funded programs currently exist to provide such training? Is there a need for more training resources for ICAC Task Forces, and, if so, why?

There is a dramatic need for more training in this area. We frequently host courses on Internet child exploitation investigations. These courses, currently funded by the State of Wyoming, typically overfill within two days of our announcing them. We have conducted five weeklong training courses in 2008 alone and could easily have filled every working weekday with no noticeable reduction in demand. We are not primarily a training entity; there are dedicated training arms like the programs with SEARCH, the National White Collar Crime Center and Fox Valley Technical College. I can't speak to their overall demand but I do know the last course we taught in conjunction with Fox Valley had over ninety officers on the waiting list for a twenty-student course.

We are forced to turn down training requests almost daily. The inability to get trained investigators deployed to respond to the overwhelming number of leads has resulted in thousands of high risk offenders going free. We can only speculate how many of those were hands on abusers.

5. Are there significant sources of private funds available to combat online child exploitation? What are the primary groups responsible for such funding?

I do not know of private funds that are available for this type of investigation.

6. The Project Safe Childhood (PSC) program is a joint effort of federal, state, and local law enforcement, ICAC Task Forces, federal agencies, NCMEC along with community leaders, designed to protect children from online exploitation and abuse. In addition, the Child Exploitation and Obscenity section of the DOJ's criminal division, in partnership with the FBI's Innocent Images Initiative, also integrates with the PSC Task Forces.

Does this bill create overlap and confusion concerning the responsibilities and focus of various programs responding to child exploitation?

- a. PSC was only established in 2006. Was there a significant lack of communication among federal agencies, state and local law enforcement, ICAC Task Forces and NCMEC such that PSC was needed for coordination?
- b. What improvements were made in combating child exploitation with the installation of PSC Task Forces?
- c. How do the responsibilities of PSC Task Forces, ICAC Task Forces and the DOJ's Child Exploitation and Obscenity section differ?

This question would be better addressed to the Department of Justice. In Wyoming we have always had a very successful partnership among our State and Federal partners.

7. What is necessary to allow Mr. Waters' program (Operation Fairplay) to be used in every state for law enforcement to increase the information they have on child exploitation suspects and the ability to track them? Which states have already begun using Operation Fairplay? How are officers in those states trained on the software?

We need an intense one-day training course for investigators that wish to use these leads in conjunction with their other investigative efforts. This course should target the 'responders'. We would also need to conduct one-day courses for the forensics examiners on recovering P2P trace evidence.

Each larger jurisdiction, typically statewide or regional for larger states, would need a four day course to train undercover investigators. A small number of undercover investigators can provide sufficient leads to keep a large number of investigators functioning.

Adding so many investigators to the system would require a corresponding increase in resources in Wyoming to increase and manage the servers needed to handle the amount of data generated by these systems. There is also a need for technical support personnel to assist in the management of software and accounts related to the use of this software.

We have the following investigators licensed to conduct these P2P investigations:

ICAC Investigators	580
ICE Investigators	91
FBI Investigators	19
Other State/Local	69
International Investigators	190

8. It has been noted by several witnesses that law enforcement is doing what they can with the resources they currently have, but that more resources are needed. S. 1738 proposes

to provide additional funds for agents and personnel for FBI, ICE and the U.S. Postal Inspection Service. If these agencies have been in such dire need of funds solely to combat child exploitation, have they not requested these funds in appropriations bills? If not, why not?

[This question is not related to the Wyoming ICAC Task Force.](#)