

Testimony of
Lieutenant Kris Carlson

May 12, 2009

TESTIMONY OF LIEUTENANT KRISTIAN CARLSON
SENATE COMMITTEE ON THE JUDICIARY
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WRITTEN OPENING STATEMENT
KRISTIAN CARLSON

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COMMANDER - Vermont Internet Crimes Against Children Task Force

Good Morning Mr. Chairman and Members of the Committee.

My name is Kristian Carlson and I am currently a Lieutenant with the Burlington, Vermont Police Department. I have also served as a member of the Vermont Internet Crimes Against Children Task Force for the past 9 years in numerous capacities, most currently as Commander. I am honored to be here this morning to discuss the impact of Federal Stimulus funding via the Vermont Internet Crimes Against Children Task Force Recovery Act grant. This funding will have a direct impact on the citizens of the State of Vermont as it will enable us to save jobs associated with the Vermont ICAC that would have otherwise been lost.

The Vermont Internet Crimes Against Children Task Force began in 1998 as a part of the larger Northern New England Task Force covering the states of New Hampshire, Maine and Vermont. The goals of the Vermont ICAC task force are three fold: Statewide digital forensic support, investigation and technical assistance, and training/public education and outreach. Since our inception we have observed unprecedented growth in the use of the Internet and digital devices by those who seek to exploit our children. Although the population of Vermont is one of the smallest in the United States, the ratio of crimes against children facilitated by technology is on par with national averages, a dark cloud in stark contrast to the picturesque and serene backdrop of the Green Mountains. These problems are not unique to Vermont, however, as currently there are 59 ICAC task forces operating in each state working against similar forces.

Since we began investigating computer facilitated child exploitation in 1998, as a state and a nation we have observed a substantial increase in the number, type and scope of offenses committed utilizing digital technology and the internet. We have also identified evidentiary value of digital devices in offenses ranging from graffiti to drugs to homicide, including some of the most horrific; those targeting our children and families.

We have watched as our children have grown up in an age of technological wonder and observed our youngest generation master new technologies that we could only have imagined.

With ever expanding technology, the proliferation of digital devices that continue to shrink in size while rising in capability and the overwhelming use of cellular telephones and handheld devices, our children are more at risk than they have ever been as those who seek to hurt our children have similarly mastered this same technology. The resulting impact has been increased demand on local and state law enforcement agencies that lack the training and expertise to engage in these complex investigations and deal with intimidating amounts and scope of digital evidence. In turn, agencies across Vermont have come to rely on the specially trained and experienced members of the ICAC task force to meet the challenges posed by the increasing number and complexity of computer and Internet facilitated offenses.

As previously noted, the Vermont ICAC has worked closely with federal, state, and local agencies in Vermont and the region to collaboratively investigate computer facilitated child exploitation. The importance of this collaborative effort has been best exemplified in the following high profile investigations:

In March of 2008, a Detective with the Vermont ICAC was engaged in a proactive/Internet undercover operation portraying himself a 13 year old female from Vermont. The Detective encountered an adult male suspect in a chat room and between March and late May of 2008 the suspect transmitted numerous images of child pornography to and utilized a web camera to engage in lewd acts for the undercover detective. All of this occurred while the suspect believed his target was a 13 year old female. The suspect introduced the detective to several people portraying themselves as teenage females who in turn attempted to get the Detective to commit lewd acts. The suspect also told the Detective he had molested a prepubescent family member. This complex investigation revealed that the suspect lived in Buffalo Grove, Illinois and with the assistance of the US Attorneys Offices in Vermont and Chicago, the Federal Bureau of Investigation in Vermont and Chicago and the Buffalo Grove Police Department, a search warrant was obtained and executed at the suspect's residence. Digital evidence was seized and the suspect was arrested and later plead guilty in Federal Court to distribution of child pornography and received a 78 month sentence. The Vermont ICAC continued this investigation and focused on the previously mentioned teenage females ultimately identifying one of the reported teenage females as an adult male high school teacher in Lamberton, MN. These continued efforts lead to the issuance of a search warrant at the teacher's residence where digital evidence was seized and child pornography was discovered. The teacher was arrested and charged with possession of child pornography.

The second and most notable of these investigations began on June 25, 2008 when 12 year old Brooke Bennett disappeared from tranquil Brookfield, Vermont. The circumstances surrounding Brooke's peculiar disappearance led to the issuance of Vermont's first Amber Alert and immediately garnered national media attention. The Vermont ICAC became involved in the investigation immediately to assist in locating Brooke and to develop information regarding her disappearance. This assistance included digital forensic examiners responding to crime scenes, on-site forensic analysis, seizure of digital evidence and investigation of Brooke's use of the various internet sites including the social networking site MySpace. Over the course of the next week, ICAC personnel worked tirelessly with the FBI and numerous local and state police agencies to develop information vital to the investigation. The information developed by the Vermont ICAC quickly focused the investigation on Brooke's uncle, Michael Jacques, and was

integral in determining that Brooke was not missing, but had in fact been murdered. This investigation led to a six count federal Indictment charging Jacques with the kidnapping of Brooke resulting in her death and the production/possession of child pornography.

These cases serve to highlight how prolific these offenders are, how wide ranging these investigations can be and how vital the Vermont ICAC has become.

The Internet Crimes Against Children Task Force Stimulus funding is being utilized to support our operations by maintaining our current staffing and increasing our overall capacity statewide. This funding will be utilized to directly support the employment of current members of the Vermont ICAC directly employed by the Burlington Police Department to include a digital forensic examiner and two investigators. This portion of the grant has been budgeted for 48 months/4 years, the goal of which is long term sustainability.

Recovery Act funding will also be used to maintain the current contingent of full and part-time personnel hired by the VT-ICAC during the previous grant cycle. This funding will support 4 forensic examiners, 1 digital forensic technician and 1 law enforcement investigator. These positions were created through funding via the VT-ICAC operational grant, the purpose of which was to assist in our investigative, forensic and technical assistance endeavors and to allay the overall backlog of investigations and forensic examinations that continue to mount. This contracting of the above employees was successful in enabling the VT-ICAC to meet its goals through 2008 into 2009 and maintaining these positions is essential in meeting our future goals.

Without the funding via the Recovery Act Internet Crimes Against Children Task Force grant, support of current positions would not be possible and they would be terminated. This would have a devastating impact on our ability to support Vermont law enforcement and serve the citizens of Vermont.

In summary, Recovery Act grant funding for the VT-ICAC will assist us sustaining our operations to prevent, interdict, investigate, and prosecute those who exploit our children by allowing us to maintain and expand our staff of trained investigators to investigate offenses and conduct proactive investigations; maintain and expand our staff of digital forensic examiners to conduct a high number of examinations and reduce the backlog of current cases; to work closely with our federal and state prosecutors to ensure swift and certain punishment of apprehended offenders and to maintain and expand our current program of educational outreach to parents, youth and schools through instruction in the art of Internet and Online Safety.

In closing, I would like to thank you, Mr. Chairman, and distinguished Senators for taking testimony on this important set of issues and for your continued leadership and assistance on law enforcement matters in Vermont and across our nation.