

Testimony of
The Honorable Mary Beth Buchanan

United States Attorney
Western District of Pennsylvania
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United States Attorney
for the Western District of Pennsylvania

before the
Committee on the Judiciary
United States Senate

Indecent Exposure: Efforts of the Department of Justice to Protect Victims of Pornography

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Mr. Chairman, Ranking Member Leahy, and esteemed Members of the Committee:

My name is Mary Beth Buchanan, and I am the United States Attorney for the Western District of Pennsylvania. I also serve as the Chairman of the Attorney General's Advisory Committee of United States Attorneys. It is an honor to appear before you to discuss the work of my office and of the United States Attorneys across the country to protect victims of pornography. Before my appointment as United States Attorney, I served as an Assistant United States Attorney in Pittsburgh for thirteen years. My work focused on cases involving the sexual exploitation of children. In that capacity, I prosecuted many predators who had a sexual interest in children. During the course of my work, I saw the nature of the cases in this area change dramatically. Initially, cases involved individuals trying to obtain child pornography by mail, usually in an unsophisticated manner. The activity of the perpetrators evolved during the 1990s, to include cases targeting adults who used the internet, not only to exchange child pornography, but to contact children and attempt to arrange meetings where sexual molestation would occur.

With respect to obscenity cases, much has changed, as well. The adult bookstore has largely been replaced by thousands of web sites advertising and selling pornography. Nearly everyone has received unwanted and offensive spam emails advertising graphic sexual material. Pornographic web sites also offer videotapes, "streaming video" and live web-cam activity, all of which can be accessed immediately by the computer user. Effectively, this means that the world's worst adult bookstore now operates on a personal computer in almost every home in America. It is not a leap of logic to assume that young people are accessing this material.

Thus, the work of the Department of Justice to provide a safe America for children now extends well beyond the physical world into the electronic universe of cyberspace. The Internet offers unparalleled educational opportunities for our children. But there are dark corners of the internet

where children are being exposed to inappropriate sexual material and where they may be susceptible to predators who view them as sexual objects. Protecting children is the most important reason to vigorously enforce both our federal child exploitation laws and our laws against distributing obscenity.

Let me tell you about some cases we have prosecuted in the Western District of Pennsylvania that demonstrate how the Internet can be misused.

Several years ago, I prosecuted an Arizona minister who had befriended a 13 year old boy on the internet. He sent the boy child pornography. He also sent the boy a camera and encouraged him to take sexually explicit photographs of himself and then mail them to the minister. Fortunately, the boy's parents discovered the pornography on their son's computer and contacted the FBI. A search of the minister's residence revealed hundreds of photographs, computer discs and magazines containing child pornography. The minister received a ten-year sentence and the information seized from his residence led to child pornography prosecutions in other districts throughout the country.

Another case began with a lead from the search of a child pornographer's residence in Harrisburg. The Harrisburg man had been trading child pornography with a man from Western Pennsylvania. A search warrant executed in our district revealed numerous boxes of child pornography and adult pornography located within the residence. Most importantly, the agents found a videotape made when the perpetrator filmed himself having sex with his drugged and asleep 11 year old niece. He had taken his niece to an amusement park in Ohio as a "birthday present" and molested her without her knowledge. The judge imposed a 15-1/2 year sentence upon conviction.

In a similar case which occurred just this year, the FBI received information that a Pittsburgh man had been attempting to trade child pornography with an undercover detective in Chicago. A search warrant for child pornography was executed at his residence. Located at the scene when the agents arrived was a ten-year old girl whom he had adopted in Russia for the primary purpose of sexually abusing her. Fortunately, the girl revealed the abuse to an FBI agent participating in the search. The defendant recently pleaded guilty and is facing a sentence of 15 to 20 years in prison.

In another case, a defendant convicted of possession of child pornography in Los Angeles agreed to cooperate with investigators in Pittsburgh. The Los Angeles defendant revealed that he had been watching a Pittsburgh man have sex with his five-year old daughter live over the Internet. The Pittsburgh man had even sold pairs of his daughter's underpants to the cooperator. Images of the molestation were captured, and the Pittsburgh man, who had a previous conviction for possession of child pornography, was sentenced to nine years in prison. These events occurred in a 1997 case. The defendant would be facing a mandatory minimum 25 year prison term under the PROTECT Act today.

All of these individuals possessed thousands of images of child pornography, revealing their strong interest in sex with children. Unfortunately, these perpetrators did not stop with the mere viewing of images - they acted upon their perverse sexual interests.

As the extensive nature of the child pornography collections we see reveals, perpetrators are collecting more material, and the internet makes it easy. They are creating a market which

demands more and newer images. This, of course, means that more children will be molested. Every collection of thousands of images shows the terrible abuse of real children. These real children are re-exploited each time their image is transmitted to a new person.

More recently, we prosecuted a man from Virginia who identified himself on the Internet as a "Master of Teen Slave Girls." He engaged in chat conversations over the Internet with a thirteen year old girl from Pittsburgh for several months. On New Year's Day of 2002 he transported her to his house in Virginia where he sexually assaulted her. He also created a video as he abused her and transmitted it over the internet to a man in another state. The defendant pleaded guilty to producing child pornography and received a twenty year sentence. Once again, his computer contained thousands of images of adult and child pornography. It was clear from reviewing the material on his computer that pornography had fueled his desire for sex with children, and that the Internet had provided him with the opportunity.

In these cases, and many others, we have found a direct link between adult and child pornography and offenders who actually molest children. Images now available on the Internet are more graphic, involve younger children being molested, and increase every day.

There are few, if any, crimes more serious than the rape of a child. United States Attorneys have placed a high priority upon catching and prosecuting these offenders, and we work closely with the Child Exploitation and Obscenity Section (CEOS) of the Department of Justice on these cases. We also recognize the importance of coordinating our efforts with state and local authorities.

The importance of cooperation among law enforcement professionals, as well as the integration of agencies serving victims and medical professionals, led to the formation in my district of the Western Pennsylvania Crimes Against Children Task Force. The Task Force was initially funded by the Office for Victims of Crime within the Department of Justice. Our task force includes federal and state prosecutors, the Federal Bureau of Investigation, the United States Postal Inspection Service, and other federal law enforcement agencies, officers from the sex crimes units of the state, county and city police, medical professionals, including forensic examiners, from two major Pittsburgh hospitals, representatives from social service agencies which assist victims of crime, and attorneys from Kids Voice, a local agency which represents dependent children in court. By combining these resources and exchanging information frequently, we are able to ensure that the unique needs of child victims are met. The needs of the child are given our first priority. Coordination among all reduces the number of times that a child must be interviewed and ensures that the strongest case and longest sentence is pursued.

Let me now turn to the area of adult obscenity, as it is important to recognize that adults, as well as children, are often victims of pornography. With a CEOS trial attorney as a member of our prosecution team, we recently brought an indictment against Extreme Associates and its owners, Robert Zicari and Janet Romano. Extreme Associates, a California company, has produced some of the most vile, offensive, and degrading material available on the Internet. One of the videos charged as being obscene, Forced Entry, portrays the brutal rape and killings of three women. The women are hit, slapped, and spit upon. Another video involves sexual acts with multiple men followed by the woman being made to drink almost every type of liquid excreted by humans. Although the third video apparently involves actresses of at least 18 years of age, it portrays sex with children. In one scene, a girl playing in a tent in her living room is shown having forced sex

with a magazine salesman.

Obscenity, by its very nature, reduces human beings to sexual objects. Just last week I received a letter from a woman whose daughter had participated in the production of pornographic films.

This mother described how her daughter, who had graduated from a high-ranking high school with an excellent record, had fallen into the world of pornography. The daughter has now been reduced to an anorexic drug addict with severely compromised mental and physical health. This mother, with no where else to look for help, has asked my office to continue to work to, and I am quoting from the letter, "prevent the exploitation and destruction of other young women."

My office, along with other United States Attorneys across the country, looks forward to continuing the fight against child pornography and obscenity. I thank you again for inviting me to speak before this Committee and would welcome any questions.