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Police Posing as Juveniles Online to Catch Sex Offenders: Is It Working?

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This paper explores the extent and effectiveness of proactive investigations in which investigators pose as minors on the Internet to catch potential sex offenders. It utilizes a subsample of cases from the National Juvenile Online Victimization Survey, which concerned persons arrested for Internet sex crimes against minors in the year beginning July 1, 2000. Results suggest proactive investigations represented a significant proportion (25%) of all arrests for Internet sex crimes against minors. Such investigations were being conducted at all levels of law enforcement. The online personas assumed by investigators paralleled the ages and genders of real youth victimized in sex crimes that started as online encounters. These proactive investigations accessed an offender group that appeared somewhat less deviant in terms of adult sexual behavior and arrest history but equally deviant as other online offenders in terms of possession of child pornography. Prosecution of these cases produced high rates of guilty pleas and low rates of dismissed or dropped cases. The entrapment, fantasy or role-playing, and factual impossibility defenses were used but not successfully. Findings suggest that the Internet sometimes allows law enforcement to interdict before a youth is victimized, gather solid evidence of offenses, and find and track some offenders.

KEY WORDS: Internet; undercover; sex crimes; law enforcement; prosecution; proactive.

INTRODUCTION

> The undercover agent (UC) was posing as a 13-year old girl and was contacted by the [30-year old male] offender when they were in a chat room together. The UC and the offender communicated via chats, IM [instant messaging] and e-mail for about a month and a half. They always talked during the day when the offender was at work because he said that his

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wife was too domineering at home to let him use the computer without being disturbed. The offender was not deceptive to the UC while they were online together and was trying to begin a romantic/sexual relationship with the UC. While the offender did not send any pictures to the UC, there was a naked photo of the offender in his online profile. There was a phone conversation and a local public area was set as their meeting place. The offender was arrested there.

Each year approximately one in five youth receive sexual approaches or solicitations from people they encounter online, usually in chat rooms or via instant messages (Finkelhor, Mitchell, & Wolak, 2000). Some of these solicitations are fairly benign and many originate with other youth, but some sexual solicitations come from adults who are seeking illegal sexual contact with young teens. Although many youth know how to avoid sexual solicitations and how to handle them when they do occur, some youth are drawn into relationships with adults where they are sexually assaulted or exploited (Wolak, Finkelhor, & Mitchell, 2004). Anonymity is a unique aspect of the Internet that advances these crimes. A 40-year-old man who would not be appealing to a teenage girl crossing his path at the mall can create an online persona that will make him seem to be the perfect boyfriend for a 14-year-old he meets in a chat room. This same anonymity is an advantage to law enforcement because it allows a 40-year-old investigator to go online posing as a 14-year-old girl. This permits law enforcement to be proactive in investigations in ways they previously could not, and it allows them to detect some offenders before they victimize an actual child.

Undercover investigations on the Internet can be conducted in a variety of ways. These include having investigators pose online as minors, often called "proactive" investigations because the police may have an opportunity to capture suspects before a youth has been victimized. Investigators may also pose online as mothers of young children who are seeking men to "teach" their children about sex. Undercover investigations also occur when police find out youth have been solicited by adults. These are often called "reactive" or "take-over" investigations since investigators go online either as the youth who was solicited or as another youth, but targeting the original suspect. Finally, investigators also pose online as child pornography traders or sellers.

The present paper focuses on proactive investigations where investigators pose as minors online. In these proactive investigations, no minors are involved at any point but the suspects believe they are communicating with minors and, if they set up meetings for sexual encounters or commit other acts that show they are intending to sexually assault or exploit a youth, they may be charged with attempted sex crimes or, depending on the circumstances, other crimes. Undercover investigations are not unique to the Internet and have been used widely for several decades, typically in cases involving drug manufacturing and sales (Tawil, 2000). Undercover work involves a method were an investigator looks for criminal activity by inserting him or herself into the lives of people intent on engaging in illegal behavior (Girodo, Deck, & Morrison, 2002). The investigator pretends to be someone else by falsifying his or her true identity

and developing a trust and acceptance by the targeted individual. Conducting any form of undercover investigation requires a great deal of training and commitment of agency resources. This may be especially true for those conducted on the Internet because investigators must develop an understanding of the complex technology involved. In response to the needs in this area, the federal government has established special task forces to address Internet sex crimes against minors.

The Internet Crimes Against Children (ICAC) Task Force Program was created by the Office of Juvenile Justice and Delinquency Prevention under the authority of the fiscal year 1998 Justice Appropriations Act, Public Law 105–119, and continued funding in fiscal years 1999, 2000, and 2001 (Medaris & Girouard, 2002). As of May 2005, 45 regional task forces, involving 49 States are participating in this program. Since 2001, funding has continued up to and including the most current fiscal year, 2005 (Office of Juvenile Justice and Delinquency Prevention, 2005). The purpose of this program was to help state and local law enforcement agencies develop an effective response to cyber-enticement and child pornography cases that encompasses forensic and investigative components, training and technical assistance, victim services, and community education (Medaris & Girouard). An important aspect of this training involves how to conduct undercover operations effectively on the Internet, which have been used to help counteract these crimes. While conducting undercover investigations, Task Forces are governed by explicit guidelines regarding their conduct online and throughout the duration of the investigation (Brad Russ, personal communication April 16, 2004). These guidelines were developed with the assistance of the Child Exploitation and Obscenity Section of the Department of Justice, Criminal Division to minimize the likelihood of investigations giving rise to entrapment and other defenses.

The creation of these Task Forces reinforces the nationwide response to Internet sex crimes against minors. Yet, until these crimes have been examined systematically at a national level, individuals will continue to question whether this is money well spent and whether the training involved is necessary or appropriate for law enforcement at all levels. This is especially true for undercover operations that generally take a proactive stance in combating these crimes and can take time from investigators who typically already have large caseloads. Following is a list of questions and concerns that exist about proactive investigations on the Internet. Each will be explored and discussed in the current paper.

Questions and Concerns About Proactive Investigations

How Widely are Proactive Investigations Being Employed?

It is important to determine where these cases originate in the criminal system, the types of agencies (e.g., local, county, state, federal) taking part in them and how many arrests result from these investigations.

What Strategies Are Used in Proactive Investigations and Do They Parallel Those Crimes Against Juvenile Victims Committed by Offenders Who Meet Victims Online?

As with any type of undercover operation, there are likely a number of different procedures that may be followed. Are they done in ways that parallel Internet sex crimes with juvenile victims? Understanding the strategies used in proactive investigations may help address concerns that law enforcement agencies are manufacturing crimes.

Do the Suspects Arrested in Proactive Investigations Pose a Significant Threat to Youth?

Because persons arrested in these investigations have typically not victimized actual children as part of the current crime, questions have been raised concerning their characteristics and dangerousness. Beyond the fact that these suspects are being arrested in situations where they believe they were meeting a minor for a sexual encounter, which is clearly illegal, little is known about them as a group. Questions have been raised about whether they have the same characteristics as suspects who are arrested for committing sex crimes against actual minors.

Little research has been done to explore these questions but some initial insight can be drawn from a clinical perspective which suggests these suspects may be different from other suspects in some ways (Delmonico, Griffin, & Moriarity, 2001). These authors created a typology of problematic Internet users that includes a *discovery group* consisting of those who have no previous problem with online sex or any history of problematic sexual behavior. They believe a disproportionate number of the clients who have been mandated to treatment for arrests involving proactive investigations are from this discovery group (Delmonico & Griffin, 2003).

Are Suspects Arrested in Proactive Investigations Being Successfully Prosecuted?

Concerns have been raised about the ability to successfully prosecute cases involving proactive investigations, mainly because there is generally not a juvenile victim that has been exploited or assaulted as part of the current crime. Prosecution is possible for these individuals in some locales based on the solicitation or attempt to sexually assault a child (e.g., Arizona) whereas others have specific laws that make it illegal to use a computer to attempt to commit criminal sexual conduct or in the enticement of a child (e.g., Pennsylvania). A variety of defenses have been seen in the prosecution of these individuals including entrapment, role-playing or engaging in fantasy, the unconstitutionality of criminal statutes and whether the offense was a factual or legal impossibility (Goudie, 2002; Seto, 2002; Yamagami, 2001). For the last century, the United States legal system has struggled with

undercover operations and the entrapment defense in particular, trying to determine in court whether investigators are manufacturing crimes or whether they are just giving criminals the opportunity to commit them (Tawil, 2000). Today, courts tend to differ on the degree of burden placed on law enforcement to prove the suspect had the ability and resources to commit the crime, so that if an undercover operation was not conducted, it is likely it still would have eventually been committed.

There has not been a close examination of what goes into the prosecution of proactive investigations, including the barriers prosecutors encounter and how effectively they prosecute these cases. Similarly, are the barriers and effectiveness of prosecuting proactive cases similar or different from those involving Internet sex crimes with juvenile victims? An understanding of the process and effectiveness of prosecuting these suspects is necessary in order to answer the questions and concerns in this realm.

Overall, Is It Worthwhile for Law Enforcement to Be Conducting Proactive Investigations?

The Internet is comprised of a vast array of commercial and private websites, bulletin board systems, newsgroups, and chat rooms that allow people to communicate all over the world. This interconnected system involves a sophisticated technology that is difficult for many individuals to comprehend. Yet, in order for law enforcement to effectively track, arrest and gather evidence from the individuals who use the Internet for criminal activities, they must be trained about computers, the Internet and effective investigative techniques. Given the large number of law enforcement agencies that exist in the United States, many with a small number of sworn staff, it is a tremendous time and monetary burden to prepare all investigators to investigate these crimes. On the other hand, conventional proactive investigations are considered advantageous in several ways including increased safety for the public, lower cost, administrative ease, and the potential to apprehend criminals before they can harm innocent persons (Girodo, Deck, & Morrison, 2002). Taken together, it is important to understand how proactive investigations on the Internet operate, whether they can be effectively prosecuted, who the suspects are, and whether they pose a significant threat to youth.

METHODS

National Juvenile Online Victimization Study

The *National Juvenile Online Victimization (N-JOV) Study* was undertaken to get a sense of the scope and types of law enforcement activity in this area and serve as a baseline for monitoring the growth of Internet sex crimes against

minors and related law enforcement activities, including cases involving proactive investigations.

Because Internet sex crimes against minors are a recent phenomenon, data about them have not been gathered in a national study. The *N-JOV Study* is the first national research project to systematically collect data about the number and characteristics of arrests for Internet sex crimes against minors and it had three goals:

- To estimate a baseline number of arrests during a 1-year period so that the growth of these cases in the criminal justice system can be measured in the future;
- To provide a statistical portrait of the characteristics of Internet sex crimes against minors and description of how they are handled within the criminal justice system; and
- To organize the variety of cases into a typology useful for tracking and analysis.

This paper will examine offender characteristics, case characteristics and case outcomes in a national sample of arrests made during proactive investigations on the Internet, or attempted sex crimes against minors. When appropriate, comparisons will be made to offenders who were arrested for solicitations to juvenile victims on the Internet, or completed sex crimes against minors as this is the population the offenders thought they were communicating with online. Finally, data from prosecutors on a subgroup of the same proactive and juvenile victim cases will be examined to better understand what happens once these cases are referred for prosecution.

N-JOV Sample and Procedure

The *N-JOV* study collected information from a national sample of law enforcement agencies about the characteristics of Internet sex crimes against minors and the numbers of arrests for these crimes during a 1-year period. The goals of the methodology were to construct a representative national sample of law enforcement agencies that would give an overall picture of these crimes in the United States, understand how these cases emerged and were handled in a diverse group of agencies, and get detailed data about the characteristics of these crimes from well-informed, reliable sources.

Law enforcement investigators were interviewed because investigators have been in the forefront of identifying and combating these crimes and are the best sources of accessible, in-depth information about their nature. A focus was placed on cases that ended in arrests rather than crime reports or open investigations because cases ending in arrests were more likely to involve actual crimes; had more complete information about the crimes, offenders, and victims; gave a clear

standard for counting cases; and helped avoid interviewing multiple agencies about the same case.

First, a national sample of 2,574 state, county, and local law enforcement agencies was surveyed by mail asking them if they had made arrests in Internet-related child-pornography or sexual exploitation cases in the year beginning July 1, 2000. Then detailed telephone interviews were conducted with investigators who had such cases. The methodology was modeled after that used in the *Second National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children* (*NISMART-2*) to survey law enforcement agencies about child abduction cases (Sedlak, Finkelhor, Hammer, & Schultz, 2002).

Eighty-eight percent of the agencies ($n = 2{,}270$) responded to the mail surveys. Seventeen percent of the agencies ($n = 383$) that responded reported 1,723 arrests. If the agency reported three or fewer cases, interviews were conducted on all eligible cases. When agencies reported four or more cases, a random sample of cases was selected for interviews. To be eligible, cases had to (1) have victims younger than 18; (2) involve arrests between July 1, 2000, and June 30, 2001; and (3) be Internet-related. Cases were Internet-related if any of the following criteria were met: (1) an offender-victim relationship was initiated online, (2) an offender who was a family member or acquaintance of a victim used the Internet to communicate with a victim to further a sexual victimization, or otherwise exploit the victim, (3) a case involved an Internet-related proactive investigation, (4) child pornography was received or distributed online, or arrangements for receiving or distributing were made online, or (5) child pornography was found on a computer, on removable media such as floppy disks and compact disks, as computer printouts, or in a digital format.

Of the 1,077 eligible and sampled cases, 79% ($n = 630$) of the interviews were completed. Of those not completed, 16% did not meet eligibility requirements, 13% involved agencies that did not respond to requests for interviews, 3% involved respondents who refused to be interviewed, and 5% involved duplicate cases or cases that could not be identified. A total of 18 completed interviews were duplicate cases and thus dropped from the dataset, resulting in 612 completed interviews.

Interviews were also conducted with prosecutors for 207 of the 486 cases that were handled at the local, county or state level to determine what happened when cases entered the criminal court system (federal prosecutors handled the remaining cases but we were unable to resolve our request for permission from the U.S. Attorney Executive Office to interview federal prosecutors before the end of the field period of the study). Of the 486 state and local cases, 17% ($n = 82$) were ineligible for prosecutors' interviews because they could not be identified sufficiently by prosecutors and 17% ($n = 81$) were not selected for interviews in situations where one prosecutor had handled multiple cases in the sample. When one prosecutor had handled multiple cases, we used the following criteria

for selecting a case for an interview. First, we selected the case with an actual victim. If more than one case had an actual victim or there was no case with an actual victim, we asked prosecutors to select the case with the most interesting or novel legal issues. If that did not distinguish one case, we asked them to pick a case where the defense prevailed, followed by the case the respondent had the most information about, followed by the most recent case. Of the 323 cases that remained in the sample for prosecutor interviews after accounting for selection and ineligibility, we completed interviews for 64% ($n = 207$). Twenty-eight percent ($n = 90$) of the prosecutors did not respond to our requests for interviews and 8% ($n = 26$) refused to be interviewed. There were a total of 34 prosecutor interviews that involved proactive investigations and 48 that involved crimes against juvenile victims for the subsample of cases examined in this paper. These procedures (in addition to the weighting procedures described below) resulted in a representative sample of arrests for Internet sex crimes against minors in the United States between July 1, 2000, and June 30, 2001.

Weighting Procedures and Prevalence Estimates

A statistical technique called "weighting" was used to estimate annual numbers of arrests involving Internet sex crimes against minors in a 1-year time frame within the United States. Weighting takes into account sampling procedures and nonresponse, allowing use of the data to project estimated annual arrest totals with 95% confidence that the accurate number will fall within a specific range. Four weights were constructed to reflect the complex sample design. First, each case was given a sampling weight to account for the probability of selection to both the mail survey and telephone interview samples. The sampling weights were adjusted for agency non-response, case level non-response, duplication of cases among agencies and for arrests by one federal agency that did not participate in case level interviews. Second, primary sampling unit weights were created to account for clustering within each of the three sampling frames. Third, stratification weights were computed based on the different sampling strategies for each frame. Finally, finite population correction factors accounted for the sampling being conducted without replacing ineligible cases. (More detailed information about these weighting procedures is available at http://www.unh.edu/ccrc/pdf/N-JOVmeth.pdf.) We conducted weighted descriptive analyses using SPSS Complex Samples Statistical Software (2004) for all analyses in this paper except the subsample of prosecutor data. Weights do not apply to the subgroup of prosecutor interview data since those interviews were not chosen on a random basis.

Sample for Current Paper

The present paper primarily examines a subsample of 124 arrests in which *offenders were arrested during proactive investigations on the Internet* (Table I).

Table I. Demographic Characteristics of Offenders Arrested in Proactive Investigations

Demographic characteristics	Offenders arrested in proactive investigations % (*n*)
Gender	
Male	100 (123)
Female	<1 (1)
Age	
Younger than 18	0
18–25	7 (10)
26–39	61 (62)
40 or older	33 (52)
Race/ethnicity	
Non-Hispanic White	91 (110)
Hispanic White	4 (7)
Non-Hispanic African-American	1 (3)
Asian	3 (4)
American Indian or Alaskan Native	0
Other	0
Annual household income	
Less than $20,000	6 (9)
$20,000 to $50,000	43 (50)
More than $50,000 to $80,000	24 (27)
More than $80,000	12 (22)
Don't know	15 (16)
Highest level of education	
Did not finish high school	2 (2)
High school graduate	38 (26)
Some college	13 (20)
College graduate	26 (43)
Postgraduate degree	5 (11)
Technical training	1 (1)
Don't know	15 (21)
Community	
Urban	13 (25)
Suburban	30 (42)
Large town	19 (19)
Small town	25 (27)
Rural	4 (7)
Don't know	9 (4)
Marital status	
Single, never married	34 (46)
Married	35 (39)
Living with partner	4 (3)
Separated	7 (8)
Divorced	19 (26)
Don't know	1 (2)
Employment	
Full-time	91 (107)
Part-time	6 (9)
Unemployed	4 (8)
Retired	0
In school	2 (4)
Other	2 (3)
Don't know	1 (2)

Note. Unweighted $N = 124$.

This number translates into an estimated 644 arrests for this crime during the 12-month period covered by the study, using the weighting procedures discussed above. All but one were male, the majority was between the ages of 26 and 39 (61%) with an additional 33% ages 40 or older, and most were non-Hispanic White (91%). Nearly half (43%) had annual household incomes between $20,000 and $50,000 with 36% having incomes greater than $50,000. There was a range of education levels with 38% being high school graduates, and 44% having at least some college experience. Nearly one-third lived in suburban neighborhoods and an additional 29% lived in small towns or rural areas. Thirty-four percent were single and never married, 35% were married and 19% divorced. Most offenders worked full-time (91%), with only 4% unemployed.

We also used a second subsample of 129 arrests that involved *offenders arrested for soliciting juvenile victims on the Internet*. This number translates into an estimated 508 arrests for this crime during the 12-month period covered by the study using the weighting procedures discussed above. This second subsample, which will be described in more detail in the results section of the paper, represents the type of situation that could have occurred had youth and not undercover investigators been on the other end of the Internet communications. There were 19 additional offenders arrested in undercover operations who had also victimized juveniles through the Internet (i.e., these were dual offenders who committed Internet-related crimes that fell into more than one criminal category in this study). These offenders were included in the above group so there was a clear distinction between those offenders who solicited youth and those who "attempted" to solicit youth as part of the current crime.

Measures and Definitions

Cases involving *offenders arrested during proactive investigations on the Internet* were defined as proactive investigations where police were on the Internet posing as minors. They excluded cases involving juvenile victims and reactive investigations where police took on identities of specific youth who had been solicited online. These are considered attempted crimes against minors.

Cases involving *offenders arrested for soliciting juvenile victims on the Internet* were defined as juvenile victims that were identified and contacted by police in cases where the offender and victim met online. These are considered completed crimes against identified minors.

Other variables used throughout this paper were part of a survey developed for this study. Questions were developed through interviews and consultations with law enforcement. Completed surveys were also pilot-tested with police before the actual data collection began. These questions covered a number of different aspects of the case including how the case was initiated, specific case characteristics, offender characteristics, victim characteristics (if applicable), and case outcomes.

Analyses

To determine how widely proactive investigations were employed, weighted descriptive statistics were used to describe the breakdown of the various types of Internet sex crimes against minors coming to the attention of law enforcement to see how many arrests in proactive investigations occurred, how these cases entered the criminal justice system and the types of agencies that investigated them.

In order to understand what strategies were used in proactive investigations, weighted frequencies of investigation characteristics were conducted. Then, case characteristic comparisons were made between proactive investigations and juvenile victim cases using weighted chi-square statistics to examine whether investigators accurately portrayed juvenile victims in these cases.

To understand whether the suspects arrested in proactive investigations posed a significant threat to youth, weighted chi-square comparisons of offender characteristics between offenders arrested in proactive investigations and those arrested for juvenile victim cases were conducted.

To investigate whether suspects identified in proactive investigations were being successfully prosecuted, *unweighted* descriptive statistics are provided on a subgroup of the proactive investigations and cases involving juvenile victims for which further data from prosecutors were available.

Finally, all the data from the aforementioned questions were examined and summarized to address policy and law enforcement implications in the future concerning how worthwhile it is for law enforcement to be conducting proactive investigations.

RESULTS

How Widely Are Proactive Investigations Being Employed?

How big a role do proactive investigations play among the arrests for Internet sex crimes against minors? An estimated 644 arrests (range of estimate: 335–953 arrests) were made in the United States during proactive investigations on the Internet in the 1-year period beginning July 1, 2000 (Wolak, Mitchell, & Finkelhor, 2003). This represents 25% of all arrests for Internet sex crimes against minors, approximately 2,577 (range of estimate: 2,277–2,877), in the same time frame. Other arrests involved Internet crimes committed by offenders who met juvenile victims online (20% of arrests), other sex crimes involving the Internet committed by family members or prior acquaintances against juvenile victims (19% of arrests), and the possession, distribution, or trading of Internet child pornography (36% of arrests). (See Wolak, Mitchell, & Finkelhor, 2003, for more details on these other Internet-related sex crimes against minors.)

Proactive investigations originated in a variety of different agencies including federal agencies (19%), Internet Crimes Against Children Task Forces (18%), state, county or legal agencies (60%), and other agencies such as probation or parole (3%). It is notable that a great majority of these cases (63%) originated in agencies that had not received federal funding (i.e., ICAC Task Forces and federal agencies) to conduct this particular type of investigation. There was a strong multi-jurisdictional component to these proactive investigations with 73% of cases involving more than one agency (35% involved two, 29% involved three and 9% involved four or more).

What Strategies Are Used in Proactive Investigations and Do They Parallel Those Crimes Against Juvenile Victims Committed by Offenders Who Meet Victims Online?

As with any type of undercover operation, there are likely a number of different procedures that may be followed. In order to better understand how these proactive investigations were done, it is worthwhile to examine some of the overall characteristics of how these investigations were conducted. Most investigators posed as female adolescents (80%) with 98% posing as age 12 or older ($M = 13.8$, $SD = .19$) (Table II). Most investigators first met their targets in chat rooms or through Internet Relay Chat (56%) or through instant messages (31%). Nearly half of all investigations began in sex-oriented chat rooms (87% of those that begin in chat rooms began in sex-oriented chat rooms). Multiple forms of online communication between targets and investigators were seen in 87% of these investigations; typically by way of chat rooms (55%), instant messages (79%), and e-mail (82%). The length of time the investigator communicated with the targets was typically short, one month or less in 59% of cases and between 1 and 6 months prior to the arrest in 37% of cases. The number of online interactions between the online persona and target was usually 10 or less (46%) or between 11 and 30 (44%). The targets often brought sex-related items to the meetings (63% of cases resulting in meetings and 48% of all cases), typically contraceptives and/or lubricant or sexual devices (e.g., dildo).

Proactive Investigation and Juvenile Victim Case Comparisons

We compared the characteristics of proactive investigations to cases involving online meetings between offenders and actual juvenile victims since that was the population these offenders believed they were soliciting (Table II). The investigators posing online were slightly younger than the juvenile victims (mean age 13.8 vs. 14.4), but the mean age difference was only a few months. Online targets met over half of the investigators in chat rooms (56%) compared to 79% of the offenders with juvenile victims; but were more likely to have met through

Table II. Case Characteristics of Proactive Investigations Compared to Those Involving Juvenile Victims

Case characteristic	Proactive investigations ($N = 124$)	Juvenile victim investigations ($N = 129$)	p Value
Mean age of victim (standard deviation)	13.8 (.19)	14.4 (.14)	<.001
Gender of victim			
Male	20 (33)	25 (35)	
Female	80 (91)	75 (94)	*ns*
First meeting online was in			
Chat room or Internet Relay Chat	56 (82)	79 (99)	
Instant messages	31(28)	11 (15)	
E-mail	11 (9)	5 (3)	
Other	2 (4)	6 (5)	.02
Chat room was sexually oriented?	48 (75)	15 (19)	<.001
Multiple forms of online communication	87 (97)	87 (100)	*ns*
Chat rooms	55 (86)	84 (103)	.01
Instant messages	79 (94)	77 (84)	*ns*
E-mail	82 (91)	75 (90)	*ns*
Length of time communicated online			
1 month or less	59 (71)	30 (39)	
>1 month–6 months	37 (44)	53 (57)	
>6 months	4 (6)	17 (21)	.005
Number of online interactions			
10 or less	46 (56)	29 (28)	
11 to 30	44 (44)	21 (28)	
31 to 100	8 (14)	27 (24)	
More than 100	2 (5)	24 (22)	<.001
Offender brought sex-related items to meeting place	48 (60)	Not applicable	—

Note. Unweighted $N = 253$.

instant messages (31% vs. 11%). Online targets were more likely to have met the investigator in sexually oriented chat rooms, along the lines of "Daddy–daughter sex" (48% vs. 15%). The chat rooms in the juvenile victim cases were less likely to be sexually oriented. Often they related to a specific geographic area or were aimed at teenagers in general. Proactive investigations tended to develop more quickly than the juvenile victim cases with over half (59%) of the communication occurring for one month or less (versus 30% of the cases with juvenile victims). Only 10% of investigators had more than 30 interactions with the target compared with 51% of the offenders with actual juvenile victims.

Do the Suspects Arrested in Proactive Investigations Pose a Significant Threat to Youth?

Because persons arrested in proactive investigations have not necessarily victimized juveniles, questions have been raised concerning their characteristics and whether they pose a threat to youth. First, we found police had determined that

13% of the offenders arrested in undercover investigations ($n = 19$) had committed crimes involving online identified victims. So, of a total of 143 offenders arrested in undercover investigations, 13% were found to have molested a minor as well. These 19 offenders were grouped with the juvenile victim cases for purposes of analysis in this paper. Second, we conducted a series of comparisons between online targets and offenders of juvenile victims, which revealed some differences in demographic characteristics and prior evidence of criminal behavior (Table III) based on whether or not offenders had committed crimes against identified victims. Online targets were more likely to be older (Mean age = 37.7), have incomes of more than $50,000 a year (37%), be employed full-time (91%), and have lived with minors, mostly as parents and relatives, at the time of their crimes (36%). In these cases, the investigators we interviewed were less likely to report that online targets

Table III. Characteristics of Offenders Arrested in Proactive Investigations Compared to Those Arrested With Juvenile Victims

Offender characteristic	Offenders arrested in proactive investigations ($N = 124$)%(n)	Offenders arrested with juvenile victims ($N = 129$)%(n)	p Value
Demographic			
Male offender	100 (123)	99 (127)	.03
Lived in high income (>$50,000/year)[a]	37 (49)	21 (32)	.01
Lived in small town/rural community	31 (34)	32 (35)	*ns*
Mean age (Standard deviation)	37.7 (.56)	34.7 (1.1)	<.001
White race	91 (110)	90 (106)	*ns*
At least some college education[a]	45 (75)	40 (57)	*ns*
Employed full-time	91 (107)	78 (95)	.006
Married or living with partner	39 (42)	29 (38)	*ns*
Diagnosed mental illness	6 (6)	4 (4)	*ns*
Diagnosed sexual disorder[a]	1 (2)	4 (5)	*ns*
Physical disability or chronic health problem	6 (12)	7 (10)	*ns*
Lived with minor at time of crime	36 (36)	23 (28)	.04
Job provided offender with access to youth	6 (13)	12 (15)	.03
Involved with organized groups/activities that provided access to youth	15 (15)	16 (19)	*ns*
Social interaction and behavior			
Possession of child pornography	41 (62)	39 (53)	*ns*
Evidence of deviant behavior (not CP)	6 (13)	15 (18)	.03
Evidence of deviant interests (not CP)	10 (20)	19 (26)	*ns*
Known violent behavior	3 (5)	18 (20)	<.001
Problems with drugs or alcohol[a]	15 (14)	15 (18)	*ns*
Internet use and experience			
Owned very sophisticated computer system[a]	6 (9)	4 (9)	*ns*
Extremely knowledgeable about Internet	5 (11)	7 (10)	*ns*
Prior evidence of criminal behavior			
Subject of CPS allegations	1 (3)	2 (4)	*ns*
Prior arrest for nonsexual offense[a]	13 (13)	26 (26)	.03
Prior arrest for sexual offense against minor	4 (5)	11 (14)	.03

Note. Unweighted $N = 253$.
[a]Missing data more than 5%—comparison dummy variable examined and found to be nonsignificant.

engaged in deviant sexual behavior involving adults (6%) or that they had histories of violence (3%). Online targets had fewer prior arrests for non-sexual offenses (13% vs. 26%) and for sexual offenses against minors (4% vs. 11%). Yet, offenders in both categories had equally high rates of child pornography possession (41% of offenders in proactive investigations and 39% of offenders with juvenile victims) and both had the same amount of drug and/or alcohol use (15%).

Are Suspects in Proactive Investigations Being Successfully Prosecuted?

Concerns exist about the ability to successfully prosecute cases involving proactive investigations on the Internet, mainly because a juvenile has not been exploited or assaulted. Yet, data suggest this concern is not justified. Charges for those arrested in proactive investigations varied with some charged with an *attempted* crime (e.g., attempted rape or molestation, attempted corruption of minor, attempted endangering welfare of child, and attempted kidnapping); some with a crime that is *Internet- or computer-specific* (e.g., computer child exploitation, use of computer to commit the abusive activity, and using computers to commit a crime); or some form of *inducement* (e.g., child enticement, criminal solicitation of a minor, luring). Those arrested for Internet sex crimes against a juvenile victim had similar charges with the exception of molestation and abuse charges instead of charges for attempted molestation or abuse.

Having prosecutors involved in the case before an arrest was made was fairly common, especially for proactive investigations (68% vs. 46%) (Table IV). Having a case rejected for prosecution was uncommon in both types of Internet cases. The majority of offenders in proactive investigations were charged with at least one felony (94%), 15% went to trial and 91% resulted in pleas. Rates were either similar or slightly lower in juvenile victim cases. Nearly half of all offenders pled to a lesser charge or fewer counts (56% of proactive and 42% of juvenile victim cases) while the rest of the pleas were to the original charge. Characteristics of the defendant that contributed to plea agreements of all offenders included a lack of evidence of a history of molestation, being cooperative, remorse, lack of criminal history, and willingness to get treatment.

Almost all offenders in proactive investigations (82%) and the majority of those with juvenile victim cases (63%) were released on bail or personal recognizance or otherwise released after arrest. Pretrial issues were involved in almost half of the cases (44% of proactive and 48% of juvenile victim cases). A variety of these issues were raised by the defense, including seizure of a computer or computer-related equipment (27% of proactive and 19% of juvenile victim cases), search or forensic analysis of computer or computer-related equipment (18 and 10%), defendant was role-playing or engaging in fantasy (35 and 21%), offense was a factual or legal impossibility (41 and 8%), and the defendant claimed to be helping the victim (21 and 23%). Issues related to entrapment or actions of the police officer were also common in proactive investigations, occurring in 44% of these cases.

Table IV. Detailed Prosecution Information from a Subsample of Offenders Arrested in Proactive Investigations Compared with Those Arrested with Juvenile Victims

	Offenders arrested	
Prosecution Information	In proactive investigations ($N = 34$)%(n)	With youth victims ($N = 48$)%(n)
Prosecutor involved in case before arrest was made	68 (23)	46 (22)
Defendant was out on bail or personal recognizance or otherwise released after arrest	82 (28)	63 (30)
Felony charge	94 (32)	89 (43)
Misdemeanor charge	12 (4)	39 (19)
Guilty plea	91 (31)	79 (38)[a]
Pled to felony charge	82 (28)	60 (29)
Pled to misdemeanor charge	15 (5)	19 (9)
Pled to original charge	35 (12)	33 (16)
Pled to lesser charge or fewer counts	56 (19)	42 (20)
Plea agreement involved		
Reducing severity of charges	23 (8)	27 (13)
Dismissing some charges	44 (15)	42 (20)
Dismissing other case pending against defendant	3 (1)	4 (2)
Recommending more lenient sentence	18 (6)	31 (15)
What about defendant contributed to plea agreement		
Lack of criminal history	32 (11)	40 (19)
Cooperativeness	21 (7)	17 (8)
Remorse	18 (6)	15 (7)
No evidence of history of molestation	29 (10)	19 (9)
Willingness to get treatment	23 (8)	25 (12)
Case had weaknesses that contributed to plea agreement	27 (9)	27 (13)
Case involved significant pretrial issues	44 (15)	48 (23)
Case went to trial	15 (5)	13 (6)
Case rejected for prosecution	3 (1)[b]	4 (2)[c]
Defendant sentenced	97 (33)	87 (42)
Incarceration	68 (23)	73 (35)
Probation	71 (24)	60 (29)
Fine	47 (16)	40 (19)
Something else (community service, forfeiture, employment)	21 (7)	31 (15)
Length of incarceration		
No time served/all suspended	3 (1)	2 (1)
1 month or less	6 (2)	10 (5)
>1 month to 1 year	35 (12)	27 (13)
>1 year to 2 years	3 (1)	2 (1)
>2 years to 5 years	6 (2)	6 (3)
>5 years to 10 years	12 (4)	17 (8)
>10 years	3 (1)	8 (4)
Not applicable	32 (11)	27 (13)
Length of probation		
>1 month to 1 year	6 (2)	8 (4)
>1 year to 2 years	0	8 (4)
>2 years to 5 years	53 (18)	27 (13)
>5 years to 10 years	9 (3)	13 (6)
>10 years	3 (1)	2 (1)
Don't know	0	2 (1)
Not applicable	29 (10)	40 (19)
Sentence involved sex offender registration	85 (29)	73 (35)

Table IV. Continued

Prosecution Information	Offenders arrested: In proactive investigations ($N = 34$)%(n)	Offenders arrested: With youth victims ($N = 48$)%(n)
Sentence involved restrictions on:		
Internet use	56 (19)	35 (17)
Access to pornography	38 (13)	25 (12)
Contact with minors	68 (23)	52 (25)
Contact with victim	0	73 (35)
Alcohol and drug use	47 (16)	29 (14)
Forfeiture	50 (17)	31 (15)
Mental health treatment	59 (20)	56 (27)
DNA sample	53 (18)	56 (27)
Defense raised issues related to		
Seizure of a computer or computer-related equipment	27 (9)	19 (9)
Search or forensic analysis of a computer or computer-related equipment	18 (6)	10 (5)
Search or seizure of other items	6 (2)	6 (3)
Entrapment or actions of an undercover agent	44 (15)	4 (2)
Defendant was role-playing or engaging in fantasy	35 (12)	21 (10)
Offense was a factual or legal impossibility	41 (14)	8 (4)
Defendant didn't know how illegal material got on his computer	6 (2)	8 (4)
Tried to blame someone else for offense	3 (1)	10 (5)
Defendant claimed Internet addiction	6 (2)	2 (1)
Defendant claimed mental illness	9 (3)	13 (6)
Defendant claimed drug problems	3 (1)	10 (5)
Defendant claimed to be helping victim	21 (7)	23 (11)
Aspects of police investigation that were problematic for prosecution's case	23 (8)	19 (9)
Investigator inexperience	3 (1)	4 (2)
Concerns about entrapment	12 (4)	0
Problem with search or evidence	6 (2)	2 (1)
Investigation not thorough	3 (1)	6 (3)
Aspects of police investigation that were valuable for prosecution's case	77 (26)	87 (42)
Computer forensics	18 (6)	17 (8)
Interviews, confession, cooperation	6 (2)	37 (18)
Thoroughness, professional	12 (4)	13 (6)
Well-done undercover aspect	47 (16)	4 (2)
Found key evidence, good search warrant	6 (2)	29 (14)

Note. Unweighted $N = 82$.

[a] Two cases involving guilty pleas were not complete at the time of the interview - in one case the suspect is on the run and in the other the suspect will probably go to trial. In one other case, the suspect was charged with crimes in another jurisdiction so he pled to more felony charges and counts then he was originally charged with in the respondent's jurisdiction.

[b] Case rejected for prosecution because there was never a meeting between the undercover investigator and suspect. This jurisdiction charges for enticement so the lack of meeting was not considered a substantial step.

[c] One case was rejected for prosecution due to difficulty proving the sexual assault occurred in the prosecutor's jurisdiction. The other was rejected due to a noncredible victim witness.

In addition to incarceration (68% of proactive and 73% of juvenile victim cases) and probation (71% and 60%), sentences commonly involved a fine, registry as a sex offender, restrictions on Internet use, access to pornography, contact with minors, alcohol and drug use, forfeiture, and being required to take part in mental health treatment and provide a DNA sample. Most offenders were sentenced to between 1-month and 1-year incarceration (35 and 27%); and between 2 and 5 years of probation (53 and 27%).

Aspects about the police investigation that were problematic to the prosecution's case occurred in 23% of proactive cases and 19% of juvenile victim cases, and included concerns about entrapment (12% of proactive cases), problems with search or evidence (6% of proactive and 2% of juvenile victim cases), investigator experience (3 and 4%), and the investigation not being thorough (3 and 6%). More frequently, there were aspects of the police investigations that were valuable to the prosecutor's case including a well conducted proactive investigation (47 and 4%), computer forensics (18 and 17%), thoroughness and professionalism of the investigation (12 and 13%), interviews, confession and cooperation (6 and 37%), and finding key evidence and good search warrants (6 and 29%).

DISCUSSION

How Widely Are Proactive Investigations Being Employed?

One question that exists concerning undercover operations is what role they have among Internet sex crimes against minors in general. Proactive investigations made up one quarter of all investigations involving Internet sex crimes against minors. Thus, they make a significant contribution to overall arrests; more arrests than cases involving sex crimes against juvenile victims where the offender met an actual victim online (20%). Juvenile victims are the population these offenders were targeting and, as such, these proactive investigations may make a bigger dent in the population of online solicitors of juveniles than after the fact police activity. These arrests still constitute a relatively small portion of arrests involving all sex crimes against minors, as suggested by the author's estimate of 89,000 cases of sexual abuse substantiated by child protection agencies or an extrapolated estimate of 65,000 arrests in the year 2000 for all types of sex crimes against minors based on the National Incidence Based Reporting System data (Wolak, Mitchell, & Finkelhor, 2003). Yet, this much smaller number of proactive arrests may, in part, simply reflect the number of agencies that were conducting these investigations at the time of the study. As Internet use continues to increase and more police agencies and investigators are trained to conduct such investigations, the number of arrests for these crimes may increase as well.

These cases are widely distributed throughout the criminal justice system, being conducted by federal agencies, ICAC Task Forces, state, local and county agencies. There is a strong multijurisdictional component to these proactive

investigations. This is partly due to the lack of boundaries on the Internet that allows communication with anyone, regardless of what state or country they live in. For example, an offender may live in one state and the law enforcement agent conducting the investigation may live in another. This large amount of collaboration appears to be an important and necessary aspect of investigating Internet crime and efforts to further this collaboration should be encouraged.

What Strategies Are Used in Proactive Investigations and Do They Parallel Those Crimes Against Juvenile Victims Committed by Offenders Who Meet Victims Online?

It is important to understand how proactive investigations are being conducted on the Internet and whether they parallel Internet investigations with juvenile victims. Proactive investigations typically begin in chat rooms or through instant messaging, and develop quickly. When compared with cases involving juvenile victims, investigators appear to be using age appropriate identities. They are also using male as well as female identities consistent with the pattern of juvenile victims. The majority of offenders arrested for sex crimes against juvenile victims and proactive investigations work through chat rooms. Those proactive investigations conducted through chat rooms tended to be explicitly sexually oriented, compared to teen or geographically focused chat rooms for cases involving juvenile victims. For proactive investigations, this is likely linked to a higher likelihood of bringing up sex or sexual topics, generally in the very first online interaction. This raises the possibility that more successful offenders (i.e., those who do not get caught) work outside of sex-oriented chat rooms. It is likely harder for police to patrol in non-sexual chat rooms based on the larger number of people without malevolent intentions. Also, it is possible that police are catching naïve offenders in sex-oriented chat rooms who have not developed the grooming techniques necessary for pursuing a relationship with a teenager. Further, proactive investigations tended to be quicker than those with juvenile victims, with shorter overall lengths of time communicating and fewer numbers of online communications. From a policy standpoint, investigations begun in non-sexual oriented chat rooms may take too long and place more of a strain on monetary and time resources.

Do the Suspects Arrested in Proactive Investigations Pose a Significant Threat to Youth?

Because persons arrested in proactive investigations have typically not victimized any juvenile youth as part of the crime in mention, questions have been raised concerning the characteristics of suspects arrested in these cases and whether they pose a threat to youth. The offenders arrested in proactive investigations (as compared to those arrested with juvenile victims) tend to be older, from a higher

socio-economic status, more likely to be employed full-time, have less adult-related deviant behavior, less known violence, and fewer prior arrests for sexual and non-sexual offending. In such aspects, these cases emerge as accessing an offender group that appears somewhat less deviant and dangerous than other sex offenders who use the Internet in crimes against minors.

Despite this, there are three main indications why offenders arrested in undercover investigations appear to pose significant threats to youth and to warrant attention. First, in 13% of undercover investigations offenders were found to be concurrently committing similar crimes with juvenile victims, so some of these investigations lead to the identification of molested youth. Second, 41% of these offenders possessed child pornography, so these investigations are identifying additional criminal conduct. Third, these offenders went to meetings, often bringing sex-related items, where they expected to meet minors. It certainly appears that these offenders intended to commit sex crimes.

Further, it is the criminal justice system that decides whether this group of offenders was incorrectly arrested (or entrapped). The current study found high conviction rates for offenders arrested during undercover operations. So the fact that these offenders had less prior criminal histories, higher socioeconomic status, and less deviance did not appear to impact the outcomes of these cases. If they had, it would be indicated by more dismissed or dropped cases, rather than high rates of convictions (or guilty pleas).

It is possible that problematic Internet use may have contributed or been a factor in the engagement of these crimes, tentatively supported by their lower amount of criminal history. It is also possible that some of these offenders had impulse control issues that were exacerbated by the overwhelming amount of material, particularly sexual material and interaction, available on the Internet. Some may also have been naïve or new offenders who had not developed the experience or grooming skills necessary to advance sexual or romantic relationships with teenagers; skills that would be necessary in teen-oriented chat rooms but not necessarily in sex-oriented chat rooms. It is important to note that this is not a uniform group. Some may have been naïve or had impulse control problems, but some did have histories of child sexual assault and other kinds of deviant sexual behavior. Some may have offended before and never been caught. It is possible that they were less likely to be caught because they were more educated and employed and therefore less suspect.

Are Suspects Arrested in Proactive Investigations Being Successfully Prosecuted?

The evidence thus far indicates that these cases involving proactive investigations can and are being effectively prosecuted based on the high levels of guilty pleas and low levels of dropped or dismissed cases. These rates are as high as, if not

higher, than those involving conventional child sex abuse crimes that are carried forward for prosecution (Cross, Walsh, Simone, & Jones, 2003). Approximately 82% (range of 39–97%) of carried forward conventional child abuse cases result in guilty pleas and 18% (range 3–61%) go to trial. The proactive investigations in the present paper had rates of 91% for guilty pleas and 15% went to trial (some offenders pled to one charge but went to trial for another). Even those few cases that get to trial are likely to result in convictions rather than dismissals. It is important to note that a little over half (56%) of conventional child abuse cases are referred to the district attorney, suggesting the high rates of carrying forward without dismissal may stem from careful screening of cases in the charging process.

A number of possibilities exist to explain the high prosecution success rate for Internet-related sex crimes, even in the proactive investigations that might raise issues for prosecutors and juries. First, prosecutors appear to be involved in these cases before an arrest is even made which certainly helps to assure the investigation is conducted in a manner conducive to successful prosecution. Second, it is possible that Internet cases, regardless of the type, result in better police evidence in the form of chat conversations, sexual pictures, and sex-related items brought to meetings, thus leaving defendants less opportunity to refute their intentions when confronted with hard evidence as opposed to just victim or investigator testimony. Third, given the high rate of involvement of prosecutors early in these cases, it is possible that police only make arrests in strong cases; an idea tentatively supported by findings from conventional child abuse cases noted above (Cross et al., 2003).

Issues commonly introduced by the defense in undercover cases, such as entrapment, role-playing or fantasy, and the crime as a factual or legal impossibility, are common but seem to be ineffective. These defenses may be unsuccessful due to aspects of the police investigation, including computer forensics, well-conducted undercover procedures, finding key evidence, and having a good search warrant. For cases investigated by ICAC Task Forces, this is likely due, in part, from the careful development of proactive procedures in conjunction with the Child Exploitation and Obscenity Section of the federal attorney so little doubt could be left concerning the intent of these offenders (Brad Russ, personal communication, April 16, 2004). Plea agreements were typically based on characteristics of the defendant, such as lack of criminal history, cooperativeness, remorse, no evidence of a history of molestation, and willingness to get treatment, rather than weakness of the case itself. In 23% of cases, there were aspects of the police investigation that were problematic for the prosecutor's cases and included lack of investigator experience, concerns about entrapment, problems with searches or evidence, and a lack of thoroughness in the investigation. This suggests that, although many agencies are successfully investigating and prosecuting these offenders, there are still investigators that could benefit from training, education, and/or collaboration with other agencies about these crimes and investigations.

A majority of offenders arrested in proactive investigations received some incarceration and probation. Sentences also typically involve a number of additional features that indicate that these offenders are being taken seriously including being required to register as a sex offender, restrictions on Internet use, access to pornography, contact with minors, alcohol and drug use, forfeiture, and being required to take part in mental health treatment and provide a DNA sample. Further, offenders arrested in proactive investigations received as much, if not more penalties and restrictions than the offenders with juvenile victims. Overall, little evidence exists to suggest cases involving proactive investigations can not be effectively prosecuted.

POLICY IMPLICATIONS

Overall, Is It Worthwhile for Law Enforcement to Be Conducting Proactive Investigations?

Findings from the National Juvenile Online Victimization Study suggest it is worthwhile for law enforcement to be conducting proactive investigations on the Internet. First, it may be the first time law enforcement can intervene and stop some offenders before a child is actually molested. Second, this active, online presence of undercover investigators may also deter others who contemplate offenses.

Third, certain aspects of the Internet and Internet communication may allow police to gather hard evidence of offenses such as chat conversations and images that aid in the prosecution of these cases. The Internet may also help to efficiently find and track new offenders. Effectively locating and tracking these offenders requires some training and experience but data suggest agencies are already effectively taking part in these investigations.

Fourth, although offenders arrested in proactive investigations appear more upper class, less deviant in terms of adult sexual behavior, and have less criminal history than those arrested for Internet crimes against juvenile victims, they have similarly high rates of child pornography possession and were intending to sexually assault minors. Further, a percentage of proactive investigations identified offenders who were actively pursuing juvenile victims. This suggests this is a worthwhile population to be targeted by law enforcement investigators. Undercover investigations identify a group of people who are trying to contact minors. These arrests serve to identify these individuals in the criminal justice system, possibly deterring or resulting in higher penalties for future crimes. And without knowledge of some police presence on the Internet, these offenders who are using this technology to meet victims are able to operate without impunity.

Offender differences may also be linked with the particular investigative techniques of law enforcement. Data suggest these cases start differently and develop quicker. Further, it is likely that police are rarely likely to say no. The purpose of conducting these proactive investigations is to catch potential criminals

so they would be quicker to respond to sexual advances than actual teenagers. These techniques are probably linked to issues concerning resources, time and money (or lack thereof), and not wanting to spend the longer amounts of time in non-sexual chat rooms, developing relationships that these other offenders are happy to do.

Fifth, there are no readily apparent difficulties with prosecution of proactive investigations signified by high rates of guilty pleas and low rates of dismissed or dropped cases. The entrapment, fantasy or role-playing, and factual impossibility defenses are being used but not successfully; prosecutors are effectively countermanding them. And they do not appear to be getting off lightly with incarceration, probation and fines common, along with a number of additional requirements such as registering as a sex offender, having to provide a DNA sample, and restrictions on contact with minors.

In sum, there is still a great amount of information we do not know about these investigations. Specifically, we do not know how much time individual agencies spend on these investigations. Although the present study found proactive investigations seem to have some success, we do not know what alternate uses of investigator's time would be had they not been conducted. For example, are these investigations being conducted over and above other investigations in individual's caseload or do they take time away from conventional sexual abuse cases? It may not be essential for *all* agencies to take the time and resources necessary to train their investigators given that 95% of local police departments across the United States have 50 or fewer sworn officers (Hickman & Reaves, 2003). As such, a more viable option for some may be the development of connections and collaboration with one of the regional Internet Crimes Against Children Task Forces that are designed to aid agencies who lack the resources to investigate these crimes proactively. Either way, as the law enforcement presence on the Internet increases, support for further training opportunities and/or collaboration is important.

CLINICAL IMPLICATIONS FOR SEX OFFENDER TREATMENT

The findings from this paper suggest several clinical implications for professionals working with sex offenders. First, regardless of how the offender is referred for treatment, it is useful to screen for Internet use and behavior during the assessment process. It is clear that some sex offenders have found their way onto the Internet and are using it to victimization youth. As seen in the current paper, offenders are using the Internet to meet youth and develop sexual relationships with them. Other findings from this same study reveal that even family and acquaintance offenders have found ways to utilize the Internet to abuse or further the abuse of their children, students, and neighbors (Wolak, Mitchell, & Finkelhor, 2003). An understanding of the role of the Internet in the lives of all sex offenders and how it is utilized (if at all) would be useful in designing the best avenues of treatment and future prevention.

Second, this study found that offenders arrested in proactive investigations were older and were less likely to have committed sex crimes against minors in the past than those arrested with parallel crimes with juvenile victims. Interestingly, they were also more likely to have met the investigator in a sex-oriented chat room, compared to more general teenage chat rooms seen in the comparison cases. A potential explanation of these differences is that the offenders arrested in proactive investigations may have impulse control issues that are exacerbated by the overwhelming amount of material, particularly sexual material and interaction, available on the Internet. It is also possible that these are naïve or new offenders who have not developed the experience necessary to develop sexual or romantic relationships with teenagers; skills that would be necessary in teen-oriented chat rooms but not necessarily in sex-oriented chat rooms. This has clear treatment implications considering many sex offenders against minors have a well-established fixation on youth along with methods for grooming their victims into compliance. These offenders who may be beginning their offending patterns later in life may be more amenable to treatment than those with long-established offending patterns.

Third, in addition to the intent to sexually assault a minor, almost half of these offenders were found to possess child pornography. This is important because the possession of child pornography is a crime in and of itself. As such, it is important for treatment providers to address the needs and motivations behind possession of this material and its role in client's offense patterns.

Fourth, almost all of these offenders were working full-time at the time of their arrest. While most had used the Internet primarily at home during the course of the crime, some also used it at work. Use of the Internet to access legal adult pornography is a rule violation in most work places, and use for child pornography is a crime. The effect of using the Internet in the course of the crime could effect work productivity and increase risk for job loss; an outcome that may be useful to focus on in treatment for some offenders. Finally, similar to the previous implication, use of the Internet at home during the course of the crime could have very negative consequences for family relationships. A study of 94 individuals who had experienced serious adverse consequences of their partner's cybersex involvement reported feelings of hurt, betrayal, rejection, shame, isolation, anger and jealousy (Schneider, 2003). Although these were not individuals arrested for sex crimes, it speaks to the potential impact of Internet behavior on the family system. Given that a substantial proportion of these offenders were married and many lived with minors, addressing these outcomes in treatment may also prove useful.

Limitations

Although this study has a number of strengths, a few limitations must be noted. First, because most sex crimes against minors are never reported to the police

(Finkelhor & Dziuba-Leatherman, 1994; Finkelhor & Ormrod, 1999; Kilpatrick & Saunders, 1999) and many of those known to law enforcement do not culminate in arrest, (Finkelhor, Cross & Cantor, 2005) this sample cannot be said to represent the characteristics of all Internet-initiated victimizations that occurred during this period, but only those that ended in the arrest of an offender.

Second, some errors and biases may have been introduced because the respondents were law enforcement investigators. Police were regarded as the best sources for in-depth information about the nature of Internet-initiated crimes because their professional responsibilities require them to gather intensive information about these cases. However, the information they provided could be biased by training, professional attitudes, or the adversarial nature of their roles in some of these cases.

Third, these numbers are estimates based on the sample of cases that were the subjects of the interviews. While the study was designed to yield a nationally representative sample of cases involving Internet-related sex crimes against minors, sometimes samples can be randomly skewed. The margin of error could be larger than calculated.

CONCLUSION

Findings from this paper suggest that policy makers should continue to support proactive investigations. Law enforcement must keep abreast of advances in technology and as such, long-term commitment to invest in sophisticated equipment and technologically skilled staff for law enforcement is required. These cases and the agencies that respond to them require financial resources to acquire, maintain and upgrade equipment; pay and keep staff with expertise in computer technology; provide training in specialized investigation methods and promote inter-jurisdictional cooperation. Through funding of the ICAC Task Forces, it is clear that sex crimes against minors on the Internet is a high priority with the current administration and the results of this paper suggest this is a worthwhile endeavor to continue.

Internet sex crimes against minors place substantial burdens on law enforcement. Namely, they are widespread, occurring throughout the criminal justice system; they are multi-jurisdictional so require extensive collaboration; they involve constantly changing technology; and they require specialized investigation methods. But even given these burdens, proactive investigations on the Internet are a creative, successful and sophisticated response to Internet crimes against minors. They result in high conviction rates, supporting the seriousness of these crimes. Further, they result in more arrests than do cases involving parallel crimes with juvenile victims. As such, they may make a bigger dent in the population of online solicitors of teens than after-the-fact police activity. Although these cases access an offender group that appears somewhat less deviant and dangerous than

other offenders in terms of adult sexual behavior, they are equally deviant in their desire to sexually assault a minor and possession of child pornography. Further, the continual active online presence of undercover law enforcement agents may deter others who contemplate similar offenses. In sum, the Internet may have improved law enforcement's ability to interdict without victimization, gather evidence of offenses, and efficiently find and track offenders.

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