

The Varieties of Child Pornography Production

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The findings are from the National Juvenile Online Victimization Study, which was conducted by the Crimes against Children Research Center at the University of New Hampshire and funded by the US Department of Justice and the National Center for Missing and Exploited Children.

Introduction

Before the Internet and video and digital photography, people thought of child pornography (CP) as being produced the same way as much adult pornography is produced, but more furtively. Some child advocates and law enforcement officials have begun calling child pornography 'images of abuse' to emphasise the criminal nature of the acts shown in many of the pictures. We have retained the term 'child pornography' because we are discussing a broader range of types of images and because, in the US, there is a history of court decisions and other writings that have used and developed the term 'child pornography.' A stereotype involved photographers with cameras and lights recording scenes using children who were coerced or seduced into performing sexual acts. This idea of CP production may have been accurate back in the days when photography demanded expensive cumbersome equipment, technical skill and special developing facilities. However, people who have studied the CP market in the past decade have noted that the days of commercial child pornography operations ended with the advent of video cameras, digital photography and computers. It takes no special skill and little in the way of equipment to take a sexually explicit picture of a child and post it on the Internet. What it takes is the desire and ability to find and exploit a victim.

Child advocates, law enforcement agents and others concerned about the sexual exploitation of children worry that growing numbers of children may be victimised by CP production if increasing numbers of images are being created to feed an expanding online market. However, we have little information about how many cases of CP production exist, who the offenders and victims are, what kinds of images are being produced and whether and how often images are distributed online. Further, because the Internet has played a large role in facilitating the distribution of child pornography, and the images found online have become so visible to law enforcement agencies, CP production has come to be seen as an 'Internet' crime. As a result, some law enforcement agencies that specialise in Internet crimes are focusing resources on tracing online CP from the Internet to its source. It seems that less attention is being paid to cases of CP production that may come to light in the context of child sexual abuse cases in local law enforcement agencies.

In this chapter, we examine a sample of US criminal cases in which offenders arrested for Internet-related sex crimes against minors took pictures of victims that ranged from sexually explicit to suggestive. Information about these cases was collected as part of the National Juvenile Online

Victimization Study (N-JOV Study), which gathered information from investigators in a national sample of US law enforcement agencies. For an overview of the N-JOV Study, see Wolak, J., Mitchell, K. and Finkelhor, D., (2003) *Internet Sex Crimes against Minors: The Response of Law Enforcement*, which can be downloaded from the website of the Crimes against Children Research Center at www.unh.edu/ccrc.

We asked a number of questions about CP production. How many offenders were arrested for Internet-related sex crimes that involved CP production? Who were the CP producers and victims? What types of images were produced? How often did CP production occur in concert with other sex crimes? How did CP producers manage to take pictures? How often were images distributed? How did CP production cases come to the attention of law enforcement?

Methods

Interviewers for the N-JOV Study gathered data from a US national sample of law enforcement agencies about cases involving Internet-related sex crimes against minors, including CP production. The study was designed to gain:

1. An overall picture of arrests for Internet-related sex crimes against minors in the US.
2. An understanding of how these arrests emerged as cases and were handled in a diverse group of agencies.
3. Detailed data about the characteristics of the crimes, offenders and victims.

We used a two-phase process to collect data from a national sample of 2,574 local, county, state and federal law enforcement agencies. In Phase 1, we sent mail surveys to the agencies asking if they had made arrests in Internet-related child pornography or sexual exploitation cases between 1 July 2000 and 30 June 2001. In Phase 2, interviewers conducted detailed telephone interviews with law enforcement investigators about a sample of the cases reported in the mail surveys. The interviewers also recorded a narrative description of each case. The final data set, weighted to account for sampling procedures and other factors, included data from 612 completed interviews, 122 of which involved offenders who produced child pornography.

To be eligible for the study, a case had to:

- Be a sex crime.
- Have a victim who was younger than 18.
- Involve an arrest that occurred between 1 July 2000 and 30 June 2001.
- Be Internet-related.

Cases were Internet-related if an offender-victim relationship was initiated online (online meeting cases); an offender used the Internet to communicate with a victim to further a sexual victimisation or otherwise exploit the victim; a case involved an Internet-related undercover investigation; child pornography was received or distributed online, or arrangements for receiving or distributing were made online; or child pornography was found on a computer or removable media (disks, CDs, etc.), as computer printouts or in a digital format.

The study was limited to cases that ended in arrests rather than crime reports or open investigations because cases ending in arrests were more likely to involve actual crimes and have more complete information about the crimes, offenders, and victims. We interviewed law-enforcement investigators

because investigators have been in the forefront of identifying and combating these crimes and were the best sources of accessible, in-depth information about them. More details about instrumentation and sampling and weighting procedures are available in the N-JOV Study Methodology Report, available online at www.unh.edu/ccrc.

Subsample used in this paper

Internet sex crimes against minors include a diverse range of offences. The subsample examined in this paper comprises crimes against identified victims that involved CP production ($n=122$, weighted $n=402$). In 22 per cent of these crimes, offenders met identified victims online ($n=26$, weighted $n=89$). In 73 per cent, offenders used the Internet to facilitate sex crimes against victims who were family members or face-to-face acquaintances of the offenders ($n=93$, weighted $n=291$). Offenders who were strangers to their victims committed a small number of the crimes (5 per cent, $n=3$, weighted $n=22$). All of the offenders produced CP, and many of them committed other sexual offences as well.

We refer to the alleged perpetrators as 'offenders,' however, not all were convicted. At the time of data collection, 83 per cent of offenders had pled guilty or been convicted; charges had been dropped for 1 per cent, 2 per cent were dead or missing and case outcomes were pending or unknown for 13 per cent.

How we defined child pornography and CP production

In the United States, there is no simple, straightforward definition of child pornography. Statutes defining CP differ among states and between state and federal jurisdictions. Federal statutes define 'child' as a youth age 17 or younger, and child pornography as the 'visual depiction . . . of sexually explicit conduct' (18 USCS 2256). The statute describes sexually explicit conduct as including sexual acts such as intercourse, bestiality, and masturbation, as well as 'lascivious exhibition of the genitals or pubic area'.

The US Supreme Court has defined 'lascivious exhibition of the genitals or pubic area' broadly to include images of minors that focus on the genitals of children even when wearing clothing (US v. Knox, 1994). For example, sexually suggestive pictures that focus on the genitals of minors wearing swim suits or leotards can be child pornography. At the same time, photos of nude minors that show their genitals, but do not focus on them are not child pornography if the images do not constitute a 'lascivious exhibition'. Many state laws are modelled after the federal statutes and have 'lascivious exhibition' provisions, but some states have different standards. Also, some state laws define 'child' as a youth younger than 16 or 17. These legal decisions and statutory proscriptions mean that images do not have to depict sexual activity, child sexual abuse, nudity or children under the age of consent to qualify as child pornography, so in the United States, child pornography is not synonymous with child sexual abuse.

For the N-JOV Study, we wanted to collect data on the full range of picture taking that might constitute CP production, so we defined CP production broadly to encompass any picture taking of a person younger than 18 that was at least sexually suggestive.

Results

About 402 offenders were arrested for Internet-related sex crimes that involved CP production during the year covered by the N-JOV Study.

We estimate that there were 402 arrests in the US for Internet-related sex crimes against minors that involved CP production in the 12 months beginning 1 July 2000. (This estimate has a 2.5 per cent margin of error in either direction, which means that the true number is between 329 and 474 arrests.)

This estimate of 402 CP production cases ending in arrest is by no means a full measure of the number of Internet-related CP producers. It is only an estimate of the number of *arrests* involving CP production during the year covered by the N-JOV Study. To give some perspective on this number, we estimate from the FBI's National Incident Based Reporting System that there were approximately 65,000 arrests in 2000 for all types of sexual assaults against minors. Clearly, the number of arrests for Internet-related CP production is quite small in comparison. However, arrests for CP production may be growing due to the spread of the Internet and the related trade in child pornography.

The CP producers were diverse

In some ways, the arrested CP producers were homogenous. They were almost all male (98 per cent), with most older than 26 (89 per cent) and 44 per cent aged 40 or older. (See Table 1) Only 3 per cent were minors, younger than 18. Ninety-three per cent were White. Most were employed fulltime (81 per cent). Most possessed child pornography that was produced by others, in addition to producing their own (73 per cent).

In other ways, the CP producers were highly diverse. Some were well educated and some were not. Over a third had never married (36 per cent), but many were married or living with a partner at the time of the crime (37 per cent) and many were divorced, separated or widowed (27 per cent). Close to half lived with a minor child at the time of the offence (46 per cent), but most did not. A few were mentally ill (1 per cent) or had sexual disorders (3 per cent), but the great majority did not. Some were engaged in deviant sexual behaviour that did not involve children, like bestiality or sadism (16 per cent), or had problems with drugs or alcohol (20 per cent), but most did not. Most had never been violent as far as investigators knew, but some had (16 per cent). Some had prior arrests for non-sexual offending (26 per cent), and 12 per cent had been arrested previously for sex offences against minors, but most had never been in trouble with the law.

Few cases involved multiple offenders

One of the pre-Internet stereotypes about CP production is that many CP producers were part of organised groups. That was not the case with the CP producers in the N-JOV Study. Almost all of them acted alone (91 per cent). A few operated with one other offender and sexually victimised youth who were family members or acquaintances (8 per cent). Only 1 per cent of cases involved more organised sexual abuse, including small-scale prostitution rings and groups of offenders that produced and exchanged images among group members.

Almost half of the victims were teenagers

While most of the victims were aged 12 or younger (53 per cent), close to half were teenagers, ages 13 to 17. Overall, one in five victims were boys, and boys made up a quarter of victims younger than 13. As with offenders, almost all of the victims were White (91 per cent).

Offender-victim relationships varied based on the ages of victims

Most CP producers were family members (37 per cent) or acquaintances (36 per cent) of victims, although some met victims online (22 per cent) and a few were strangers (5 per cent). However, the contexts of CP production and the nature of the offender-victim relationships changed with the ages of the girls and boys who were photographed (see Figure 1).

Among the youngest victims, those aged 12 or younger, most CP producers were family members or caretakers. There were incest cases where men sexually victimised and photographed their daughters or step- or granddaughters over long periods of time; offenders who befriended and babysat for parents with children, then sexually abused and photographed the children; and a few families in which CP production was part of a pervasive atmosphere of sexual and physical abuse.

CP producers found ways to get access to school age victims outside of victims' households. Some ingratiated themselves with families by showing a special interest in children and taking them on outings and trips where they were abused and photographed. Some of these CP producers had legitimised their interest in children by affiliating themselves with youth organisations or schools. Some CP producers bypassed parents by targeting unsupervised children and young teens, giving them places to hang out and exploiting their natural interest in sex by talking about it, giving them pornography and allowing and encouraging sexual activity.

When victims were teenagers, the number of family member CP producers shrank, and the number that victims knew from outside of their homes, like teachers, coaches and neighbours grew. We also found a new group of CP producers, men who met victims online. The female victims in these Internet-initiated cases were often in love. For example, a 14-year-old girl met a man in his 40s in a chatroom. They communicated online for several months and then had several encounters at hotels. He took nude Polaroid photos of her and recorded a video of them having sex. Most of the boys who were photographed by men they met online were trying to understand their feelings of sexual attraction to men. A 13-year-old boy went to a chatroom geared toward gay men and asked if anyone lived near him. A 38-year-old man replied. They met face-to-face and spent the night in a hotel, where the man took pictures of their sexual activity with a digital camera.

Most CP producers had multiple victims and many victimised groups of children or adolescents

We tend to think of sexual activity as being between two people, however a surprisingly large number of offenders, over one-third, victimised children or adolescents in groups, apparently relying on group dynamics to 'normalise' the sexual activities and CP production. The groups ranged in size from two victims to ten, and included groups of siblings victimised by a family member or caretaker,

Table 3.1 CP production: Characteristics of offenders and victims*

Offender characteristics	CP production cases % (N = 122)
Offender gender	
Female	2% (3)
Male	98% (119)
Offender age	
Younger than 18	3% (2)
18 to 25	8% (9)
26 to 39	45% (59)
40 or older	44% (52)
Offender race	
Non-Hispanic White	93% (110)
Other group	4% (8)
Employed full-time	81% (95)
Possessed CP produced by others	73% (86)
Had some college education	46% (59)
Marital status	
Single, never married	36% (45)
Married or living with a partner	37% (45)
Separated, divorced, widowed	27% (32)
Lived with a minor at time of crime	46% (53)
Had a diagnosed mental illness	1% (2)
Diagnosed with a sexual disorder	3% (6)
Evidence of deviant sexual behaviour not involving children	16% (24)
Problems with drugs or alcohol	20% (24)
Any past violence, excludes current crime	16% (15)
Prior arrests for nonsexual offences (f35)	26% (27)
Prior arrests for sex crimes against minors	12% (20)
Number of offenders	
One	91% (108)
Two	8% (11)
Three to six	1% (3)
Victim characteristics	
Victim gender	
Girls	80% (94)
Boys	20% (28)
Victim age	
5 or younger	10% (15)
5 to 12 years	43% (52)
12 to 17 years	47% (55)
Victim race	
Non-Hispanic White	91% (108)
Other group	9% (13)

Table 3.1 *Continued*

Offender characteristics	CP production cases % (N = 122)
Offender-victim relationships	
Family members of victims	37% (46)
Face-to-face acquaintances	36% (47)
Offenders met victims online	22% (26)
Strangers	5% (3)
Multiple victim cases	
Numbers of victims	
One	37% (55)
Two	35% (26)
Three to five	17% (29)
Six or more	10% (11)
Don't know	1% (1)
Group victimisation	
Single victims	37% (56)
Group of victims	37% (44)
Multiple victims, not group	26% (22)

*If there was more than one victim or offender in a case, we picked a 'primary' victim or offender. The primary victim was the victim who used the Internet the most, or, if the victims were equal in that respect, the one who was the most seriously victimised. If there was no difference based on degree of victimisation, we picked the youngest. Similarly, the primary offender was the one who used the Internet the most, or who committed the most serious offence or the youngest. The victim and offender information presented here pertains to primary victims and offenders.

Note: Some categories may not add up to 100 per cent because of missing data or rounding. Also, percentages and numbers may not be proportionate because we used weighted data but unweighted counts to avoid any confusion about the number of cases upon which the findings are based.

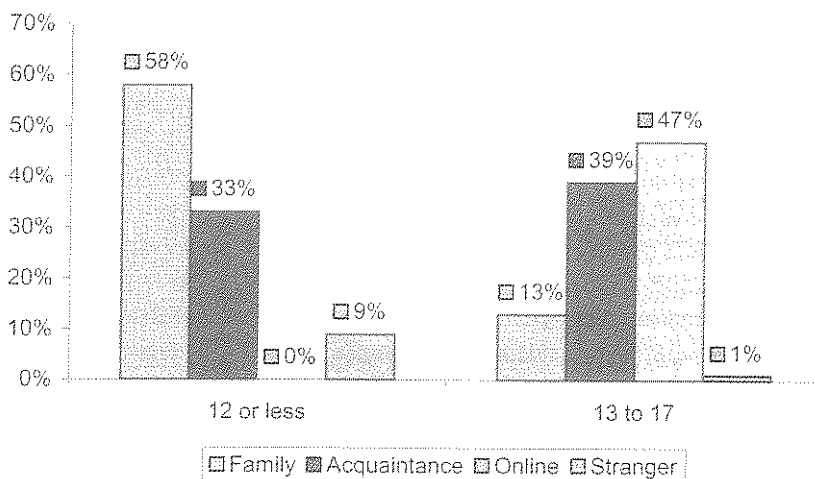


Figure 3.1 Type of offender-victim relationship based on whether victim was age 12 or younger or age 13 to 17

groups that included one or more children of an offender plus their friends, and groups of unrelated adolescent boys, girls or both that were organised around an adult.

The children in the sibling groups were sometimes quite young. For example, one man molested and filmed his girlfriend's three children, who were all younger than eight. Another offender offered to help a large family with childcare. He moved in with them and sexually assaulted and photographed several of the siblings, who ranged in age from four to ten. He made games of sexual activities and posing for pictures, and used the older siblings to introduce younger ones to the games.

Some offenders appeared to be using their children to recruit other victims. One young teenager who was being sexually abused and photographed by her uncle approached her friends on his behalf to recruit them for picture taking. A father took photos of his daughters and their friends.

There were also several of groups of unrelated adolescents, formed around individual adults, who got access to victims by inviting them into their homes, often offering the youths beer and marijuana and allowing and encouraging sexual activity. Some of these groups were all male, some were all female and some were mixed. Some of the CP producers were paedophiles who sought out boys from poverty stricken homes, gave them gifts, attention and emotional support, indoctrinated them into sexual activity and took photographs. One was looking for sexual contact with boys, but if boys resisted, he encouraged them to bring their girlfriends to his home for sex, which he watched and photographed. Some CP producers were focused on girls and formed groups of girls that were similar to the all boy groups. The girls had sex with the men and posed for pictures or took pictures of each other. The men gave the girls alcohol, drugs and cigarettes.

We can only speculate about why so much CP production happened in the context of groups. A photographer by nature is a third party observer to the action of others, so CP producers may have deliberately formed groups to create atmospheres where intimate activities like sex were observed. Once sex was observed, photography may have seemed acceptable. Also there may have been an 'I dare you' attitude among groups, particularly those involving adolescents that broke down inhibitions and made the youths more willing to pose.

Most CP producers took a variety of types of images that ranged widely in explicitness

The CP producers took a variety of types of pictures. Some of these pictures unequivocally depicted serious sex crimes, but others, though criminal in nature, did not (see Table 2).

Most CP producers took images that focused on a child's genitals or showed explicit sexual activity (71 per cent). Many took images that portrayed sexual contact between a child and an adult, defined as an adult touching the child's genitals (or breasts) or vice versa (43 per cent), and 30 per cent created pictures of adults sexually penetrating children. Some took photographs that showed other sexual penetration of children (15 per cent). These pictures showed sex between minors, penetration with objects or masturbation. Also, some CP producers took pictures that showed children enduring sexual violence, including sadism, bondage and beatings (6 per cent). These pictures showed a variety of types of sexual assaults. Some were staged while others recorded actual sadistic or violent acts.

Most offenders produced a range of pictures, including some that were not sexually explicit, but showed nudity (73 per cent) and sexually suggestive images of clothed children (40 per cent). Pictures in the nude category included videos of children or teenagers changing clothes or taking showers, snap shots of nude teenage girls or boys or, in some cases, more elaborate studio-type nude

photographs. The suggestive category included photographs of sporting events that focused on glimpses of underwear, thighs, groins or cleavage and pictures of young children posed in skimpy bathing suits, filmy dresses or revealing outfits. These suggestive images may or may not have been treated as child pornography by law enforcement, depending upon the laws of the jurisdiction that handled the case and other circumstances of the crime.

Further, some offenders had also taken what most of us would consider ordinary photos of young people. We did not gather systematic information about this subject, but investigators told us about offenders who made videos of children walking back and forth to school, at beaches, sporting events and high school graduations in addition to the child pornography they produced. These images did not appear to have a sexual focus until they were seen in the context of other images created by the offenders.

In addition to determining the variety of images taken by CP producers, we looked at the most serious level of image produced by each offender, defining images that showed sexual assaults by adults as the most serious. Close to half of CP producers created images that showed contact sexual abuse (47 per cent), including those whose most serious image showed penetration by an adult (30 per cent), other sexual assault by an adult but not penetration (13 per cent) and penetration, but not by an adult (4 per cent). For over one-quarter of CP producers, the most serious image graphically showed genitals, but did not depict abuse (27 per cent). Finally, in 26 per cent of cases, investigators did not find any sexually explicit images, but did find images depicting nudity (23 per cent) or sexually suggestive poses (3 per cent).

Most CP producers sexually assaulted victims, but some did not

While we found that not all picture taking involved images showing sexual abuse, we expected that most CP production would occur in relationships that included contact sexual abuse or assault. We found that about two-thirds of the CP producers had sexually assaulted their victims, and the majority had committed sexual assaults that involved intercourse or other forms of sexual penetration (58 per cent). For example, a father who videotaped himself having sex with his young daughter coerced her into intercourse from the time she was seven until she told her mother at age 10. A 25-year-old man took in a 15-year-old boy from a deeply troubled home, seduced him and took photographs. Another man digitally penetrated and photographed a sleeping three-year-old girl who was spending the night in his home.

However, almost one-third of CP producers did not commit crimes that involved physical contact with their victims. Some used hidden cameras. Some convinced teenaged girls to pose for nude photos. Many of these images were not sexually explicit, but some producers created sexually explicit images without having sexual contact with victims. Two examples are a woman who took graphic nude photos of her nine-year-old daughter for her boyfriend, and a man who allowed teenagers to use his home for sexual encounters, which he recorded on video.

Most CP producers took pictures openly, but some used covert methods

Most CP producers took pictures openly (71 per cent), but one in five used covert methods that allowed them to capture images without having to gain the acquiescence of victims or, in some cases, interact with them at all. A few CP producers used both overt and covert methods (5 per cent).

Covert CP production

The most common covert method of CP production was *hidden cameras*. Examples include a father who hid a camera in a bathroom and took pictures of his daughters showering; a man who smuggled a camera into a locker room and took pictures of nude young boys; and a man who invited boys into his home, showed them pornography, and secretly filmed them masturbating. Many of these CP producers did not sexually assault their victims, but some did. For example, an offender in an Internet-initiated case pressured his 14-year-old victim into engaging in bondage and secretly filmed it.

A few offenders secretly used *sedatives or other drugs* to render victims compliant. One CP producer gave young girls mild sedatives, sexually assaulted them and recorded the assaults. Another man, who enticed teenage girls to his home by pretending to run a modelling agency, gave them soft drinks secretly laced with Ecstasy before he assaulted and photographed them. A third offender used both hidden cameras and sedatives. He was reported to police when a visiting boy saw a video camera hidden in the man's bathroom. This offender had taken the boy on a trip a few weeks previously, and police found a tape of the man molesting the boy during that trip. The boy remembered nothing. In the tape, he appeared drugged. Also, some offenders photographed and sometimes molested *sleeping* victims. Finally, *computer 'morphing'* was another form of covert CP production, although it was quite rare. One man produced an image that showed him sexually abusing his girlfriend's daughter. He acquired a simple photograph of the child and used computer graphics to 'morph' it into a sexual scene.

Overt CP production

While some CP producers used covert methods, most took pictures openly and used coercion, manipulation, and payment to gain the acquiescence of victims.

Coercion

Coercion took a variety of forms, ranging from minor use of force to pressure to threats. A small number of CP producers acquired pictures by using minor physical assaults such as ripping away towels and pulling down pants. Some used parental authority to coerce victims of incest into being photographed. Threats were also used. A man in his 40's allowed two teenage girls to use his home to have sex with their boyfriends, and then threatened to tell their parents if they did not provide sexual favours and pose for pictures. Another CP producer, a neighbour of two brothers, threatened them with violence if they revealed that he was assaulting and photographing them.

Manipulation

Many CP producers used ways other than coercion to gain victim co-operation in sexual activity and picture taking. Some offenders used play to seduce young children into posing. A CP producer, who sexually assaulted and took pictures of a four-year-old girl over a period of 18 months, used this tactic to introduce the child to sexual activity and photography. Some CP producers gave older victims alcohol and drugs to loosen inhibitions. The mother who produced sexually explicit photographs of her nine-year-old daughter gave the girl wine coolers and daiquiris. A man who met a 14-year-old boy in a gay chat room, gave the boy marijuana and beer, then seduced and photographed him. Romance was a popular tactic for men whose victims were teenage girls. A teacher who romanced,

seduced and took pictures of a 13-year-old girl after he had been hired as her tutor was in this category, as were several of the offenders who met their victims online.

Payment

Finally, some offenders paid adolescent victims to pose. One commercial CP producer enticed boys to his home by giving them access to computers. He paid them per picture by creating accounts for each boy and giving them credits that could be used to buy things online. A man who created videos of teenage girls and sold them online paid the girls for posing. Another man convinced a group of girls to take pictures of each other, paying them with beer and cigarettes.

Three out of ten CP producers distributed the images they produced, but not always online

We expected that distribution to the Internet CP market would be a primary motive for CP production and that most produced pictures would be distributed online. However, we could not conclude this was true. Investigators were certain that images were distributed in less than one third of cases, and that distribution did not always occur via the Internet. In about half of the remaining cases, investigators did not know whether CP producers had distributed images and in the other cases the CP producers did not distribute. So it seemed that CP producers used images for a variety of purposes and that distribution, when it occurred, happened in a variety of ways, not just online. At the same time, one of the exacerbating circumstances of CP production as a crime is that any image can be easily circulated online, so that the potential harm of Internet distribution exists for victims long after the crime has ceased, if the images are in the hands of someone who might put them online.

CP producers had a variety of motives for distributing images

CP producers who distributed images had a variety of motives for doing so. Some were deeply involved in the Internet CP market or were running commercial enterprises. These CP producers distributed images broadly. But others distributed images in a limited manner.

The Internet CP market

Only about one-fifth of CP producers were clearly deeply involved in the Internet CP trade; they produced child pornography, distributed what they produced and possessed CP produced by others. Examples include an elementary school teacher who sexually abused several children, all of whom were younger than 10, and videotaped the abuse. He ran a file server through which he collected and distributed child pornography, including the videos he had made. His CP collection contained over 5,000 images. One CP producer, who had a CP collection of over 8,000 images, circulated images of himself abusing his infant daughter. He used photo-editing software to block her face in the images. Some fathers who abused their daughters for years were also traders and collectors of child pornography.

These CP producers were active participants in the CP market who posted images online or transmitted images directly to other traders. Many of the CP producers used the Internet to converse

Table 3.2 Characteristics of CP produced

Characteristics	CP production cases % (N = 122)
Offender produced CP depicting . . .	
Genitals or sexual activity	71% (95)
Sexual contact between adults and minors	43% (59)
Penetration of a child by an adult	30% (44)
Penetration of a child not by an adult	15% (27)
Violence	6% (9)
Nude or semi-nude, not graphic	73% (86)
Suggestive poses, clothed	40% (59)
Most serious image by offender showed	
Sexual penetration by an adult	30% (44)
Other sexual assault by an adult	13% (15)
Penetration, not by adult	4% (8)
Sexually explicit nudity	27% (30)
Simple nudity	23% (20)
Sexually suggestive poses, clothed	3% (4)
Communicated online with others involved with CP	39% (49)
Distributed produced images	
Yes	28% (39)
No	43% (55)
Don't know	29% (28)
How images were distributed	
Online	23% (32)
Offline (by mail or hand-to-hand)	10% (12)
Both on and offline	5% (6)
Offender produced, possessed and distributed produced images	19% (24)
Sexual abuse committed by offender against victim	
Photography only	27% (30)
Soliciting images	4% (4)
Sexual assault without penetration	11% (16)
Intercourse, oral sex or other penetration	58% (72)
Production method was . . .	
Covert	21% (22)
Overt	71% (97)
Both	5% (7)
Don't know	10% (9)

Note: Some categories may not add up to 100 per cent because of missing data or rounding. Also, percentages and numbers may not be proportionate because we used weighted data but unweighted counts to avoid any confusion about the number of cases upon which the findings are based.

with other offenders who were involved in child pornography. In the online CP market, newly produced images may serve as currency that allows CP producers to trade for other images and to achieve status in underground online groups devoted to child pornography and child sexual abuse (Jenkins, 2001; Taylor and Quayle, 2003). There is little doubt that many of the images created by these CP producers have permanently joined the eternally circulating stream of child pornography available online.

Commercial exploitation

CP images are a valuable commodity, but most CP producers who distributed were not selling images. A few, however, had established moneymaking businesses, including running websites for profit. According to investigators, one offender had a 'vast' computer business producing and selling sexually explicit pictures of boys, using a highly sophisticated encrypted computer system. Another offender maintained a website that featured girls ages 14–17. Members could order videos that featured specific girls and 'special requests' for \$450 per video. Not all of the for-profit websites were sexually explicit. One man set up a paid membership website where people could view images of girls videotaped at sporting events.

A small number of the CP producers ran prostitution rings that featured children and adolescents. One man offered a run-away 13-year-old girl a place to stay, then forced her into prostitution. He posted sexually explicit pictures online to advertise her services. In two other cases, the offenders both pimped and produced CP videos that featured young teen girls. One of these pimps sent the videos through the US mail to a man who posted them online. The other distributed videos by showing them to groups of men. Two cases involved the prostitution of pre-pubescent children. A mother and her boyfriend used the Internet to offer her children for sex, and a man similarly offered a 12-year-old boy from his neighbourhood that he had seduced.

Limited distribution

Some CP producers engaged in more limited distribution; they distributed images to a small number of individuals with whom they had established relationships. We found three categories of limited distribution. The first included most female offenders, who were pandering to men they knew. They took pictures of their children and distributed the images to the men. The second included a small number of cases involving rings of offenders who produced and traded images among themselves. The third category included CP producers who used produced images to seduce other youth into sexual activity or persuade them to pose. For example, a man took pictures of himself having sex with a 16-year-old boy and sent the images via e-mail to two younger teen boys he met in chatrooms. While these CP producers may not have intended for the pictures go beyond the recipients, there was, of course, no guarantee images would remain out of the larger Internet CP market.

Other CP producers had motives for taking pictures that did not involve distribution

A considerable number of CP producers did not distribute the images they created (43 per cent). In many cases, the offenders may have wanted pictures as souvenirs of encounters with victims or for

purposes of sexual fantasy. (Many CP producers who distributed images may have also had these motives.) While this was not something we could determine by interviewing law enforcement investigators, the case narratives did give insight into two common motives of CP producers who did not distribute images.

Seduction

Some CP producers appeared to use the process of picture taking to entice victims into sex. Some of these offenders were, or claimed to be, professional photographers. One man exemplified this group. He manipulated girls into posing by telling them they could become models. He started off taking 'glamour' shots, and then gradually moved them to sexual situations. These offenders appeared to use the role of photographer to flatter victims and acquire a level of intimacy that set the stage for seduction.

Voyeurism

Another group of offenders, especially the ones using hidden cameras, may have been voyeurs. Voyeurism is a sexual disorder characterised by 'recurrent, intense sexually arousing fantasies, sexual urges, or behaviours involving the act of observing an unsuspecting person who is naked in the process of disrobing, or engaging in sexual activity' (DSM IV, 1994). This probably explains the behaviour of many of the offenders who used hidden cameras to record victims in bathrooms, bedrooms and other places.

Most CP production cases come to the attention of law enforcement as child sexual abuse cases

Because child pornography is so associated with the Internet, a stereotype has developed that cases come to the attention of police because of Internet-related investigations or because people see images online that are traced back to specific CP producers.

We looked closely at how the CP production cases came to the attention of the criminal justice system. We found that the great majority came to light as conventional child sexual abuse cases (87 per cent). (See Table 3) Only 10 per cent came to the attention of law enforcement as a result of investigations of CP possession, while another 3 per cent became known because offenders solicited undercover investigators who were posing as minors online. Whether produced images were distributed did not have an impact on how CP production became known to law enforcement. Further, citizen reports to law enforcement generated the great majority of CP production cases (91 per cent), while less than 10 per cent arose through law enforcement activity like undercover investigations.

Implications

This paper examined a US national sample of cases in which offenders who were arrested for Internet-related crimes produced child pornography. We found the CP producers were a diverse group of offenders who committed a range of sex crimes and took pictures in a variety of contexts and for a variety of motives. There was no typical scenario for CP production. We also found that

Table 3.3 CP production cases: How cases became known to the criminal justice system

Characteristics	CP Production cases %(N = 122)
Case began as . . .	
Child sexual abuse case	87% (99)
Solicitation to undercover investigator	3% (6)
Possession or distribution of child pornography	10% (17)
Cases where produced CP was distributed began as . . . (n = 39)	
Child sexual abuse case	89% (32)
Solicitation to undercover investigator	2% (2)
Possession or distribution of child pornography	9% (5)
How case originated	
Citizen report	91% (103)
Law enforcement activity	9% (19)

Note: Some categories may not add up to 100 per cent because of missing data or rounding. Also, percentages and numbers may not be proportionate because we used weighted data but unweighted counts to avoid any confusion about the number of cases upon which the findings are based.

the pictures taken by CP producers varied considerably in terms of the sexual explicitness of the images, how CP producers used them and whether the images were distributed. Further, while in some cases the pictures explicitly recorded the sexual abuse committed by offenders, in other cases they did not. Some CP producers who committed incest or other penetrative sexual assaults took only nude or sexually suggestive pictures of victims. And some CP producers who did not commit sexual assaults produced pictures that were quite explicit.

Nonetheless, we did not find that CP production was a widespread crime. The estimated number of 402 arrests for CP production during the year covered by the study is small compared to overall arrests for sex crimes against minors, 65,000 during that same year. However, this estimate accounts only for arrests, and not for cases that were unknown to law enforcement or cases that were known but arrests were not made.

Implications for law enforcement

One important aspect of our findings is that the great majority of these cases came to the attention of law enforcement in the form of child sexual abuse cases that were reported to authorities by citizens. There has been much publicity and discussion about child pornography on the Internet and great concern about the children who are pictured in the images seen there. Law enforcement and child advocates are pushing to find ways to identify these children, primarily to rescue them from their situations, but also so that the law enforcement agencies that maintain databases of CP images in Europe and the US can maintain accurate records.

While efforts to find children whose pictures are seen online are important, our finding that most CP production cases began in local law enforcement agencies with complaints of child sexual abuse adds another dimension to these efforts. It is important to remember that, while CP images circulate globally on the Internet, the criminals that produce the images operate in local communities. Conventional child sexual abuse investigations should not be overlooked as a means of stopping CP producers and identifying victims.

We recommend that standard protocols for child sexual abuse cases prompt investigators always to consider the possibility that pictures were taken. Searchers should always look for pictures. Interviewers should routinely ask about pictures. Cases that involve CP possession or online meetings deserve heightened alert to the possibility that CP images were produced.

There are two reasons this is so important. First, the harm to and needs of victims cannot be fully assessed if the professionals involved in cases do not find out, or try to find out, if CP images were produced. Second, pictures can provide concrete evidence of crimes. In some cases images directly document the sexual abuse and provide disturbing and graphic evidence of what occurred between offenders and victims. Even if pictures are not explicit, they can corroborate victim testimony and provide evidence of inappropriate actions by offenders that can shed light on their motivations and actions.

In cases where CP production is established, it is particularly important to determine whether pictures were distributed and to recover images that could cause embarrassment to victims in the future if at all possible. Many of the investigators we interviewed did not know whether the images they found had been distributed. Training investigators in how to detect distribution would be beneficial. Also, policies need to be developed that are sensitive to the reactions of victims who may be reluctant to reveal that images were created or who may feel humiliated at their pictures being viewed as evidence.

Implications for prevention and education

Education and prevention programmes geared toward protecting children from sexual offenders should include age-appropriate, candid information about CP production and the contexts in which it can occur. With younger children, education programmes can bring up inappropriate picture taking when talking about inappropriate touching.

Adolescents need a different approach. In the N-JOV Study, many of the offenders who photographed teenagers victimised youth who felt attached to the offenders by ties of romance or friendship or sexual bonds. We need to be emphatic about why these relationships are illegal, wrong and unhealthy. Adolescents should know: adults who engage in sexual activity with underage youth are committing crimes and can go to jail. The youth in these relationships may feel appreciated and understood, but it's often because they are being manipulated to feel that way. Posing for sexy pictures may seem glamorous, but pictures are permanent and who sees them is rarely in the control of the person who posed. Pictures can end up circulating on the Internet forever. Further, when pictures are discovered, the youth involved are usually horribly embarrassed; their lives are disrupted and the pictures may end up as evidence in court. In the US, it is a federal crime to take sexually explicit pictures of persons younger than 18. Adults who take sexual pictures of children and young teens should be reported to the police to protect other youth from being victimised. If youth know that friends or acquaintances are involved in inappropriate relationships with adults, they need to protect their friends by disclosing what they know.

Limitations

The N-JOV Study is the first research that has gathered information about a national sample of arrested CP producers. Data from a national sample is the strength of the N-JOV Study, but like every scientific survey, the study also has limitations and defects. Readers should keep some of these important things in mind when considering the findings and conclusions of this study.

First, some errors and biases may have been introduced because we interviewed law enforcement investigators. We regarded these respondents as the best sources for in-depth information about the nature of Internet-related crimes because their professional responsibilities require them to gather extensive 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.

In addition, the findings of the study apply only to CP producers who were arrested for Internet-related sex crimes against minors. We do not know if these arrested offenders were representative of CP producers who were undetected by law enforcement or those who were detected but not arrested. Because of this, our findings cannot be interpreted to apply to offenders who were not arrested or those who committed sex crimes that were not Internet-related.

Conclusion

We found that CP production is not unusual in the context of Internet-related sex crimes against minors, although we cannot say how common it is in crimes that have no Internet nexus. We are concerned that the advent of the Internet child pornography market may have increased the demand for images and that CP production may be increasing as a result. At the same time, many of the pictures that were taken in these cases were not distributed online.

The Internet supports the CP market by making it easily accessible. But the Internet and related technologies have contributed to the problem of CP production in other ways also. First, the online CP market may motivate some offenders to produce images for trade. Second, even though many of the offenders in our study did not distribute images online, the potential for distribution exists now in any case where an image is created. Any picture can be scanned and uploaded onto the Internet. Third, since the advent of computers, scanning and digital photography, CP production can be done easily and privately. Offenders who may have been inhibited in the past because film had to go through third parties for development may feel they can now take pictures with little risk. Fourth, new technology allows offenders to photograph victims easily without their knowing, so CP producers can pander to voyeuristic tendencies by hiding cameras and secretly filming victims.

The Internet is also the source of a large and, in the US, legal adult pornography market, which also may have an impact on CP production, particularly where adolescents are concerned. About half of the CP production cases involved teenagers younger than 18. We expect that most of these victims were sexually mature, and that the target audience for their images did not include paedophiles. Some of these teenagers posed willingly for pictures, sometimes out of misguided love for offenders, but sometimes in exchange for money, gifts, drugs or alcohol. The Internet may have contributed to a sense that posing for sexually explicit pictures is glamorous and exciting. Pornography sites are widely advertised online, and television shows have touted Internet pornography stars as celebrities. Offline sources also contribute. Videos of girls flashing their breasts and raising their skirts are promoted and sold on television and the extent of sexually provocative advertising, some involving models who appear to be young teens has been commented on widely. These social mores may make it easier for CP producers to convince teens to pose for pictures.

While not all of the cases we examined involved sexually explicit images or victims who were sexually assaulted, it is important to acknowledge the disturbing nature of many of the cases we described in this chapter. Many CP producers were taking pictures of acts that most people do not want to imagine, much less see. It is painful to know that children and teenagers are being used so callously. Child pornography is not new, just like child sexual abuse is not new. However, the Internet

may be adding new dimensions to this crime by allowing illicit images to circulate widely via a medium that is easy to use, widely accessible and hard to police. These factors may promote the growth of the trade in child pornography, which in turn may promote a growth in production of images. More children may be at risk.

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