Digital Child Pornography

National Center
For Justice And The Rule Of Law
University of Mississippi
School of Law

Thomas K. Clancy
Director

www.NCJRL.org

Funding!

This conference is funded by a grant to the National Center for Justice and the Rule of Law by the Office of Juvenile Justice Delinquency and Prevention, US DOJ.

Points of view / opinions in this training session and the binders are those of the presenters and do not represent the official position of the U.S. Department of Justice.

National Center for Justice and Rule of Law

MISSION STATEMENT

Focus: issues relating to criminal justice system

Purpose: promote two concepts that make up Center’s title

“Justice” — basic notions of equality, equity, and fairness

“Rule of Law” — legal system needs certain procedures to obtain the correct result

BOTH NEEDED to insure criminal justice system fulfills its function to society
National Center for Justice and the Rule of Law

Conferences
Training
Projects
Publications

Cyber Crime Initiative
Link w/ national organizations, state-wide agencies to develop model projects to facilitate prosecution of persons engaged in computer-related crime.

Fourth Amendment Initiative
Promotes awareness of search and seizure principles
National Judicial College
conferences for state trial and appellate judges
Annual Symposium
Address important search and seizure issues,
James Otis Lecture
Annual lecture by noted scholar.
Computer Searches and Seizures
Judicial and prosecutor training w/ NA and Mississippi State University

publications at www.NCJRL.org
Annual Fourth Amendment Symposiums

2002: Technology
2003: Race & Ethnicity
2004: “Tools” to Interpret
2005: Computer Searches and Seizures
2006: Role of Objective vs. Subjective Intent
2007: Independent State Grounds
2008: Border Searches -- digital and physical
2009: “Great dissents”
2010: Fourth Amendment Rights of Children

Publications / Projects

Model Cyber Crime Guide
Computer Searches and Seizure Symposium
Supervising Child Pornographers
Online Cyber Crime Newsletter
Internet Chat CD Rom
Mississippi Cyber Crime Unit
Internet Victimization Symposium

New web based materials - innovative training materials and standardized approaches to computer-related crime

upcoming events

Comprehensive Search and Seizure for Trial Judges
Reno -- May 24-27, 2010
OXFORD -- October 4-7, 2010

Computer Searches and Seizures for Trial Judges
OXFORD -- September 9-10, 2010
OXFORD -- August 25-26, 2011
appellate judge conferences

Foundational Fourth Amendment Principles and Annual Fourth Amendment Symposium
Oxford --- March 10-12, 2010

Symposium: The Fourth Amendment Rights of Children
Oxford - March 11, 2010

ICAC training: this grant!
See flyer: 4 new courses / web based materials
FREE: course, materials, travel, lodging, most meals
1. Child Pornography
2. Technology Assisted Crimes Against Children
3. Technology-Assisted Crimes Against Children: Understanding Investigative Techniques and Pretrial Motions Practice (offered twice)

new law school

The University of Mississippi School of Law
this course

Power points and binder materials available at:

WWW. NCJ RL.org

day #1
- First Amendment: Overview of Evolution of Child Pornography Regulation
- Characteristics of Collectors / Offenders / Indicators of Other Offenses
- Dimensions of Child Pornography Victimization
  Dr. Sharon W. Cooper
- Digital Evidence Locations and Computer Forensics Introduction
  Don Mason
- Use of Technology to Distribute CP
- Fourth Amendment applicability to internet investigations
  Thomas K. Clancy
- Breakout Group: Probable Cause and Internet Child Porn Groups

day #2
- Warrants / Probable Cause in Child Pornography Cases
  Priscilla Grantham
- Other common Search and Seizure Issues
  Priscilla Grantham / Thomas K. Clancy
- Elements of Crimes and Problems of Proof
  Thomas K. Clancy
- Discovery, authentication, expert testimony
  Don Mason
- Youthful Offenders, including sexting; self-produced CP
  Priscilla Grantham
- Breakout Group: Handling Sensitive Materials
- Consequences of Conviction (other than incarceration)
  Priscilla Grantham
- Incarceration / Judicial Decisionmaking in Sentencing: a Discussion
  Don Mason
### Published Search and Seizure Appellate Ct. Decisions

**253 total**

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Child Porn</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>13 (10)</td>
<td>19 (16)</td>
</tr>
<tr>
<td>2008</td>
<td>13 (10)</td>
<td>17 (13)</td>
</tr>
<tr>
<td>2007</td>
<td>9 (5)</td>
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<tr>
<td>2006</td>
<td>17 (9)</td>
<td>14 (8)</td>
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<tr>
<td>2005</td>
<td>13 (8)</td>
<td>20 (15)</td>
</tr>
<tr>
<td>2004</td>
<td>14 (11)</td>
<td>6 (4)</td>
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<tr>
<td>2003</td>
<td>7 (6)</td>
<td>6 (6)</td>
</tr>
<tr>
<td>2002</td>
<td>9 (7)</td>
<td>7 (6)</td>
</tr>
<tr>
<td>Pre-2002</td>
<td>22 (12)</td>
<td>33 (18)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>117 (78)</strong></td>
<td><strong>136 (95)</strong></td>
</tr>
</tbody>
</table>

- **68%**

- Green - Total Cases
- Yellow - Child Porn

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### Fourth Amendment Publications / Lectures

- Cyber Crime Newsletter
- Upcoming Events Calendar

[www.NCJ RL.org](http://www.NCJ RL.org)